

PENNSYLVANIA BULLETIN

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Department of Banking and Securities
Department of Community and Economic
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 487, June 2015

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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.

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.

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.

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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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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2015.

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THE COURTS

Title 25—LOCAL COURT RULES

WESTMORELAND COUNTY

Promulgation of Rule of Criminal Procedure WC717; No. 3 of 2015

Administrative Order

And Now this 6th day of May, 2015, *It Is Hereby Ordered* that Westmoreland County Rule of Criminal Procedure WC717, Substance Abuse Education and Demand Reduction Fund is adopted.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

WC717. Substance Abuse Education and Demand Reduction Fund.

(a) Pursuant to 18 Pa.C.S.A. Section 7508.1, which requires the collection of costs for the Substance Abuse Education and Demand Reduction Fund (SAEDRF), the Westmoreland County Clerk of Courts shall assess and collect such costs, and shall remit such costs to the Westmoreland County Treasurer;

(b) The Westmoreland County Clerk of Courts shall remit the portion required by law to the Substance Abuse Education and Demand Reduction Fund established under Section 7508.1, and shall retain the Westmoreland County portion of the costs as a separate revenue line item, designated the "Drug Education Fee" in accordance with mandates of Pennsylvania law;

(c) Disbursements from the "Drug Education Fee" line item shall be made available for use in substance abuse treatment or prevention programs, and shall be made available only at the direction of the President Judge. Any request for such disbursements shall be made to the Criminal Justice Advisory Board, which may then make a recommendation to the President Judge. Requests for disbursement shall be submitted in the form of a proposed Order for disbursement, setting forth the purpose of the request and the proposed use of the funds.

[Pa.B. Doc. No. 15-1046. Filed for public inspection June 5, 2015, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Allen D. Brufsky (# 79969), having been disbarred from the practice of law by Order of the Supreme Court of Florida filed August 7, 2013, the Supreme Court of Pennsylvania issued an Order on May

15, 2015, disbaring Allen D. Brufsky from the Bar of this Commonwealth, effective June 14, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-1047. Filed for public inspection June 5, 2015, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Christopher W. Poverman (# 61271) having been indefinitely suspended from the practice of law in the State of Maryland with a right to apply for reinstatement in one year by the Opinion and Order of the Court of Appeals of Maryland filed November 21, 2014; the Supreme Court of Pennsylvania issued an Order dated May 15, 2015 suspending Christopher W. Poverman from the practice of law in this Commonwealth consistent with the Order of the Court of Appeals of Maryland. 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*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-1048. Filed for public inspection June 5, 2015, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Geoffrey L. Steiert having been suspended from the practice of law in the State of New Jersey for a period of six months by Order of the Supreme Court of New Jersey filed December 10, 2014, the Supreme Court of Pennsylvania issued an Order on November 25, 2014 suspending Geoffrey L. Steiert (# 34070) from the practice of law in this Commonwealth for a period of six months, to take effect on June 17, 2015. 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*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-1049. Filed for public inspection June 5, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

[49 PA. CODE CH. 43b]

Schedule of Civil Penalties—Podiatrists

The Acting Commissioner of Professional and Occupational Affairs (Commissioner) proposes to add § 43b.27 (relating to schedule of civil penalties—podiatrists) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48) (Act 48) (63 P. S. § 2205(a)) authorizes the Commissioner, after consultation with licensing boards in the Bureau of Professional and Occupational Affairs (Bureau), to promulgate a schedule of civil penalties for violations of the acts or regulations of the licensing boards.

Background and Purpose

Act 48 authorizes agents of the Bureau to issue citations and impose civil penalties under schedules adopted by the Commissioner in consultation with the Bureau's boards and commissions. Act 48 citations streamline the disciplinary process by eliminating the need for formal orders to show cause, answers, adjudications and orders, and consent agreements. An individual who receives an Act 48 citation retains his due process right to a hearing prior to the imposition of judgment. The use of Act 48 citations has increased steadily since 1996, when the program was first implemented, and they have become an important part of the Bureau's enforcement efforts. Section 5(b)(4) of Act 48 authorizes the State Board of Podiatry (Board), as a licensing board within the Bureau, to levy a civil penalty of not more than \$10,000 on any licensee or unlicensed person who violates a provision of the Podiatry Practice Act (act) (63 P. S. §§ 42.1—42.21c) or regulations of the Board. However, section 5(a) of Act 48 limits the civil penalty that may be levied by citation to no more than \$1,000 per violation.

This is the first time that the Board will participate in the Act 48 citation program. The Commissioner and the Board believe it is necessary to implement the civil penalties in this proposed rulemaking to streamline the disciplinary process.

Description of the Proposed Rulemaking

The Commissioner, in consultation with the Board, proposes to add § 43b.27 to establish a schedule of civil penalties for practicing on a lapsed license and for failure to complete 50 hours of approved continuing education as required by the act and regulations.

This proposed rulemaking would also progressively increase the civil penalties for continuing violations for the listed offenses based on the length of the violation. For example, the penalty for practicing on a lapsed

license would increase depending on the length of time that the license has lapsed. For a first offense of practicing on a lapsed license for less than 2 months, the civil penalty would be \$250. Practicing on a lapsed license for 2 months to 5 months would result in a civil penalty of \$500, while practicing on a lapsed license over 5 months to 12 months would be a \$1,000 civil penalty. For second offenses by a licensee, practicing on a lapsed license for less than 6 months would result in a civil penalty of \$500, and practicing on a lapsed license from 6 months to 12 months would be a penalty of \$1,000. If a license would lapse for more than 12 months, the result would be formal administrative action.

Likewise, the penalty for failure to complete 50 hours of approved continuing education would increase depending on the number of hours a licensee is deficient in continuing education. For a first offense of failure to complete continuing education, the Board would use a formula of \$50 per hour of deficiency, not to exceed \$1,000 (the maximum for an Act 48 citation). For a first offense of failure to complete more than 20 hours of continuing education, the result would be formal administrative action. For a second offense, the penalty increases to \$100 per hour of deficiency, not to exceed \$1,000, and a deficiency more than 10 hours would result in formal administrative action.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking would not have adverse fiscal impact on the Commonwealth or its political subdivisions, and would reduce the paperwork requirements of the Commonwealth and the regulated community by eliminating the need for orders to show cause, answers, consent agreements and adjudications/orders for those violations subject to the Act 48 citation process. The only fiscal impact of this proposed rulemaking would be borne by those persons who violate the act or regulations of the Board and are subject to the civil penalties proposed by the new schedule.

Sunset Date

The Bureau and the Board continuously monitor the effectiveness of the regulations. As a result, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 20, 2015, the Commissioner submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Louis Lawrence Boyle, Assistant Counsel, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in

the *Pennsylvania Bulletin*. Reference No. 16A-4413 (schedule of civil penalties—podiatrists), when submitting comments.

IAN J. HARLOW,
Acting Commissioner

Fiscal Note: 16A-4413. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 43b. COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

SCHEDULE OF CIVIL PENALTIES, GUIDELINES FOR IMPOSITION OF CIVIL PENALTIES AND PROCEDURES FOR APPEAL

§ 43b.27. Schedule of civil penalties—podiatrists.

STATE BOARD OF PODIATRY

| <i>Violation under 63 P. S.</i> | <i>Violation under 49 Pa. Code</i> | <i>Title/Description</i> | <i>Civil Penalty</i> |
|---------------------------------|------------------------------------|---|---|
| Section 42.12 | Section 29.14(a) | Practicing or offering to practice podiatry by a person whose license is expired | 1st offense—less than 2 months—\$250; 2—5 months—\$500; over 5—12 months—\$1,000; over 12 months—formal action 2nd offense—less than 6 months—\$500; 6—12 months—\$1,000; over 12 months—formal action |
| Section 42.9a | Section 29.61(a) | Failure to complete required hours of continuing education during the 2 years preceding renewal or reactivation | Subsequent offenses—formal action 1st offense—\$50 per hour of deficiency, not to exceed \$1,000; over 20 hours—formal action 2nd offense—\$100 per hour of deficiency, not to exceed \$1,000; over 10 hours—formal action Subsequent offenses—formal action |

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 62]
[L-2015-2465942]

Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers

The Pennsylvania Public Utility Commission (Commission), on March 25, 2015, adopted a proposed rulemaking order to amend its customer information disclosure regulations for residential and small business natural gas supply customers relating to disclosure statement and notice requirements, and expiration or change in contract terms.

Executive Summary

The Pennsylvania Public Utility Commission (Commission) proposes to amend its customer information disclosure regulations at 52 Pa. Code §§ 62.72 and 62.75 for residential and small business natural gas supply customers. Section 62.72 provides regulatory definitions while Section 62.75 in Title 52 of the *Pennsylvania Code* discusses the disclosure statement and notice requirements of the natural gas supplier (NGS) to the customer. The Commission also proposes to add new regulations in Section 62.81 governing notice requirements for NGSs regarding the expiration or change in contract terms for residential and small business customers. The Commission proposes these enhanced disclosure requirements as part of its broader Investigation of Pennsylvania’s Retail Natural Gas Supply Market. See Docket No. I-2013-2381742 (Final Order entered December 18, 2014) (hereinafter Gas RMI Final Order). The Gas RMI Final Order narrowed and outlined the issues to be explored in the

Retail Natural Gas Supply Market Investigation. In the Gas RMI Final Order, the Commission specifically sought from stakeholders comments and recommended revisions to the existing natural gas supplier disclosure requirements in Chapter 62 of the Commission's regulations.

Public Meeting held
March 26, 2015

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

Rulemaking to Amend and Add Regulations To Title 52 of the Pennsylvania Code, Sections 62.72, 62.75, and 62.81 Regarding Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers;
L-2015-2465942

Proposed Rulemaking Order

By the Commission:

The Pennsylvania Public Utility Commission (Commission) proposes to amend its customer information disclosure regulations at 52 Pa. Code §§ 62.72 and 62.75 for residential and small business natural gas supply customers. Section 62.72 provides regulatory definitions while Section 62.75 in Title 52 of the *Pennsylvania Code* discusses the disclosure statement and notice requirements of the natural gas supplier (NGS) to the customer. The Commission also proposes to add new regulations in Section 62.81 governing notice requirements for NGSs regarding the expiration or change in terms for residential and small business customers. The Commission proposes these enhanced disclosure requirements as part of its broader Investigation of Pennsylvania's Retail Natural Gas Supply Market. See Docket No. I-2013-2381742 (Final Order entered December 18, 2014) (hereinafter Gas RMI Final Order). The Gas RMI Final Order narrowed and outlined the issues to be explored in the Retail Natural Gas Supply Market Investigation. In the Gas RMI Final Order, the Commission specifically sought from stakeholders comments and recommended revisions to the existing natural gas supplier disclosure requirements in Chapter 62 of our regulations. See *id.* at 37-40.

Background

On April 3, 2014, the Commission adopted a Final-Omitted Rulemaking Order,¹ extensively revising the disclosure regulations in the electric industry, especially in the context of variable rate pricing. These new regulations, which became effective July 14, 2014, are now significantly different than the analogous natural gas industry regulations at 52 Pa. Code § 62.75 (Disclosure statement for residential and small business customers). These natural gas disclosure rules in Section 62.75 were promulgated in April 2001 and have not been formally reviewed since.² As stated above, in the Gas RMI Final Order, we expressly sought comments on the natural gas disclosure rules and directed our Office of Competitive Market Oversight (OCMO) to review any comments submitted and develop a Notice of Proposed Rulemaking to amend the disclosure provisions for natural gas customers. Gas RMI Final Order at 38-40. This Proposed Rulemaking Order is a result of that directive.

¹ See Final-Omitted Rulemaking Order: Rulemaking to Amend the Provisions of 52 Pa. Code, Section 54.5 Regulations Regarding Disclosure Statement for Residential and Small Business Customers and to Add Section 54.10 Regulations Regarding the Provision of Notices of Contract Renewal or Changes in Terms. Docket No. L-2014-2409385 (Order entered Apr. 3, 2014).

² See Final Rulemaking Order: Customer Information Disclosure Requirements for Natural Gas Distribution Companies and Natural Gas Suppliers, Docket No. L-00000149 (Adopted Nov. 29, 2000).

We have determined that concerns regarding variable rates and disclosure statements in the electric supply industry are relevant to the customer disclosure information in the natural gas industry. This customer disclosure information includes the availability of historical pricing information, notice of price changes, and explicit disclosure of limits or the lack of limits on price variability. We are also examining the applicability to the natural gas industry of the electric generation supplier (EGS) contract summary page and supply contract expiration notice requirements. See 52 Pa. Code § 54.10. We perceive that both customers and suppliers will benefit from consistent cross-industry rules. The current inconsistencies between the two sets of rules can lead to customer confusion and inefficiencies for suppliers, especially for those customers who obtain both gas and electric service from the same supplier.³

In our Gas RMI Final Order, we determined that enhancing the disclosure rules is a high-priority agenda item in the Gas Retail Markets Investigation. We concluded that a rulemaking would be necessary to effectuate the aforementioned goals of enhancing notices and disclosures to customers, alleviating customer confusion, and establishing consistent cross-industry rules. In the Gas RMI Final Order, we sought from stakeholders comments and recommended revisions to the existing NGS disclosure requirements in Chapter 62 of our regulations. See *id.* at 37-40. Accordingly, the Gas RMI Final Order served, in essence, as an Advanced Notice of Proposed Rulemaking Order (ANOPR), enabling us to solicit comments from all parties and then use those comments to frame the issues in this Notice of Proposed Rulemaking Order (NOPR), which we committed to issue in early 2015. See *id.*

In the Gas RMI Final Order, we directed parties to the regulations at 52 Pa. Code § 62.75 (Disclosure statement for residential and small business customers) and to our recent revisions of the analogous rules in the electric industry at 52 Pa. Code §§ 54.5—54.10⁴ to assist in the formation of their comments. We specifically sought comments in the following areas:

- Enhanced disclosure concerning variable prices; explanation and disclosure of any limits or caps.
- Explicit statement of no limits if there are no limits to a variable price.
- The price charged for the first billing period (a “starting price” if the price is variable).
- Explanation of when the customer becomes aware of their variable price for the billing period (before the billing period, at the time of billing, etc.).
- The provision of historical pricing information for variable products. If so, how much history and how should it be made available to customers?
- The use of a contract summary that includes key contract provisions in a simple, easy-to-read format. If so, what format is needed and what provisions should be included—keeping in mind that a summary, to be effective, has to be brief, in plain language, and prominent?

³ We note that the Commission has already examined some of the issues resulting from the current inconsistency between the electric and gas disclosure rules. See Final Order on Request for Clarification on Notice Requirements for Combined Electricity & Natural Gas Disclosure Statements, Docket No. L2014-2409385 (Order entered October 2, 2014).

⁴ See Final-Omitted Rulemaking Order: Rulemaking to Amend the Provisions of 52 Pa. Code, Section 54.5 Regulations Regarding Disclosure Statement for Residential and Small Business Customers and to Add Section 54.10 Regulations Regarding the Provision of Notices of Contract Renewal or Changes in Terms. Docket No. L-2014-2409385 (Order entered Apr. 3, 2014).

• What changes, if any, are needed to contract expiration notices and the rules that should apply if a customer fails to respond to the notices? Please refer specifically to 52 Pa. Code § 62.75(g)(1) and (2). Are additional rules needed for those customers that are rolled onto variable-priced products upon expiration of their original contract similar to what is now in place for the electric industry, such as prior notice of price changes?

See Gas RMI Final Order, Docket No. I-2013-2381742, at p. 39-40.

Discussion

The Public Utility Code grants the Commission the power to license natural gas suppliers (NGSs) and establish standards to govern the conduct of NGSs, including the provision of clear, adequate, accurate, and timely information to customers. See 66 Pa.C.S. §§ 2208(a) and 2208(f) (citing Chapter 56 of Commission regulations regarding Standards and Billing Practices). Section 501 of the Public Utility Code empowers the Commission to promulgate regulations that are necessary or proper to exercise its powers and perform its duties. 66 Pa.C.S. § 501. Through this Order, we propose revisions to our existing natural gas customer disclosure information regulations at 52 Pa. Code §§ 62.72, 62.75.

The Commission has reviewed the comments filed in response to the Gas RMI Final Order. Comments were filed by Columbia Gas of PA (Columbia); Dominion Retail, Inc. d/b/a Dominion Energy Solutions, Shipley Choice, LLC d/b/a Shipley Energy, Rhoads Energy Corp. and AMERIGreen Energy (NGS Parties); the National Energy Marketers Association (NEM); the Office of Consumer Advocate (OCA); PECO Energy Company (PECO); Peoples Natural Gas Company LLC and Peoples TWP LLC (Peoples); Philadelphia Gas Works (PGW); the Retail Energy Supply Association (RESA); UGI Distribution Companies (UGI); Valley Energy, Inc. (Valley Energy); and WGL Energy Services, Inc. (WGL Energy).

We will organize our summaries and dispositions of stakeholder comments in our Discussion section in four main subject areas: 1) Regulation Uniformity, Variable Pricing, and Historical Pricing Information; 2) Contract Summaries; 3) Notices Regarding Contract Expiration or Changes in Terms; and 4) Supplier Requests for Commission Review of Contract Terms. We will then discuss specific language changes to our regulations.

Regulation Uniformity, Variable Pricing, and Historical Pricing Information

Comments

RESA supports uniformity between EGS and NGS disclosure requirements and contract renewal notice rules, but would prefer to establish acceptable requirements for the natural gas industry and then harmonize any important issues with the electric industry after more retail market experience is gained. RESA Comments at 3. RESA supports including the initial price and the conditions of price variability in the disclosure statements, but opposes any requirement for a limit or cap on a variable price. Id. RESA also opposes any requirement for the use of an explicit formula or index, as RESA believes this would restrict an NGS's flexibility to price its product and could unfairly signal its pricing methodology to competitors. Id. RESA does not support including 24 months of average historical pricing in connection with variable price contracts in situations where the NGS offers an indexed product that is based on a pre-defined pricing formula or publicly available market indices, provided that an NGS gives the customer the tools necessary to

calculate the price independently. Id. at 4. Otherwise, providing historical pricing information is likely to create more customer confusion while increasing costs for the NGS to gather and accurately maintain this information. Id.

The NGS Parties do not believe there are any issues in the natural gas industry regarding variable rates, as were present in the electric industry during the Winter of 2014. NGS Parties Comments at 10. However, the NGS Parties still support uniformity between the rules in the electricity and natural gas markets. Id. at 1, 3. As to the disclosure of variable prices, the NGS Parties believe that the disclosure statement should explicitly state that there are no limits to the variable price for those products that do not have limits. Id. at 4. Yet, the NGS Parties caution that consumer education is critical here. Id. The NGS Parties also point out that the requirement of providing the starting price has proven to be problematic for many suppliers who offer variable rate products because many variable rate products are calculated after-the-fact, based upon the actual costs of serving that customer through the billing cycle. Id. By requiring suppliers to provide a starting price, before those costs are known or knowable, the Commission would require the supplier to estimate future costs and thus take on risk for at least one billing cycle. Id. at 4-5. The NGS Parties understand the customer's need to know the price in order to make accurate comparisons of one supplier's fixed rate offering to another; however, some customers have difficulty understanding that an advance price notification for one billing cycle may not be indicative of prices in future billing cycles. Id. The NGS Parties contend that it may be better for a supplier to adequately explain this to the customer rather than forcing the supplier to fix a rate for the first month. Id.

Additionally, so long as the Commission does not seek to regulate when suppliers may calculate a price, the NGS Parties believe that a regulation informing the customer when the price will be calculated may effectively educate and empower the customer to know the customer's exposure to potential market or price volatility. Id. at 6. However, as to the provision of historical pricing data, the NGS Parties ask: "why require suppliers to provide information that we all recognize may be of dubious value to customers?" Id. at 7. The NGS Parties believe that 24 months of history may not provide customers with any real basis for determining future prices and may result in customers reaching incorrect conclusions. Id.

WGL Energy does not object to requiring an NGS to affirmatively disclose the limits or caps of a particular variable price product. WGL Energy Comments at 4. However, WGL Energy does not believe that an explicit statement declaring that there are "no limits to a variable price" adds value to a customer contract. Id. WGL Energy explains that statement could be misleading and discouraging to customers, especially since a variable rate contract may provide significant savings and benefits in some situations, such as during summer or on warmer winter days. Id.

Peoples expresses support for a comprehensive review of the current rules, noting that each year since 1997, at least 86,000 residential customers on the Peoples system have shopped for an alternative gas supplier. Peoples Comments at 2. Peoples reports that their call center still receives hundreds of calls each year from customers who are confused about who has offered them a supply service or are confused about the supply service they have

selected. *Id.* at 2-3. In general, Peoples supports conforming the natural gas rules to the rules for the electric industry. As to variable price products, Peoples thinks that a clear statement of the price and how often that price is subject to change is important. *Id.* at 3. Instead of a disclosure simply stating that the variable rate will change monthly, Peoples believes that the disclosure should identify how subsequent pricing changes will be applied and providing examples. *Id.* Peoples suggests that if the price is based on a publicly available industry index, the NGS must identify the index and must provide historical pricing for the prior calendar year or previous 12-month period. *Id.*

PECO likewise agrees that, to the greatest extent possible, revisions to the disclosure rules for natural gas customers should mimic the revisions recently adopted for electric customers in order to avoid customer confusion, especially for those who receive both electric and gas service from the same supplier. PECO believes that revisions to the natural gas disclosure rules should: 1) empower customers to make knowledgeable and informed decisions about fixed and variable priced products and 2) minimize customer confusion over these types of products. PECO Comments at 2.

The OCA recommends that, at a minimum, the Commission impose the same disclosure requirements on NGSs that are applicable to EGSs. OCA Comments at 2. Since many suppliers offer both electric and natural gas service during the same customer marketing presentations, it would be unreasonable for customers to experience different disclosures of the material terms of their agreements with NGSs and EGSs. *Id.* However, the OCA contends that the disclosure standards recently adopted in the electric industry have not gone far enough to adequately inform customers, particularly with regard to variable price products. *Id.* at 3. Therefore, the OCA suggests that all disclosure statements for variable price products include a ceiling price. *Id.* at 4. If, however, the Commission allows there to be no price limit, the OCA submits that a specific statement that there is no price limit should be required. *Id.* The OCA believes that this information should be clearly disclosed to residential customers in plain language, as most customers do not understand the unpredictability or pricing methodologies of the wholesale market and may never be able to make a knowledgeable decision with such limited information. *Id.* The OCA recommends that NGSs provide an explanation of the limits on price variability, printed in type size larger than the type size appearing in the terms of service but no less than 12 point font. The OCA objects to any disclosure of a pricing methodology that merely references the “wholesale market” or other vague and unidentified pricing methodology; rather, the NGS should explicitly provide information that the customer can publicly review and assess the price charged each month. *Id.* at 4-5.

The OCA further recommends that if the “starting” price is introductory, the disclosure should state that the price is the introductory price, provide the length of the introductory period, and provide the price for the first month after the introductory period. *Id.* at 5-6. If a price has not been set for the first month after the introductory period, the disclosure should explain how the price will be established. The disclosure should also explicitly state that the price to be charged after the introductory period may be higher than the introductory rate and provide information as to when the new price will be provided to the customer. *Id.*

The OCA supports requiring NGSs to provide a historical presentation of prices and to affirmatively state that a 12-month history of prices (charged to similar customers in Pennsylvania for the applicable natural gas distribution company (NGDC)) is available on the supplier’s website, by calling a toll free telephone number, and through interactions with sales agents. *Id.* at 6. The OCA believes that this information should also include the highest and lowest price charged for the customer’s rate class and service territory over the last 60 months and that a statement that historical prices are not a guarantee of future prices. *Id.* at 6-7. The OCA also urges the Commission to require customers to receive notifications of all changes to a variable price at least 45 days prior to the new price going into effect. *Id.* at 12. The OCA believes that the price to be charged should be known before the customer uses the energy, asserting that unless customers are provided with advance notice of the new price to be charged, customers will continue to receive unanticipated high bills. *Id.* at 11-12.

Finally, the OCA asks that the Commission, upon promulgation of the new disclosure rules, consider requiring NGSs to issue new disclosures to their current customers that set forth the terms of their current agreement and pricing plans in order to educate customers about their current plans and pricing terms. *Id.* at 11.

Disposition

We agree with RESA, the NGS Parties, Peoples, and PECO that consistency between the electric and natural gas industry disclosure rules is important, as unnecessary differences may confuse customers and burden suppliers’ operations. However, consistency alone will not be our focal point in rendering a determination, as our primary consideration in amending these regulations will be protecting consumers and empowering them by ensuring they receive the information necessary to make informed decisions, especially when considering variable-price products. Notably, we can always revisit the electric rules and later align those rules, as necessary with our final determination in this rulemaking. See RESA Comments at 3. Since the implementation of the electric disclosure rules in July 2014, the Commission and stakeholders have gained experience under those regulations and we look forward to comments from these stakeholders on their experiences to help us develop the rules for the natural gas industry.

In general, we agree with the NGS Parties, Peoples, PECO, and the OCA that our revised electric rules regarding variable pricing should be applied to the natural gas market, with some modifications to reflect “lessons learned” from the implementation of the electric rules. We first note that the natural gas disclosure rules have always required that the ceiling price, if applicable, be disclosed. See 52 Pa. Code § 62.75(c)(2)(ii). While the OCA asks that we require NGSs to have a ceiling price, we have never required a ceiling price in our regulations and we do not believe the Natural Gas Choice and Competition Act, 66 Pa.C.S. §§ 2201 et seq., gives the Commission the authority to cap prices charged by NGSs. Under the Public Utility Code, the Commission does not have traditional ratemaking authority over EGSs and cannot regulate competitive electric supply rates. 66 Pa.C.S. §§ 102, 2802, 2806(a), 2809(e), 2810; see, e.g., *Nadav v. Respond Power, LLC*, Docket No. C-2014-2429159, at p. 7 (Opinion and Order entered Dec. 19, 2014), see also, e.g., *Commonwealth of Pennsylvania, et al. v. Blue Pilot Energy, LLC*, Docket No. C-2014-2427655, (Order entered December 11, 2014), p. 18. Similarly, the

Commission does not have traditional ratemaking authority over NGSs and cannot regulate competitive gas supply rates. 66 Pa.C.S. §§ 102, 2202, 2208(e). However, the Public Utility Code empowers the Commission to promulgate regulations over the licensing, marketing, and sales practices of NGSs. See 66 Pa.C.S. § 2208.

We agree with the OCA's assertion that if there is no ceiling on the variable price, a specific statement to that effect should be required. Since this explicit statement provides vital information for a potential customer considering a variable-priced product, we propose including a requirement analogous to the same requirement in the electric rules at 52 Pa. Code § 54.10. The information concerning limits, or lack thereof, should also be highlighted in a larger type size that stands out to the customer. See Annex A, Section 62.75(c)(2)(iii).

We also propose requiring an NGS to disclose the initial, starting price. While we understand the concerns expressed by the NGS Parties about this requirement, we think a customer should have specific pricing information that allows the customer to compare NGS offers before entering into a contract. Again, this requirement was a vital reform we implemented in 2014 for the electric industry. See 52 Pa. Code § 54.5(c)(2)(iii). However, subsequent experience with the implementation of this regulation has raised a question about this requirement. The regulation for the electric industry specifies "The price to be charged, per kilowatt-hour, for the first billing cycle of generation service." 52 Pa. Code § 54.5(c)(2)(iii). Due to the advent of accelerated, three-day off-cycle switching in the electric industry, the "first billing cycle of generation service" may only consist of a few days. Accordingly, the change in supplier switching timeframes has possibly diminished the value of this particular reform. Since accelerated switching may occur at some future point in the gas industry, we will propose a rule that requires that the initial, starting price must be in effect for at least the first full billing month as opposed to first billing cycle. We will define billing month as "a period of not less than 26 days and not more than 35 days," borrowing from the definition of billing month in Chapter 56 of our regulations. See 52 Pa. Code § 56.2.⁵ See Annex A, Proposed Section 62.72. We solicit comments on whether a formulaic contract price that enables a customer to calculate its bill using the contract, publicly available rates or price indices should be considered in compliance with the provision of adequate disclosure of price for the first billing cycle.

Similar to another key reform in the 2014 electric rules, we also propose requiring an NGS to notify the customer when the customer will be informed of future price changes. We find that the OCA's request to require advance notice of all price changes may be overly burdensome on NGSs. Instead, we agree with Peoples and the

NGS Parties and believe that the key piece of information for a customer is knowledge as to when and how the customer will know the price the customer will pay for natural gas supply. For the electric industry, we did not imbed this requirement in the disclosure regulation; instead we incorporated it into the contract summary. 52 Pa. Code § 54.5(i). Here, we want to strengthen this reform, and will therefore propose imbedding this important requirement into the disclosure regulation at 52 Pa. Code § 62.75, as well as in the contract summary. See Annex A, Section 62.75(c)(2); see Attachment A of this Order.

We acknowledge, based upon the comments of RESA and the NGS Parties, that one of our more controversial electric reforms was requiring those suppliers selling variable-price products to provide potential customers with a 24-month price history of the product. We understand the concerns with this requirement and agree that it does not always provide meaningful information to customers and could sometimes be construed as misleading. Accordingly, we required the 24-month price history to be accompanied by a disclaimer noting that historical pricing is not indicative of present or future pricing. See 52 Pa. Code § 54.5(c)(14)(i). We agree with the OCA and continue to think that the provision of this information has value, especially in educating customers about the seasonal variability and magnitude of volatility in monthly energy prices. Accordingly, we propose the same rule for the natural gas industry and seek specific comments on how this requirement should be fulfilled by new NGSs entering the market and/or NGSs introducing a new product in the Commonwealth. We reject the OCA's suggestion to require NGSs to issue new disclosures to their current customers, as this would possibly risk inappropriate interference with existing contracts.

Contract Summaries

Comments

RESA stresses that if an NGS is ordered to provide a contract summary, then the information therein should be expressed plainly and simply so as to not confuse customers. RESA Comments at 4-5. RESA points out that requiring suppliers to complete fields for both contract terms and renewal terms, as in the template for EGS contract summaries, may confuse a customer in a month-to-month variable contract. *Id.* at 4-5.

The NGS Parties suggest that a "useful" contract summary must only include relevant contract terms, as a regurgitation of the entire contract in the guise of a summary is unhelpful and superfluous. NGS Parties Comments at 7-8. The NGS Parties assert the essential summary elements should include: 1) the type of contract (fixed or variable) and if variable when and how the price will be determined; 2) the price to be charged the first month; 3) whether the quoted price is an introductory price; 4) if an introductory price, how many months it will be charged; 5) if an introductory price, how the price will be set after the introductory period; 6) the term in months; 7) the existence of an early termination or cancellation fee; and 8) if so, the amount of any applicable early termination fee. *Id.* at 8. Furthermore, an uncapped variable rate should include a statement at a conspicuous spot on the page stating that there is no limit on the rate. *Id.*

Peoples thinks that an abbreviated contract summary will encourage customers to learn more about the important provisions of their NGS contract. Peoples Comments at 4. The contract summary should identify the billing

⁵ 52 Pa. Code § 56.2 provides: Definition of *Billing month*—A period of not less than 26 days and not more than 35 days except in the following circumstances:

(i) An initial bill for a new customer may be less than 26 days or greater than 35 days. However, if an initial bill exceeds 60 days, the customer shall be given the opportunity to amortize the amount over a period equal to the period covered by the initial bill without penalty.

(ii) A final bill due to discontinuance may be less than 26 days or greater than 35 days but may never exceed 42 days. In cases involving termination, a final bill may be less than 26 days.

(iii) Bills for less than 26 days or more than 35 days shall be permitted if they result from a rebilling initiated by the company or customer dispute to correct a billing problem.

(iv) Bills for less than 26 days or more than 35 days shall be permitted if they result from a meter reading route change initiated by the public utility. The public utility shall informally contact the Director of the Bureau of Consumer Services at least 30 days prior to the rerouting and provide information as to when the billing will occur, the number of customers affected and a general description of the geographic area involved. If a bill resulting from a meter rerouting exceeds 60 days, the customer shall be given the opportunity to amortize the amount over a period equal to the period covered by the bill without penalty.

method (i.e., dual billing, NGDC combined billing, or NGS combined billing) and all pricing should be in the unit of measurement that will be used in billing, with pricing questions directed to the NGS. *Id.*

The OCA suggests that the Commission adopt a contract summary similar to the electric industry version, incorporating any recommended changes resulting from this rulemaking proceeding. OCA Comments at 7-9. The OCA thinks that the Commission should consider requiring NGSs to issue new contract summaries to their current customers. *Id.* at 11. Further, the OCA endorses the development of a uniform disclosure statement for variable price plans. *Id.* at 9.

Disposition

We agree with the OCA and Peoples about the importance of contract summaries. The Commission recognizes the reality that not all customers will read a multi-page disclosure, but may read a brief, single-page document in a graphic/box format. We agree with the NGS Parties that a useful contract summary must only summarize the key contract terms necessary to assist a customer when comparison-shopping. A recitation of the entire contract is superfluous and defeats the purpose of the summary. The summary should fit on one page. The font should be readable and reasonably-sized, as a summary in “fine-print” again defeats the purpose of the summary. We also think that the summary should be distinct and separate, not buried or hidden amidst other marketing or disclosure materials. See Attachment A.

While we propose the above requirements, we recognize that we must carefully limit the information required in the summary. The electric industry summary is a helpful reference; however, we want to make the gas summary more condensed, so as to only maintain the vital terms and information in a summary fashion to assist a customer when comparison-shopping. We believe that the inclusion of utility (NGDC) contact information is unnecessary and lacks relevance to the customer when shopping. We have found that inclusion of NGDC information leads some customers to wrongly believe that a utility endorsement or affiliation with the supplier exists. While we included in the electric contract summary information regarding the renewal/change of terms notices, like RESA, we now believe that including this information in the contract summary may confuse customers. We invite further comment on this renewal/change of terms issue. We also invite comments on the usefulness of specifying a “contract start date,” as this may often be a situation-specific matter negotiated and agreed upon by the supplier and the customer. Lastly, we invite comment on whether the Commission should, as we did with the electric industry, informally review sample contract summaries for all NGSs before they are implemented.

Notwithstanding the foregoing, we propose adopting the same practice with the natural gas industry that we adopted with the electric industry regarding guidance on contract summary specifics. We will refer to a contract summary in the regulations at Section 62.75(i), but the contract summary will not be embedded in the regulations. See Annex A. However, we will provide the specific requirements of the contract summary in an attachment to this order and the Final Rulemaking Order. See Attachment A. This approach will permit us the flexibility to more easily and readily revise the contract summary in the future to reflect the evolving energy markets without initiating a formal rulemaking.

Notices Regarding Contract Expiration or Changes in Terms

Comments

RESA supports shorter time periods for sending out initial notices and options notices, concluding that these time periods should mirror the requirements in the electric industry. RESA Comments at 5. RESA urges the Commission to allow NGSs to send options notices electronically, as embedding in regulations a “first class mail” requirement will likely become outdated in the very near future. *Id.* at 6. RESA argues that first class mail is already less effective than electronic notices for many customers who frequently use smartphones and other electronic devices. *Id.* As to the content of the notices, RESA generally supports the electric regulations, except the requirement for a 30-day advance notice of a price change to a customer who is on a fixed price contract that automatically renews to a month-to-month product, where the price is potentially changing every month. *Id.* at 6-7. RESA contends that even if NGSs could accurately forecast index prices far enough in advance to satisfy the 30-day notice requirement, the mailing costs would be extremely high, and the mailing itself would confuse and inundate the customer with information on a regular basis. *Id.* Regarding the rules that should be implemented to address the situation when a customer fails to respond to either the initial or options notice, RESA supports the approach adopted by the Commission for the electric industry. *Id.* at 7.

The NGS Parties believe the provision of two notices in scenarios where a supplier is not proposing a change can be burdensome to customers and suppliers. NGS Parties Comments at 9. In general, the NGS Parties do not oppose the recent revisions to the regulations for EGSs in the electric industry. See *id.* However, like RESA, the NGS Parties find fault in the requirement for 30-days’ advance notice of price changes, opining that this requirement essentially eliminates the opportunity for suppliers to provide any market-sensitive variable rate to customers, meaning that suppliers will have to hedge or purchase supply well in advance. *Id.* at 9-10. The NGS Parties predict that this “will eliminate the sort of flexibility that some customers may find useful.” *Id.* at 10.

WGL Energy submits that the rules in 52 Pa. Code § 54.10 pertaining to the two required notices (that an EGS must provide to an electric customer with an expiring contract) should not be adopted in the revised gas supplier disclosure regulations because these regulations are very difficult to interpret. WGL Energy Comments at 5-6. WGL Energy contends that a better rule to facilitate improvement in the competitive natural gas market would be to authorize workable auto-renewal contract processes with reasonable cancellation fees, which provide some protection to suppliers for hedging costs and further asserting that this would ensure that customers understand their renewal options and can opt out of a renewal contract. *Id.* at 6.

The OCA contends that the regulations should be revised to specifically prohibit NGSs from converting a customer with a fixed rate plan to a variable rate plan without affirmative customer consent. OCA Comments at 10. The OCA opines that allowing this type of material change to terms without affirmative customer consent is unreasonable and exposes customers to significant risk. *Id.* The OCA believes that if the NGS does not wish to serve the customer with a fixed price, the NGS should return the customer to the NGDC as supplier of last resort. *Id.*; see 66 Pa.C.S. § 2207. The OCA endorses

adopting for the gas industry the more clearly defined requirements from the electric industry set forth in 52 Pa. Code § 54.10, which provides that customers placed on month-to-month agreements due to non-response to a renewal notice should be provided 30-days' advance notice of any price changes. Id.

Disposition

An important reform in the electric industry in 2014 included the clarification of the process and notices that customers should receive from a supplier—either as their fixed-term contract approaches its end or when the supplier proposes a change in terms. See 52 Pa. Code §§ 54.5, 54.10. Historically, these rules were combined in disclosure regulations and guidelines. The Commission decided that the electric industry supplier-to-customer notice procedures constituted sufficient importance to warrant the creation of a separate section in our regulations. See 52 Pa. Code § 54.10. Likewise, we believe that the supplier-to-customer notice requirements for the gas industry warrant a new section; therefore, we will propose adding Section 62.81, which will replace the current notice provisions in 52 Pa. Code § 62.75(g). For the sake of consistency, especially for those customers who obtain both electric and gas supply from the same supplier, the proposed new section will be substantially similar to the electric rules.

We note that the Commission has already issued guidelines addressing the current inconsistency between the notice timeframes found in the two sets of rules for those dual-energy supplier customers.⁶ Notably, achieving consistency in the electric and gas industries is complicated by the significantly different supplier switching timeframes presently in place. Supplier switching in the electric industry can occur in as little as three business days. See 52 Pa. Code § 57.174. However, supplier switching in the gas industry can take several weeks. While we intend to explore the possibility of accelerating gas supplier switching in the coming months, the achievable switching timeframes in the gas industry remain unclear at this time. Therefore, we seek comments from utilities and suppliers as to whether the 60-day and 30-day timeframes in the electric rules can, at this time, be applied in the gas industry. If not, we seek comments on the notice requirements that would be appropriate in the gas industry and appropriate for dual-energy supplier customers.

WGL Energy asserts that the electric notice rules are “very difficult to interpret,” but fails to specify the language it finds difficult to interpret or further explain how it should be revised. Accordingly, we invite interested parties to provide the specific language that they find unclear and to suggest improvements. From our experience, there is sometimes confusion with the distinction between “fixed term” and “fixed price.” “Fixed term” means that the length or duration of the contract is fixed for a specific period (e.g., six months, 12 months). “Fixed price,”⁷ as used in the regulations, refers to a price that is fixed and does not change (as opposed to a “variable price”). The use of the word “term” can also be confusing for it refers to the “conditions” of a contract (as in “terms and conditions”) but it can also be used more specifically

in relation to the length or duration of the contract (a “term” of six months for example). Accordingly, we will propose changing the word “term” to “duration” in the regulations. However, we ask parties to comment on whether the word “length” or any other word is more appropriate. See Annex A. We also invite comments on the appropriate use of these terms, as proposed in Section 62.81. See id.

As to WGL Energy’s request regarding auto-renewal contract processes with reasonable cancellation fees, we have public policy concerns in allowing customers to be automatically re-enrolled into a new product with cancellation fees without affirmative customer consent. See WGL Energy Comments at 6. While WGL Energy may advocate for “reasonable cancellation fees,” the Commission does not have clear authority to set or regulate the amount of those fees. We expect and ask customers to stay alert for and act on expiration notices from suppliers. However, some customers, whether through neglect or inadvertence, will still overlook and ignore notices, later finding themselves automatically enrolled in a new product that potentially has a higher price and a cancellation fee. Aside from harm to individual customers, this could also result in serious harm to the overall impression of the competitive gas supply market. Yet, we also reject the OCA’s contention that these customers should be returned to the NGDC’s supplier of last resort service, as this is too restrictive and could result in a customer being returned to a more expensive service. However, we agree with the OCA that these customers should be protected from cancellation penalties. We note that this does not preclude a supplier from offering the customer a new product with cancellation fees, though the customer must affirmatively agree to that product.

We also propose adopting the electric rule that requires prior notice of any price changes for a customer that is rolled onto a new product due to that customer’s non-response. See Annex A, Section 62.81(a)(2)(ii). While we understand the concerns expressed by RESA and the NGS Parties, we think this additional protection is needed for those customers who may end up on a variable product without affirmatively agreeing to that type of product. We understand that this kind of product may require hedging by the supplier. We also acknowledge that this effectively creates two classes of variable-price customers: 1) customers that affirmatively enroll in a variable-price product and do not receive advance notice of routine price changes, and 2) customers that end up on a variable-price product due to their failure to respond to expiration notices and receive advance notice of price changes. This is a deliberate distinction, based on the assumption that a customer who has affirmatively selected a variable product has reviewed the NGS disclosure, as well as the contract terms and conditions, and who understands and submits to any effects of a variable-price product. This is contrasted with a customer who may not have desired a variable product and ended up with one only due to failure to act on expiration notices.

We also propose to carry over the electric rule requiring the second notice (the “options notice”) to be delivered by first-class mail in a prominently labeled envelope. However, we do invite comment on this, as RESA may have a valid concern that first-class mail is an increasingly outmoded form of communication and that alternatives should be permitted. We also invite comment on the NGS Parties’ suggestion that only one notice should be required in instances where a supplier is not proposing any changes upon contract expiration. See NGS Parties Comments at 9.

⁶ Final Order on Clarification on Notice Requirements for Electricity & Natural Gas Disclosure Statements, Docket No. L-2014-2409385 (Order adopted Oct. 2, 2014).

⁷ In order to avoid confusion and seek consistency in nomenclature, the Commission is striving to use the word “price” when referring to the cost of a supplier’s product in the competitive market. Therefore, we use the term “price-to-compare” (PTC) when discussing the default cost of the gas commodity charge provided by the utility to allow consumers to compare the utility’s PTC to the supplier offers when shopping for gas supply. See 52 Pa. Code § 62.80. We use the historic term “rate” in the context of public utility ratemaking and the costs of utility service.

Supplier Requests for Commission Review of Contract Terms

Comments

The NGS Parties suggest that the Commission staff provide reviews of current NGS terms and contractual conditions, noting that currently Commission staff only review NGS terms and conditions at the time the NGS seeks a license. NGS Parties Comments at 3. The NGS Parties suggest that suppliers be able to seek Commission staff review of disclosure revisions and for that review to protect the supplier from complaints that its terms and conditions are non-compliant. *Id.* NGS Parties think this would ensure that customers are more likely to receive compliant materials with consistent terminology, and would ease the risk that suppliers face when making new product offerings, rather than “guess at what staff or an administrative law judge will consider acceptable at some future point.” *Id.*

Disposition

As for the NGS Parties’ request that the Commission allow suppliers to ask for reviews of their disclosure statements by Commission staff, we note that informal reviews and opinions are always available upon request. Pursuant to 52 Pa. Code § 1.96, informal opinions are provided solely as an aid to the requester and are not binding upon the Commonwealth or the Commission. Informal opinions are also subject to withdrawal or change at any time to conform with new or different interpretations of the law. Suppliers interested in informal opinions should contact the Bureau of Consumer Services and/or OCMO. However, we remind suppliers of their duty to develop and maintain expertise in these regulations in order to ensure effective compliance. See 66 Pa.C.S. § 2208.

Miscellaneous Disclosure Proposals and Concerns

We invite parties to comment on any other issue of concern regarding natural gas customer disclosure information. Here, we will raise a few other specific disclosure issues that were not necessarily addressed in the 2014 review of the electric disclosure regulations but that we think warrant review in this rulemaking proceeding.

We propose deleting the second sentence at 52 Pa. Code § 62.75(c)(7), requiring the cancellation of an agreement when a customer moves from one location to another, so that we may facilitate “seamless moves” in the gas industry. See Annex A. A “seamless move” refers to a customer’s ability to transfer their supply service contract from one address to another in the same NGDC service territory. This is currently not possible, as reflected in the current regulation in Section 62.75(c)(7). However, as the Commission announced in the Gas RMI Final Order, we intend to explore this issue and we do not want this regulation to possibly impede the consideration and implementation of seamless moves. By proposing to remove this sentence, we do not prejudice the seamless moves issue; rather, we simply propose to remove a potential impediment to seamless moves if this is found to be in the public interest in a separate proceeding. See Gas RMI Final Order, Docket No. I-2013-2381742, at 22-24.

We also propose deleting the second sentence at 52 Pa. Code § 62.75(c)(8)—“Automatic renewal is allowed at the same terms and conditions as long as the new agreement is month-to-month.” We think this kind of directive is more appropriately included in the proposed new Section 62.81 that addresses contract expiration or change in terms notices and procedures. See Annex A.

Maintaining the language in Section 62.75 could invite confusion and potentially conflicting requirements.

Sections 62.75(9), 62.75(11), and 62.75(13) all require NGS disclosures to identify the NGDC and to provide contact information for the NGDC. There may have been a sensible rationale for these requirements 14 years ago when these regulations were first promulgated. At that time, the NGDCs had robust consumer education programs and were expected to play a key role in informing consumers about the competitive market. However, now we believe it may be unnecessary to require a prominent display of NGDC information on NGS documents, as this may invite customer confusion and even risk, creating the false impression that the NGS is “affiliated with” or “partnering with” the NGDC. We continue our efforts over the years to make clear to customers the distinction between a “utility” and a “supplier” as separate entities. As discussed extensively by many parties during the promulgation of our supplier marketing regulations, misrepresentation and customer confusion between suppliers and utilities is an ongoing concern.⁸ Yet our regulations require the NGS to place the utility name and contact information throughout the NGS’s documents, which in part likely yields complaints from customers believing they have been “misled” or are the victim of “misrepresentation.” We propose removing these references in Sections 62.75(9), 62.75(11), and 62.75(13). See Annex A.

To alleviate potential customer confusion and to provide an information resource to customers, we propose revising Section 62.75(c)(12) by referring customers to the Commission’s natural gas shopping website, PaGasSwitch.com. Since the Commission now has a natural gas shopping website, we think referring customers to this website is more effective than directing customers to call the Commission. We invite comment as to whether this is appropriate and sufficient for all customers. See Annex A.

We also propose adding a requirement that if the customer’s contract is assignable, the supplier has to disclose this. See Annex A, Section 62.75(j). The assignment of contracts from one supplier to another, while not common, does occur frequently enough to be a source of some customer confusion. This requirement is also consistent with the guidance provided by a Commission order addressing assignment in the electric industry.⁹ In these guidelines, the Commission specified that “Any assignment clause used in a supplier contract must be written in plain language, be prominently printed and explained fully in ‘terms of service and disclosure.’”¹⁰ We invite comments on this issue.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 20, 2015, the Commission submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the

⁸ See Corrected Final Rulemaking Order: Marketing and Sales Practices for the Retail Residential Energy Market. Docket No. L-2010-2208332 (Order entered October 24, 2012).

⁹ See Order on the Interim Guidelines Regarding Notification by an Electric Generation Supplier of Operational Changes Affecting Customer Service and Contracts. Docket No. M-00960890F0013. (Order entered August 14, 1998).

¹⁰ See *id.*, at Appendix, Guideline (II)(B)(1).

close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Commission, the General Assembly and the Governor of comments, recommendations or objections raised.

Conclusion

As in our 2014 revisions and regulatory reforms in the electric industry, the Commission proposes regulations at 52 Pa. Code §§ 62.72, 62.75, and 62.81 regarding customer disclosure information in the natural gas supply market in order to protect consumers and better inform customers about the scope and limits of rate variability, the terms and conditions of an NGS contract, and a customer’s options prior to and after the expiration of their current contract for gas supply. The proposed regulations would require enhanced information from NGSs to customers who enter into variable-priced contracts and for the inclusion of information about what will happen to a customer’s current supply contract if the customer does not respond to either the Initial or Options Notices.

Well-informed customers are essential participants in a successful competitive retail market. During the Polar Vortex in the Winter of 2014, we observed first-hand the frustrations of customers enrolled in variable-priced EGS contracts who were not sufficiently aware of potentially significant price increases due to fluctuating wholesale market conditions. We want to avoid this kind of occurrence in the retail gas supply market. Accordingly, we propose the attached updates and revisions to our regulations in order to create a more user-friendly marketplace that should continue to attract increased numbers of customers. See Annex A, Proposed 52 Pa. Code §§ 62.72, 62.75, and 62.81.

Accordingly, pursuant to sections 501 and 2208 of the Public Utility Code (66 Pa.C.S. §§ 501 and 2208); sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P. S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P. S. § 745.5); and section 612 of The Administrative Code of 1929 (71 P. S. § 232) and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231—7.234, we propose adopting the regulations set forth in Annex A; *Therefore,*

It Is Ordered That:

1. A proposed rulemaking be opened to consider the regulations set forth in Annex A.

2. The Secretary shall submit this proposed rulemaking order, Attachment A, and Annex A to the Office of Attorney General for review as to form and legality and to the Governor’s Budget Office for review of fiscal impact.

3. The Secretary shall submit this proposed rulemaking order, Attachment A, and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.

4. The Secretary shall certify this proposed rulemaking order, Attachment A, and Annex A and deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

5. Original written comments referencing Docket Number L-2015-2465942 be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments may also be filed electronically through the Commission’s e-File System.

6. This Order and Annex A, revising the regulations appearing in Title 52 of the *Pennsylvania Code* Chapter 54 relating to Natural Gas Choice, be served on all licensed Natural Gas Suppliers, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and those parties who submitted comments to the December 18, 2014 Final Order at Docket Number I-2013-2381742.

7. A copy of this Proposed Rulemaking Order, Attachment A and Annex A shall be posted on the Commission’s website at the Office of Competitive Market Oversight web page and on the web page for the Investigation of Pennsylvania’s Retail Gas Supply Market.

8. The contact persons for this matter are Dan Mumford (technical) in the Office of Competitive Market Oversight at (717) 783-1957 and Ken Stark (legal) in the Law Bureau at (717) 787-5558. Inquiries may also be emailed to the Commission’s Office of Competitive Market Oversight at ra-ocmo@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-309. No fiscal impact; (8) recommends adoption.

Attachment A

Natural Gas Supplier Contract Summary

| | |
|---|---|
| <i>Natural Gas Supplier Information</i> | Name, telephone number, website, etc. Plain language statement that NGS is responsible for gas commodity charges. |
| <i>Natural Gas Price Structure</i> | Fixed or variable. If variable, based on what? If variable, how often is the price expected to vary? If variable, give any applicable ranges/ceilings. If no ranges/ceilings, a plain language statement indicating this fact. If variable, describe when the customer will receive notification of price changes in relation to time of month, final monthly meter read, billing cycle or when the price takes effect. |
| <i>Natural Gas Supply Price</i> | \$/unit or ¢/unit. If variable price, the first billing cycle’s rate. Any introductory rate with duration of contract. |
| <i>Statement Regarding Savings</i> | Plain language that the supply price may not always provide savings to the customer |

| | |
|--|---|
| <i>Deposit Requirements</i> | Any deposit requirements necessary for a customer and any terms associated with that deposit, in plain language. |
| <i>Incentives</i> | Any bonuses, discounts, cashback, etc. offers and any associated terms, in plain language. |
| <i>Contract Start Date</i> | Plain language regarding start of NGS service. |
| <i>Contract Term/Length</i> | In months, billing cycles, etc. |
| <i>Cancellation/Early Termination Fees</i> | Yes or no. If yes, describe the amount of the fee and how to avoid that fee, if possible. |
| <i>Renewal Terms</i> | Treatment of customer at end of contract. Timing of notices. No cancellation/early termination fees. In plain language. |

Annex A
TITLE 52. PUBLIC UTILITIES
PART I. PUBLIC UTILITY COMMISSION
Subpart C. FIXED SERVICE UTILITIES
CHAPTER 62. NATURAL GAS SUPPLY CUSTOMER CHOICE
Subchapter C. CUSTOMER INFORMATION DISCLOSURE

§ 62.72. Definitions.

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

Basic services—Services necessary for the physical delivery of natural gas to a retail customer, consisting of natural gas distribution services and natural gas supply services.

Billed prices—The disclosed NGS prices on the customer bill.

Billing month—A period of not less than 26 days and not more than 35 days.

City gate—The point where interstate pipelines deliver gas into NGDC facilities.

* * * * *

§ 62.75. Disclosure statement for residential and small business customers.

* * * * *

(c) The disclosure statement’s terms of service shall be disclosed, including the following terms and conditions, if applicable:

(1) Commodity charges shall be disclosed according to the actual prices and be presented in the standard pricing unit of the NGDC or other Commission-approved standard pricing unit. Commodity charges shall include estimated total state taxes. Commodity charges exclude State Sales Tax and county tax.

(2) The variable pricing statement (if applicable) shall include:

(i) Conditions of variability (state on what basis prices will vary) including the NGS’s specific prescribed variable pricing methodology.

(ii) The starting price and the ceiling price, if the ceiling price is applicable.

(iii) **If there is not a limit on price variability, the NGDC shall provide a clear and conspicuous statement that there is not a limit on how much the price may change from one billing cycle to the next.**

(iv) **The price to be charged, per billing unit, for the first billing month of service.**

(v) **A description of when the customer will receive notification of price changes.**

(vi) **A telephone number and Internet address at which a customer may obtain the previous 24 months’ average monthly billed prices for that customer’s rate class and NGDC service territory. If an NGS has not been providing service in a rate class and NGDC service territory for 24 months, the NGS shall provide the average monthly billed prices for the months available to date.**

(vii) **In plain language, a statement that historical pricing is not indicative of present or future pricing.**

(3) An itemization of basic and nonbasic charges distinctly separate and clearly labeled.

(4) The length of the agreement, which includes:

(i) The starting date.

(ii) The expiration date, if applicable.

(5) An explanation of sign-up bonuses, add-ons, limited time offers, other sales promotions and exclusions, if applicable.

(6) An explanation of prices, terms and conditions for special services, if applicable.

(7) The cancellation provisions, if applicable. **[When a customer moves from one location to another, even if the move is within an NGDC’s service territory, the agreement is cancelled.]**

(8) The renewal provisions, if applicable. **[Automatic renewal is allowed at the same terms and conditions as long as the new agreement is month-to-month.**

(9) The name and telephone number of the supplier of last resort.

(10)] (9) An explanation of limits on price variability, penalties, fees or exceptions, printed in type size larger than the type size appearing in the terms of service. Penalties shall be disclosed in actual dollars or a specific method for determining the actual dollars shall be disclosed.

[(11)] (10) Customer contact information that includes the name of the [NGDC and NGS, and] NGS, the NGS’s address, telephone number, Commission license number and Internet address, if available. The NGS’s information shall appear first and be prominent.

[(12) A statement that directs a customer to the Commission if the customer is not satisfied after

discussing the terms of service contained in the disclosure statement with the NGS.

(13) The name and telephone number for universal service program information.]

(11) A statement providing that information about shopping for a gas supplier is available at www.PaGasSwitch.com or other successor media platform as determined by the Commission.

(d) Customers shall be provided a 3-day right of rescission period following receipt of the disclosure statement from the NGS.

* * * * *

(g) Disclosure statements shall include the following customer notification:

[(1) “If you have a fixed term agreement with us that is longer than 3 months and it is approaching the expiration date, we will send you advance written notices at about 90 days and 60 days before the expiration date. If we propose to change our terms of service in any type of agreement, we will send you advance written notices at about 90 days and 60 days before the effective date of the change. If we are billing you directly for our services, then we will provide the notices as a bill message, a bill insert, or in a separate corresponding mailing. If the NGDC is billing our charges for us, then we will provide the notices in separate corresponding mailings. We will explain your options to you in these two advance notifications.”

(2) The NGS may add appropriate language in the notice so that the notice may serve as an amendment to the original agreement if the customer affirmatively reselects the NGS. Affirmative reselection occurs when the customer initiates a telephone call to the NGS and during the conversation the customer accepts the new offer, the NGS initiates a telephone call to the customer and during the conversation the customer accepts the new offer, the customer accepts the new offer by signing a document and returning it to the NGS, or the customer acknowledges the acceptance of the new offer electronically, perhaps by checking a box on a form on the NGS’s website. These are offered as examples and are not meant to be all inclusive. After a customer affirmatively reselects the NGS, the NGS is relieved of its obligation to fulfill outstanding notice requirements. If the change in terms notice is for a reduction in the price of the commodity charges, the NGS is required to send only one written notice at least 60 but not more than 90 days prior to the effective date of the price change. A fixed term agreement may be converted to a month-to-month agreement, either at the same terms and conditions or at revised terms and conditions, as long as the agreement converts from a fixed term to a month-to-month agreement and contains no cancellation penalties, in the event that the customer does not respond to the notice. A fixed term agreement may be converted to another fixed term agreement as long as the new agreement includes a customer initiated cancellation provision that allows the customer to cancel at any time for any reason and contains no cancellation penalties, in the event that the customer does not respond to the notice.]

“If you have a fixed duration contract approaching the expiration date, or whenever we propose to

change the terms of service in any type of contract, you will receive two separate written notifications that precede either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward.”

(h) If the supplier of last resort changes, the new supplier of last resort shall notify customers of that change, and shall provide customers with the name, address, telephone number and Internet address, if available.

(i) The NGS shall provide, with the disclosure statement, a separate NGS contract summary in a format provided by the Commission.

(j) If the contract is assignable, the NGS shall inform the customer accordingly.

(Editor’s Note: The following section is new and printed in regular type to enhance readability.)

§ 62.81. Notice of contract expiration or change in terms for residential and small business customers.

(a) An NGS shall provide the following notices to customers prior to the expiration of a fixed duration contract or prior to a change in contract terms:

(1) An initial notice shall be provided to each affected customer 45 to 60 days prior to the expiration date of the fixed duration contract or the effective date of the proposed change in terms. For a customer who has elected to receive electronic communications from the NGS, the notice shall be transmitted in the manner chosen by the customer. The initial notice must include:

- (i) A general description of the proposed change in terms of service.
- (ii) The date a change shall be effective or when the fixed duration contract is to expire.
- (iii) An explanation of why a change in contract terms is necessary.
- (iv) A statement indicating when a follow-up options notice shall be issued with details regarding the proposed change.
- (v) A statement explaining that the options notice must discuss the customer’s options to the proposed change in terms of service or expiring fixed duration contract.
- (vi) A statement indicating whether the existing fixed duration contract has a cancellation fee and an explanation of the fee amount and how to avoid the fee, if possible, including notice of the date when the customer can choose a different product from the customer’s existing NGS, choose an alternative NGS or return to the supplier of last resort.

(2) An options notice shall be provided by first class mail to each affected customer at least 30 days prior to the expiration date of the fixed duration contract or the effective date of the proposed change in terms. The options notice must include:

- (i) A statement advising the customer of the specific changes being proposed by the NGS and informing the customer of how to exercise the customer’s options, including the customer’s ability to accept the proposed changes, to choose another product offering from the customer’s existing NGS, to select another NGS or to return to the supplier of last resort.
- (ii) Information regarding the new price or renewal price, including the price to be charged for the first billing month of commodity service.

(A) If a customer fails to respond to the options notice and is converted to a month-to-month contract, the NGS shall provide a disclosure statement under § 62.75 (relating to disclosure statement for residential and small business customers).

(I) Notice of a subsequent change in price shall be provided to the customer at least 30 days prior to the new price being charged.

(II) For a customer who has elected to receive electronic communications from the NGS, notice of the change in pricing shall be transmitted in the manner chosen by the customer. For other customers, notice shall be provided by first class mail.

(B) If a customer fails to respond to the options notice and is entered into a new fixed duration contract, the NGS shall provide the price to be charged and the length of the contract.

(C) The telephone numbers and Internet addresses, as applicable, for the Office of Consumer Advocate, the Commission and PaGasSwitch.com.

(D) Language clearly visible on the front of the envelope used to provide the options notice stating that it contains important information regarding the expiration or changes in terms of the customer's natural gas supply contract.

(b) When a customer fails to respond to the initial notice and the options notice, the following apply:

(1) A fixed duration contract shall be converted to one of the following:

(i) A month-to-month contract, either at the same terms and conditions or at revised terms and conditions, as long as the contract does not contain cancellation fees.

(ii) Another fixed duration contract, as long as the new contract includes a customer-initiated cancellation provision that allows the customer to cancel at any time, for any reason, and does not contain cancellation fees.

(2) The converted contracts shall remain in place until the customer chooses one of the following options:

(i) Selects another product offering from the existing NGS.

(ii) Enrolls with another NGS.

(iii) Returns to the supplier of last resort.

[Pa.B. Doc. No. 15-1051. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 71]

School Bus Drivers

The Department of Transportation, under the authority in 75 Pa.C.S. §§ 1504, 1508, 1508.1, 1509, 1517, 1518 and 6103, proposes to amend §§ 71.2 and 71.3 (relating to definitions; and physical examination) to read as set forth in Annex A.

Purpose of Chapter

The purpose of Chapter 71 (relating to school bus drivers) is to define more fully the requirements of 75

Pa.C.S. § 1509 (relating to qualifications for school bus driver endorsement) by listing minimum medical requirements for school bus drivers.

Purpose of the Proposed Amendments

The purpose of the proposed amendments to §§ 71.2 and 71.3 is to: 1) separate two medical conditions (seizure and loss of consciousness) that are currently linked in the school bus driver medical regulations; and 2) update the medical requirements and standards for school bus drivers to ensure they meet the field of vision standards established in accordance with the most current recommendations from the Department's Medical Advisory Board (Board). These proposed amendments will ensure that only school bus drivers who meet appropriate medical standards, established in accordance with the most current medical research as communicated to the Department by the Board, are transporting school children on school buses in this Commonwealth.

Summary of Significant Amendments

Proposed amendments to § 71.2 add definitions for "seizure" and "seizure disorder." These definitions mirror the definitions of these terms in Chapter 83 (relating to physical and mental criteria, including vision standards relating to the licensing of drivers).

Section 71.3(b)(1)(iv) is proposed to be amended to disqualify individuals who have a binocular visual field defect of 30 contiguous degrees or more. The Department will make an exception to this disqualification if the individual's health care provider verifies in writing that the individual's otherwise disqualifying condition does not pose a risk to the individual's ability to safely drive a school bus and the individual also demonstrates appropriate visual compensation through a knowledge and driving skills evaluation administered by the Department.

Section 71.3(b)(10) is proposed to be amended to specifically address seizure disorders and delete the reference to "another condition likely to cause loss or impairment of consciousness or loss of ability to drive a school bus safely" because proposed § 71.3(b)(15) specifically addresses an episode of loss of consciousness.

Proposed § 71.3(b)(15) adds criteria regarding loss of consciousness. Current § 71.3(b)(15) is renumbered as proposed § 71.3(b)(16).

Persons and Entities Affected

This proposed rulemaking will affect licensed school bus drivers and individuals interested in being licensed to be a school bus driver, as these individuals will have to meet amended field of vision and loss of consciousness standards based on the most current recommendations from the Board.

Fiscal Impact

Implementation of this proposed rulemaking will not require the expenditure of additional funds by the Commonwealth or local municipalities. This proposed rulemaking will not impose additional costs on the medical community. Individuals intending to obtain or maintain a school bus driver's license will be required to submit to a field of vision test as part of their annual vision testing.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 21, 2015, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairper-

sons of the House and Senate Transportation Committees. A copy of this material is available to the public upon request.

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

Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* following the appropriate evaluation of comments, suggestions or objections received during the public comment period.

Sunset Date

The Department is not establishing a sunset date for these regulations, as the regulations are needed to administer provisions required under 75 Pa.C.S. (relating to Vehicle Code). The Department will continue to closely monitor these regulations for their effectiveness, in coordination with the Board.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Kara N. Templeton, Director, Bureau of Driver Licensing, P. O. Box 68676, Harrisburg, PA 17106-8676, ktempleton@pa.gov within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions about this proposed rulemaking is Laura Krol, Acting Manager, Driver Safety Division, Department of Transportation, Bureau of Driver Licensing, P. O. Box 68676, Harrisburg, PA 17106-8676, (717) 787-2977, lkrol@pa.gov.

LESLIE S. RICHARDS,
Secretary

Fiscal Note: 18-435. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE IV. LICENSING

CHAPTER 71. SCHOOL BUS DRIVERS

§ 71.2. Definitions.

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

* * * * *

School transportation medical practitioner—A licensed physician, physician assistant, certified registered nurse practitioner or chiropractor appointed or approved by a school board, or by the authorities responsible for operation of a private or parochial school. The same person

may be appointed or approved as both school transportation medical practitioner and school medical practitioner.

Seizure—A paroxysmal disruption of cerebral function characterized by altered consciousness, altered motor activity or behavior identified by a licensed physician as inappropriate for the individual.

Seizure disorder—A condition in which an individual has experienced either of the following:

- (i) A single seizure of electrically diagnosed epilepsy.
- (ii) More than one seizure not including seizures resulting from an acute illness, intoxication, metabolic disorder or trauma.

Symptomatic hyperglycemia—High glucose levels in the blood that have caused a loss of consciousness or an altered state of perception, including, but not limited to, decreased reaction time, impaired vision or hearing, or both, or confusion.

* * * * *

§ 71.3. Physical examination.

* * * * *

(b) *Requirements of physical examination.* [**A person**] An individual is physically qualified to drive a school bus if the [**person**] individual:

(1) Meets the following visual requirements **without the aid of telescopic and prism lenses**:

(i) Has distant visual acuity of at least 20/40 in the better eye without corrective lenses or visual acuity corrected to 20/40 or better.

(ii) Has at least 20/50 in the poorer eye without corrective lenses or visual acuity corrected to 20/50 or better.

(iii) Has distant binocular acuity of at least 20/40 in both eyes with or without corrective lenses.

(iv) Has a combined field of vision of at least 160[° in] degrees in extent along the horizontal meridian, [**excepting the normal blind spots.**] provided that an individual who has a binocular visual field defect of 30 contiguous degrees or more may not drive unless the following conditions are satisfied:

(A) The individual's health care provider verifies in writing that the individual's condition does not pose a risk to the individual's ability to safely drive.

(B) The individual demonstrates appropriate visual compensation through a knowledge and driving skills evaluation administered by the Department.

(v) Has the ability to determine the colors used in traffic signals and devices showing standard red, green, or amber.

* * * * *

(10) Has no established medical history or clinical diagnosis of seizure disorders [**or another condition likely to cause loss or impairment of consciousness or loss of ability to drive a school bus safely**]. A waiver may be granted to an individual provided:

[(i) A waiver may be granted to these persons provided:

(A)] (i) There has been no more than a single, nonrecurring episode of altered consciousness or loss of bodily control, occurring at least 2 years preceding application, which did not require treatment.

[(B)] (ii) A seizure disorder has been diagnosed, but the person has been episode-free for at least 5 years preceding application and has not required treatment for at least 5 years preceding application.

* * * * *

(14) Has no type of tuberculosis in a transmittable stage and has taken the tuberculin test every 2 years as required by section 1418(b) of the Public School Code of 1949 (24 P. S. § 14-1418(b)).

(15) Has not had an episode of loss of consciousness, which is of unknown etiology or not otherwise categorized, within the previous 12 months.

[(15)] (16) Has no other condition which in the opinion of the examining physician is likely to impair the ability to drive a school bus safely.

(c) *Physical examination certificate.* The examining school transportation medical practitioner, physician, chiropractor, CRNP or physician assistant shall issue a certificate, valid for the ensuing year, to every driver who passes a physical examination.

* * * * *

[Pa.B. Doc. No. 15-1052. Filed for public inspection June 5, 2015, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Agriculture

The Executive Board approved a reorganization of the Department of Agriculture effective May 18, 2015.

The organization chart at 45 Pa.B. 2720 (June 6, 2015) 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. 15-1053. Filed for public inspection June 5, 2015, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Public School Employees' Retirement System

The Executive Board approved a reorganization of the Public School Employees' Retirement System effective May 18, 2015.

The organization chart at 45 Pa.B. 2722 (June 6, 2015) 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. 15-1055. Filed for public inspection June 5, 2015, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Conservation and Natural Resources

The Executive Board approved a reorganization of the Department of Conservation and Natural Resources effective May 18, 2015.

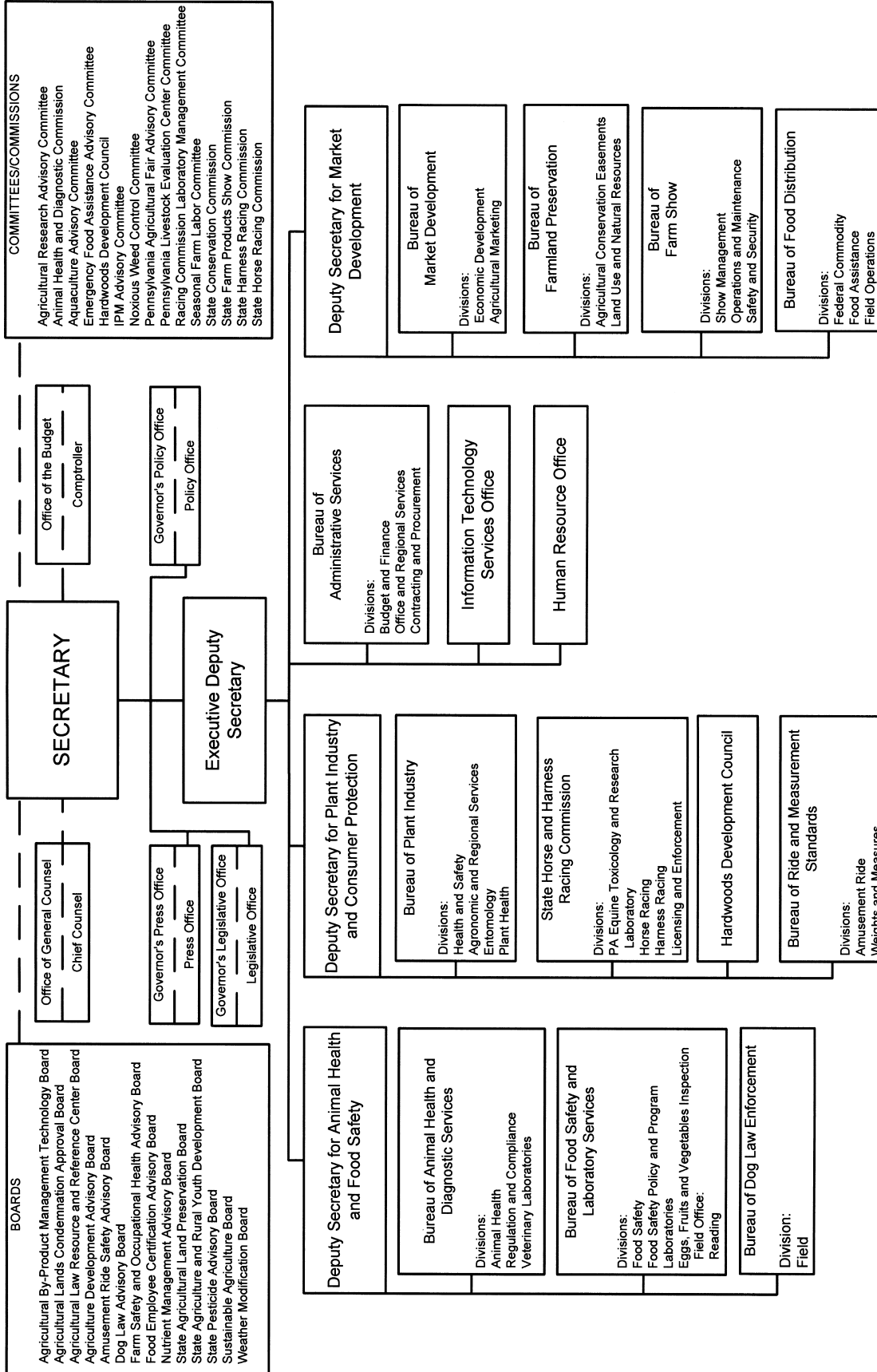
The organization chart at 45 Pa.B. 2721 (June 6, 2015) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(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.)

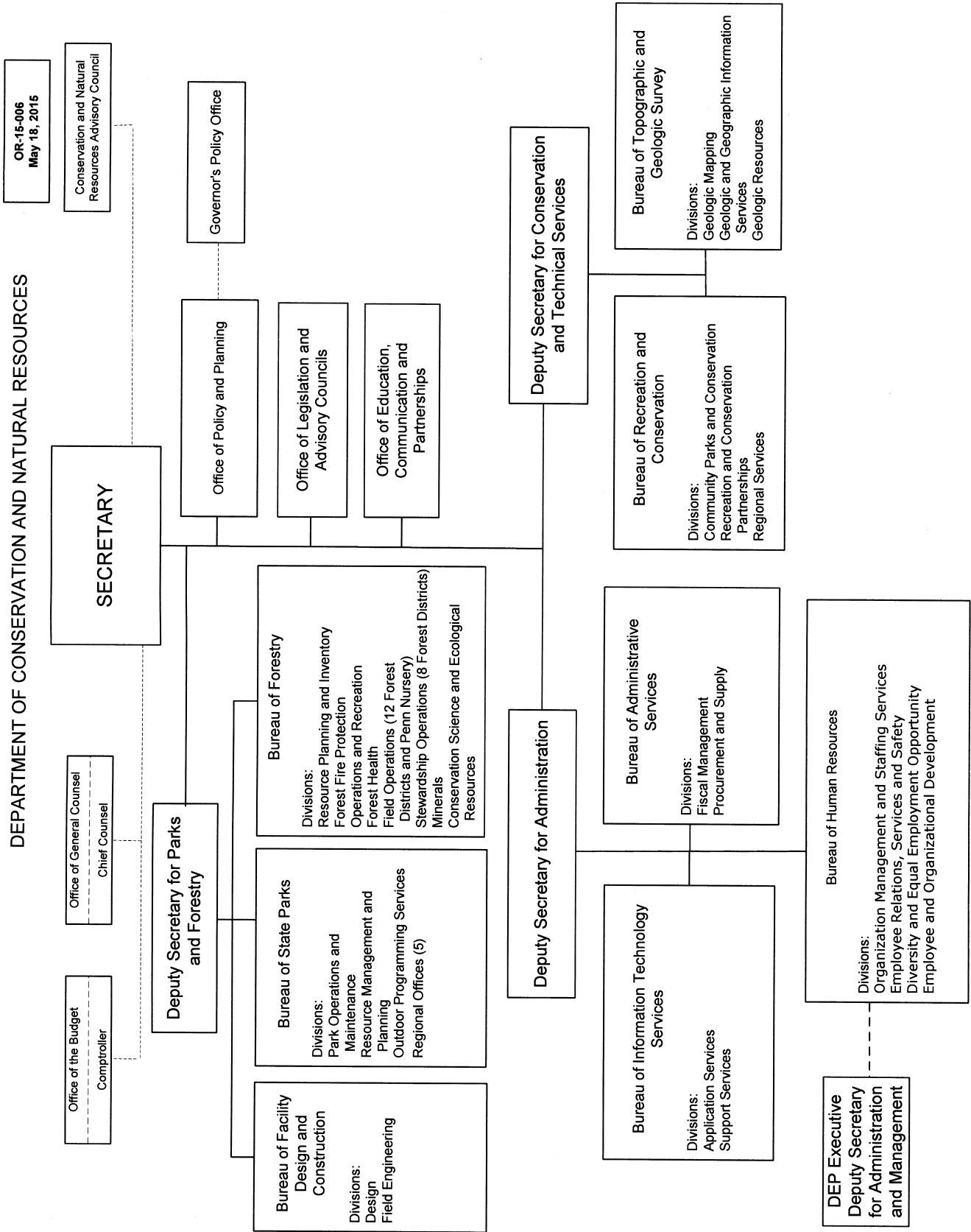
[Pa.B. Doc. No. 15-1054. Filed for public inspection June 5, 2015, 9:00 a.m.]

OR-15-005
May 18, 2015

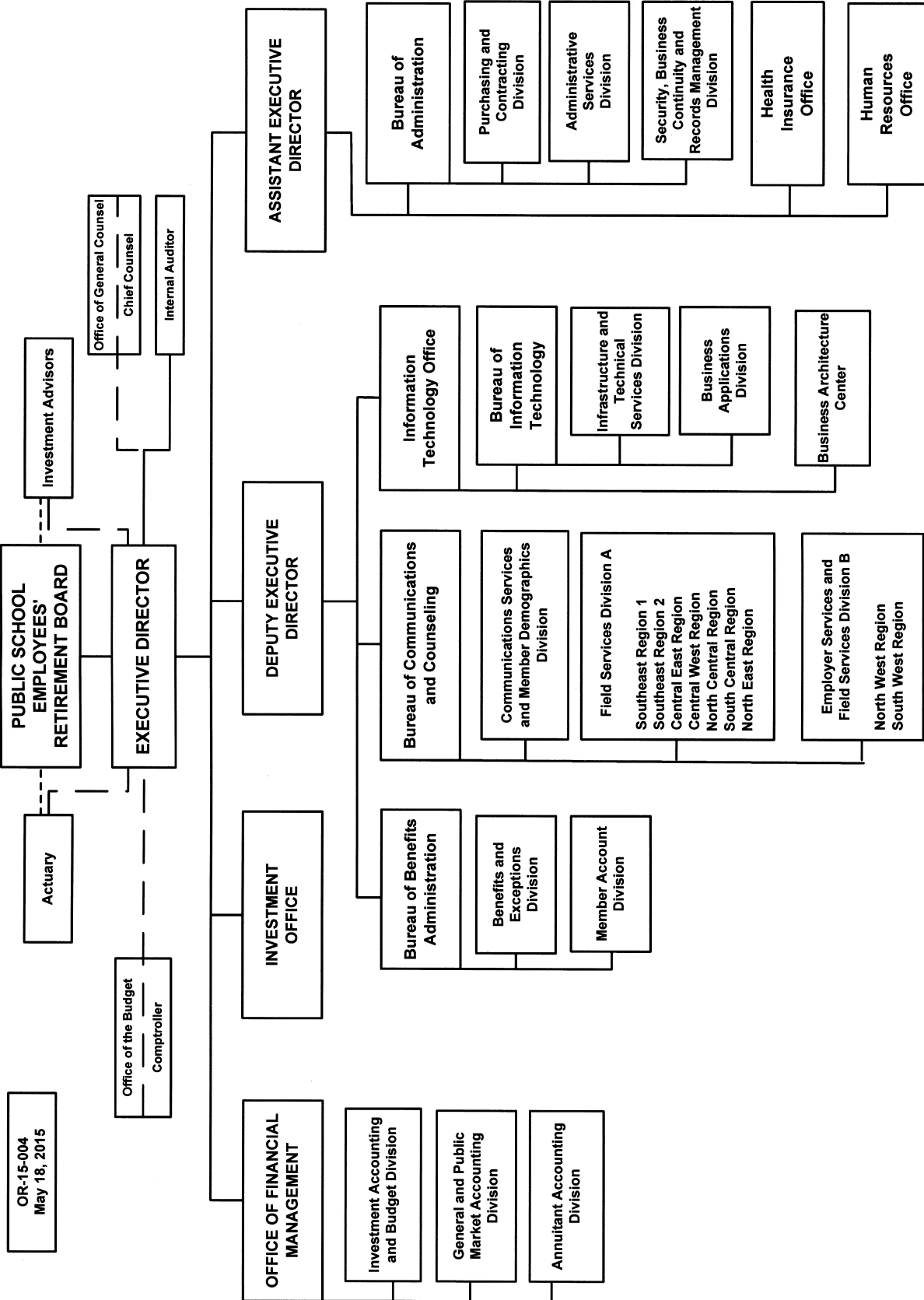
DEPARTMENT OF AGRICULTURE



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES



PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM



NOTICES

COMMONWEALTH FINANCING AUTHORITY

Request for Proposals

The Commonwealth Financing Authority gives notice of the issuance of a request for proposal (RFP) for solar energy economic modeling advisory services. Information regarding the RFP follows as Annex A. Questions regarding the RFP may be directed to Ryan Emerson at (717) 346-8191. Fifteen copies of all proposals must be submitted to the Commonwealth Financing Authority, at the following address, by close of business on June 19, 2015. Proposals received after June 19, 2015, will not be considered, regardless of the reason.

Further information can be obtained from the Commonwealth Financing Authority, Commonwealth Keystone Building, 4th Floor, 400 North Street, Harrisburg, PA 17120-0225, (800) 379-7448.

SCOTT D. DUNKELBERGER,
Executive Director

Annex A

Request for Proposals to Provide the Commonwealth Financing Authority with Solar Energy Economic Modeling Advisory Services

Issued by the Commonwealth Financing Authority;
RFP 2015-01; May 27, 2015

Part I

General Information for Contractors

A. *Purpose.* This request for proposals (RFP) provides to those interested in submitting proposals for the subject procurement ("Offerors") sufficient information to enable them to prepare and submit proposals for the Commonwealth Financing Authority ("CFA") to provide the CFA with solar energy economic modeling advisory services. ("Project").

B. *Issuing Office.* This RFP is issued for the Commonwealth of Pennsylvania by the CFA ("Issuing Office"). The Issuing Office is the sole point of contact for this RFP. All communications concerning this RFP must be directed in writing to:

Scott D. Dunkelberger, Executive Director
Commonwealth Financing Authority
Commonwealth Keystone Building
400 North Street
4th Floor
Harrisburg, PA 17120

C. *Scope.* This RFP contains instructions governing the proposals to be submitted and the material to be included therein, including:

- a description of the deliverables and services to be provided;
- requirements which must be met to be eligible for consideration.

D. *Problem Statement.* The CFA is soliciting proposals for firms interested in providing solar energy economic modeling advisory services to the CFA for the Solar Energy Program. The Solar Energy Program provides financial assistance in the form of grant and loan funds

that will be used by eligible applicants to promote the generation and use of solar energy and the manufacture or assembly of solar equipment in the Commonwealth.

E. *Type of Contract.* It is proposed that if a contract is entered into as a result of this RFP, it will be a firm, fixed-price contract. Negotiations may be undertaken with contractors whose proposals, price and other factors show them to be qualified, responsible and capable of performing the work. The selected contractor will be expected to enter into a standard contract and the selected contractor will be subject to the specifications and requirements set forth in this package.

F. *Rejection of Proposals.* The CFA reserves the right to reject any and all proposals received as a result of this request or to negotiate separately with competing contractors.

G. *Incurring Costs.* The CFA is not liable for any cost incurred by contractors prior to issuance of a contract.

H. *Amendment to the RFP.* If it becomes necessary to revise any part of this RFP, an amendment will be issued to all contractors who received the basic RFP.

I. *Response Date.* To be considered, proposals must arrive at the Issuing Office on or before the time and date specified in the cover letter to this RFP. Contractors mailing proposals should allow sufficient mail delivery time to insure timely receipt of the proposal. The proposal shall be enclosed and sealed in an envelope which is clearly marked "Proposal for CFA Solar Energy Economic Modeling Advisory Services RFP". It is the responsibility of each contractor to ensure that its proposal is received at the Issuing Office prior to the date and time specified in the cover letter to this RFP, regardless of medium used. In the event that, due to inclement weather, natural disaster, or other cause, the Commonwealth offices are officially closed on the date the proposals are due, the deadline for submission shall be automatically postponed until the next Commonwealth business day, unless the contractors are otherwise notified by the CFA. The time for submission of proposals shall remain the same.

J. *Proposals.* To be considered, contractors must submit a complete response to this RFP, using the format provided in Part II. Fifteen (15) copies of each proposal must be submitted to the Issuing Office. No other distribution of proposals will be made by the contractor. Proposals must be signed, in ink, by an official authorized to bind the contractor to its provisions. An official authorized to bind the Offeror to its provisions must sign the proposal. If the official signs the Proposal Cover Sheet (Appendix B to this RFP) and the Proposal Cover Sheet is attached to the Offeror's proposal, the requirement will be met. For this RFP, the proposal must remain valid for at least 120 days. Moreover, the contents of the proposal of the successful respondent will become contractual obligations if a contract is entered into.

K. *Small Diverse Business Information.* The Issuing Office encourages participation by small diverse businesses as prime contractors, and encourages all prime contractors to make a significant commitment to use small diverse businesses as subcontractors and suppliers.

A Small Diverse Business is a DGS-verified minority-owned business, woman-owned business, veteran-owned business or service-disabled veteran-owned business.

A small business is a business in the United States which is independently owned, not dominant in its field of operation, employs no more than 100 full-time or full-time equivalent employees, and earns less than \$7 million in gross annual revenues for building design, \$20 million in gross annual revenues for sales and services and \$25 million in gross annual revenues for those businesses in the information technology sales or service business.

Questions regarding this Program can be directed to:

Department of General Services
Bureau of Small Business Opportunities
Room 611, North Office Building
Harrisburg, PA 17125
Phone: (717) 783-3119
Fax: (717) 787-7052
Email: gs-bsbo@pa.gov
Website: www.dgs.state.pa.us

The Department's directory of BSBO-verified minority, women, veteran and service disabled veteran-owned businesses can be accessed from: Searching for Small Diverse Businesses.

L. Oral Presentation. Contractors who submit proposals may be required to make an oral presentation of their proposal to the CFA. Such presentations provide an opportunity for the contractor to clarify the proposal to insure thorough mutual understanding. The Issuing Office will schedule these presentations.

M. Economy of Preparation. Proposals should be prepared simply and economically, providing a straightforward, concise description of the contractor's ability to meet the requirements of this RFP.

N. Contractor Responsibilities. The selected contractor will be required to assume responsibility for all services offered in the proposal whether or not the selected contractor provides those services or subcontracts them. Further, CFA will consider the selected contractor to be the sole point of contact with regard to contractual matters. CFA reserves the right to approve any and all subcontracts.

O. Proposal Contents.

A. Confidential Information. The Commonwealth is not requesting, and does not require, confidential proprietary information or trade secrets to be included as part of Offerors' submissions in order to evaluate proposals submitted in response to this RFP. Accordingly, except as provided herein, Offerors should not label proposal submissions as confidential or proprietary or trade secret protected. Any Offeror who determines that it must divulge such information as part of its proposal must submit the signed written statement described in subsection c. below and must additionally provide a redacted version of its proposal, which removes only the confidential proprietary information and trade secrets, for required public disclosure purposes.

B. Commonwealth Use. All material submitted with the proposal shall be considered the property of the Commonwealth of Pennsylvania and may be returned only at the Issuing Office's option. The Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any proposal regardless of whether the proposal becomes part of a contract. Notwithstanding any Offeror copyright designations contained on proposals, the Commonwealth shall have the right to make copies and distribute proposals internally and to comply with public record or other disclosure

requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.

C. Public Disclosure. After the award of a contract pursuant to this RFP, all proposal submissions are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P. S. § 67.101, et seq. If a proposal submission contains confidential proprietary information or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P. S. § 67.707(b) for the information to be considered exempt under 65 P. S. § 67.708(b)(11) from public records requests. If financial capability information is submitted in response to Part II of this RFP such financial capability information is exempt from public records disclosure under 65 P. S. § 67.708(b)(26).

P. News Releases. News releases pertaining to this project may not be made by the selected contractor without prior CFA approval, and then only in coordination with the Issuing Office.

Q. Debriefing Conference. Contractors whose proposals are not selected will be notified of the name of the selected contractor and will be given the opportunity to be debriefed. The Issuing Office will schedule the time and location of the debriefing.

R. Period of Contract. The contract will be entered into as soon after the final selection as feasible, subject to the availability of funds, and will operate for one year from that date. The CFA retains the right to extend the completion date if necessary for the successful completion of work, without any increase in contract price. Additionally, at the discretion of the CFA, the contract awarded as a result of this RFP may be extended for an additional period or periods of time not to exceed one year, if the services being rendered are judged to be exceptionally effective and of benefit to the Commonwealth. Conversely, the CFA may choose to terminate the contractual arrangement upon 30 days notice if, in the CFA's opinion, the services being provided are not adequate, are not of benefit to the Commonwealth, or are no longer needed.

S. Expenses. The proposed cost of the contractor should include all travel and miscellaneous expenses.

T. Payment. The successful contractor will be permitted to bill the CFA bimonthly for reimbursement under this contract.

U. Questions. In order to allow sufficient time for the Issuing Office to respond to questions concerning the contents of the proposal, such questions must be submitted to the Issuing Office in writing on or before the time and date specified in the cover letter to this RFP.

V. Cost Data. All cost data for the proposal shall be submitted in a separate sealed envelope within the sealed proposal and kept separate from the technical proposal. Failure to meet this requirement will result in automatic disqualification of the proposal. The successful contractor will be required to provide the specified services at the prices quoted in its proposal.

W. Contractor's Representation and Authorization. Each contractor by submitting its proposal understands, represents and acknowledges that:

1. The contractor understands and acknowledges that all information provided by, and representations made by, the contractor in the proposal are material and important and will be relied upon by the Issuing Office in

awarding the contract(s). Any misstatement shall be treated as fraudulent concealment from the Issuing Office of the true facts relating to the submission of this proposal. A misrepresentation shall be punishable under Section 4904 of Title 18 Pa.C.S.A.

2. The price(s) and amount of this proposal have been arrived at independently and without consultation, communication or agreement with any other contractor or potential contractor.

3. Neither the price(s) nor the amount of the proposal, and neither the approximate price(s) nor the approximate amount of this proposal, have been disclosed to any other firm or person who is a contractor or potential contractor, and they will not be disclosed on or before the proposal submission deadline specified in the cover letter to this RFP.

4. No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.

5. The proposal is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.

6. To the best knowledge of the person signing the proposal for the contractor, the contractor, its affiliates, subsidiaries, officers, directors and employees are not currently under investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as disclosed by the contractor in its proposal.

7. To the best of the knowledge of the person signing the proposal for the contractor and except as otherwise disclosed by the contractor in its proposal, the contractor has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the contractor that is owed to the Commonwealth.

8. The contractor is not currently under suspension or debarment by the Commonwealth, or any other state, or the federal government, and if the contractor cannot certify, then it shall submit along with the proposal a written explanation of why such certification cannot be made.

9. The contractor has not, under separate contract with the Issuing Office, made any recommendations to the Issuing Office concerning the need for the services described in the proposal or the specifications for the services described in the proposal.

10. Each contractor, by submitting its proposal, authorizes all Commonwealth agencies to release to the Commonwealth information related to liabilities to the Commonwealth including, but not limited to taxes, unemployment compensation, and workers' compensation liabilities.

X. *RFP Protest Procedure.*

1. Any offeror or prospective offeror, who is aggrieved in connection with the RFP or award of the contract solicitation or award of a contract, may file a protest as provided in the Procurement Code, Act 57 of 1998, 62 Pa.C.S.A. Section 1711.1.

Part II Information Required from Contractors

Offerors must submit their proposals in the format, including heading descriptions, outlined below. To be considered, the proposal must respond to all requirements in this part of the RFP. Offerors should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the Proposal. All cost data relating to this proposal and all Small Diverse Business cost data should be kept separate from and not included in the Technical Submittal. Each Proposal shall consist of the following three separately sealed submittals:

A. Technical Submittal, which shall be a response to RFP Part II, Sections A through D;

B. Small Diverse Business participation submittal, in response to RFP Part II, Section E; and

C. Cost Submittal, in response to RFP Part II, Section F.

The Issuing Office reserves the right to request additional information which, in the Issuing Office's opinion, is necessary to assure that the Offeror's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFP.

The Issuing Office may make investigations as deemed necessary to determine the ability of the Offeror to perform the Project, and the Offeror shall furnish to the Issuing Office all requested information and data. The Issuing Office reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Offeror fails to satisfy the Issuing Office that such Offeror is properly qualified to carry out the obligations of the RFP and to complete the Project as specified.

A. *Statement of the Problem.* State in succinct terms the services which are required by this RFP.

B. *Management Summary.* Include a narrative description of the proposed effort and a list of the services to be provided.

C. *Work Plan.* Describe in narrative form the technical plan for accomplishing the work.

D. *Prior Experience and Personnel.* State how long you have been in business. Explain the level of experience you have in providing services similar to those requested in this RFP. Cite similar projects, identifying the type of customer (name optional), the city address, and a brief description of the contract and results. Provide three specific references for which you have completed similar work which the Issuing Office may contact. List the names of the actual people who will be working on the Issuing Office project along with a brief biographical sketch for each person, including their educational background. Explain the level of experience each person who will be working on the Issuing Office project has in providing services similar to those requested in this RFP. Identify the person(s) responsible for managing the project. Provide a brief description of your organization, its structure (organization chart where appropriate), and annual report as appropriate.

E. *Small Diverse Business Participation Submittal.*

A. To receive credit for being a Small Diverse Business or for subcontracting with a Small Diverse Business (including purchasing supplies and/or services through a purchase agreement), an Offeror must include proof of

Small Diverse Business qualification in the Small Diverse Business participation submittal of the proposal, as indicated below:

A Small Diverse Business verified by BSBO as a Small Diverse Business must provide a photocopy of its DGS issued certificate entitled "Notice of Small Business Self-Certification and Small Diverse Business Verification" indicating its diverse status.

B. In addition to the above certificate, the Offeror must include in the Small Diverse Business participation submittal of the proposal the following information:

1. All Offerors must include a numerical percentage which represents the total percentage of the work (as a percentage of the total cost in the Cost Submittal) to be performed by the Offeror and not by subcontractors and suppliers.

2. All Offerors must include a numerical percentage which represents the total percentage of the total cost in the Cost Submittal that the Offeror commits to paying to Small Diverse Businesses (SDBs) as subcontractors. To support its total percentage SDB subcontractor commitment, Offeror must also include:

a) The percentage and dollar amount of each subcontract commitment to a Small Diverse Business;

b) The name of each Small Diverse Business. The Offeror will not receive credit for stating that after the contract is awarded it will find a Small Diverse Business.

c) The services or supplies each Small Diverse Business will provide, including the timeframe for providing the services or supplies.

d) The location where each Small Diverse Business will perform services.

e) The timeframe for each Small Diverse Business to provide or deliver the goods or services.

f) A subcontract or letter of intent signed by the Offeror and the Small Diverse Business (SDB) for each SDB identified in the SDB Submittal. The subcontract or letter of intent must identify the specific work, goods or services the SDB will perform, how the work, goods or services relates to the project, and the specific timeframe during the term of the contract and any option/renewal periods when the work, goods or services will be performed or provided. In addition, the subcontract or letter of intent must identify the fixed percentage commitment and associated estimated dollar value that each SDB will receive based on the total value of the initial term of the contract as provided in the Offeror's Cost Submittal. Attached is a letter of intent template (Appendix A) which may be used to satisfy these requirements.

g) The name, address and telephone number of the primary contact person for each Small Diverse Business.

3. The total percentages and each SDB subcontractor commitment will become contractual obligations once the contract is fully executed.

4. The name and telephone number of the Offeror's project (contact) person for the Small Diverse Business information.

C. The Offeror is required to submit two copies of its Small Diverse Business participation submittal. The submittal shall be clearly identified as Small Diverse Business information and sealed in its own envelope, separate from the remainder of the proposal.

D. A Small Diverse Business can be included as a subcontractor with as many prime contractors as it chooses in separate proposals.

E. An Offeror that qualifies as a Small Diverse Business and submits a proposal as a prime contractor is not prohibited from being included as a subcontractor in separate proposals submitted by other Offerors.

F. *Cost and Price Analysis.* The information requested in this section is required to support the reasonableness of the quoted price and is for internal CFA use only. This portion of the proposal must be bound and sealed separately from the remainder of the proposal. Further, this separate package must be marked "Cost and Price Analysis." This portion of the proposal will not be opened until the review and rating of the other sections of the proposal is completed. Interested respondents failing to submit this section in a separate sealed package will be disqualified from further review.

To be considered, the fee for the advisory services for all items in Part IV of the RFP must be proposed as a lump-sum proposal for the deliverables (items 1-4) and on a single hourly basis for all professional personnel of the Contractor rendering services (items 5-6) for the CFA. This single hourly rate should also include all administrative overhead expenses, including but not limited to photography, printing, clerical cost, and faxes. The Contractor should list their lump-sum bid and single hourly rate for the year.

| | |
|-------------------------------|----------------------|
| Lump-Sum Bid For Deliverables | Year One Services |
| \$ _____ | Hourly Rate \$ _____ |

The contract price for the deliverables and the services cannot exceed fifty thousand dollars (\$50,000).

Substantiated actual expenses incurred for transportation and lodging in connection with performance of the duties will be reimbursed by CFA in keeping with the Commonwealth's travel regulations. Substantiated travel expenses such as turnpike, bridge tolls, parking fees and telephone calls will be reimbursed at cost.

To support the reasonableness of the quoted hourly rate, please provide information on the following, based upon your best estimate of the type of personnel required to perform the services hereunder:

1. *Direct Labor Costs.* Itemize so as to show the following for each category of professional personnel who will charge time to CFA with a different cost to the contractor per hour: (a) Category, e.g., partner, project manager, analyst, senior auditor or research associate; (b) Cost to the contractor per hour for such category of professional employee; (c) Estimated portion of total billed hours to be billed to CFA by each category of employee; (d) Average cost to the contractor per hour for each category and for all direct labor costs.

2. *Labor Overhead.* Specific what is included and rate used.

3. *Cost of Supplies and Materials.* Itemize.

4. *Other Direct Costs.* Itemize.

5. *General Overhead Costs.* Specify what is included and hourly cost used.

6. *Fee or Profit.*

7. *Total Hourly Cost to Contractor.*

The cost and price analysis must be submitted in one (1) copies to the Issuing Office.

Part III Criteria for Selection

A. All proposals received from contractors will be reviewed and evaluated by the CFA. Prior to the final selection, the CFA may conduct discussions with contractors for the purpose of obtaining best and final offers.

B. The following areas of consideration will be used in making the selection:

1. *Understanding the Problem.* This refers to the contractor's understanding of the CFA's needs that generated the RFP, of the CFA's objectives in asking for the services or undertaking the study, and of the nature and scope of the work involved.

2. *Contractor Qualifications.* This refers to the ability of the contractor to meet the terms of the RFP, especially the time constraints and the quality, relevancy, and recency of studies and projects completed by the contractor. This also includes the contractor's financial ability to undertake a project of this size.

3. *Professional Personnel.* This refers to the competency of professional personnel who would be assigned to the job by the contractor. Qualifications of professional personnel will be measured by experience and education, with particular reference to experience in providing financial advisory services.

4. *Soundness of Approach.* Emphasis here is on the techniques for collecting and analyzing data, sequence and relationships of major steps, and methods for managing the service. Of equal importance is whether the technical approach is completely responsive to all written specifications and requirements contained in the RFP and if it appears to meet CFA objectives.

5. *Small Diverse Business Participation.* Each proposal will be rated for its approach to enhancing the utilization of Small Diverse Businesses.

6. *Cost.* This area will be a significant but not deciding factor in the selection process.

Part IV Work Statement

The Commonwealth Financing Authority (CFA) is soliciting proposals from firms interested in providing solar energy economic modeling consulting services to the CFA for the Solar Energy Program. The Solar Energy Program provides financial assistance in the form of grant and loan funds that will be used by eligible applicants to promote the generation and use of solar energy and the manufacture or assembly of solar equipment in the Commonwealth. Eligible applicants include businesses, economic development organizations and political subdivisions. The Program is administered by the Department of Community and Economic Development (DCED) under the direction of the CFA. Independent solar energy economic modeling consulting services will be used to advise the CFA on the current solar energy market to determine the type and amount of financial assistance necessary to incentivize and maximize solar deployment in the Commonwealth. The CFA has over \$30 million in funds ready to deploy under the Solar Energy Program. The Contractor will be expected to provide the following deliverables:

1. Provide the CFA Board with information on the current solar energy market, including purchase and installation prices, solar panel efficiency, life expectancy of installations, solar energy financing models, solar renewable energy credit (SREC) markets and other trends in the development of solar energy. The CFA Board

is seeking information on the solar energy market in the Commonwealth, neighboring states in the PJM market and the national level.

2. Provide information on all forms of incentives currently available to solar energy projects, including federal and state grants, loans, tax credits and depreciation benefits.

3. Provide typical solar energy economic models, including but not limited to direct ownership, sale-leaseback, leasing arrangements and power purchase agreement (PPA) structures. Economic modeling should include typical purchase and installation costs, tax credit and depreciation benefits, energy pricing (should include energy pricing assumptions for each electric utility market in the Commonwealth), inflation and cost increase assumptions, solar energy renewable credit (SREC) pricing and forward SREC contract assumptions, operation and maintenance expenses, insurance and other administrative costs. The economic models should provide information on typical return on investments (ROI) for the overall project including, but not limited to, the simple payback for investors and the 10-year internal rate of return (IRR). For PPA structures, advise the board on how fair market value is determined at the end of the PPA term.

4. Review Solar Energy Program guidelines and evaluation criteria to provide recommendations for changes necessary to maximize the deployment of solar energy in the Commonwealth.

The Contractor will be expected to perform the following services:

5. Attend CFA Board meetings, staff review committee meetings, and briefings to provide information and answer questions on solar energy economic modeling.

6. Provide all other solar energy economic modeling analysis services as reasonably requested by the CFA.

Appendix A

Small Diverse Business Letter of Intent

[DATE]

[SDB Contact Name
Title
SDB Company Name
Address
City, State, Zip]

Dear [SDB Contact Name]:

This letter serves as confirmation of the intent of [Offeror] to utilize [Small Diverse Business (SDB)] on RFP [RFP number and Title] issued by the [Commonwealth agency name].

If [Offeror] is the successful vendor, [SDB] shall provide [identify the specific work, goods or services the SDB will perform, and the specific timeframe during the term of the contract and any option/renewal periods when the work, goods or services will be performed or provided].

These services represent [identify fixed numerical percentage commitment] of the total cost in the [Offeror's] cost submittal for the initial term of the contract. Dependent on final negotiated contract pricing and actual contract usage or volume, it is expected that [SDB] will receive an estimated [identify associated estimated dollar value that the fixed percentage commitment represents] during the initial contract term.

[SDB] represents that it meets the small diverse business requirements set forth in the RFP and all required documentation has been provided to [Offeror] for its SDB submission.

We look forward to the opportunity to serve the Commonwealth Financing Authority on this project. If you have any questions concerning our small diverse business commitment, please feel free to contact me at the number below.

| | |
|--------------|---------------|
| Sincerely, | Acknowledged, |
| Offeror Name | SDB Name |
| Title | Title |
| Company | Company |
| Phone number | Phone number |

Appendix D

Proposal Cover Sheet

**Commonwealth of Pennsylvania
Commonwealth Financing Authority
RFP# 2015-01**

Enclosed in three separately sealed submittals is the proposal of the Offeror identified below for the above-referenced RFP:

| <i>Offeror Information:</i> | |
|-----------------------------------|--|
| Offeror Name | |
| Offeror Mailing Address | |
| Offeror Website | |
| Offeror Contact Person | |
| Contact Person's Phone Number | |
| Contact Person's Facsimile Number | |
| Contact Person's E-Mail Address | |
| Offeror Federal ID Number | |
| Offeror SAP/SRM Vendor Number | |

| <i>Submittals Enclosed and Separately Sealed:</i> | |
|---|---|
| <input type="checkbox"/> | Technical Submittal (15 copies) |
| <input type="checkbox"/> | Small Diverse Business Participation Submittal (2 copies) |
| <input type="checkbox"/> | Cost Submittal (1 copies) |

| <i>Signature</i> |
|--|
| Signature of an official authorized to bind the Offeror to the provisions contained in the Offeror's proposal: Printed Name |
| Title |

Failure to complete, sign and return this form with the Offeror's proposal may result in the rejection of the Offeror's proposal.

[Pa.B. Doc. No. 15-1056. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF AGING

DEPARTMENT OF HUMAN SERVICES

Availability of Discussion Document on Managed Long-Term Services and Supports; Public Input Meetings

On February 27, 2015, Governor Tom Wolf unveiled a package of legislative and budgetary actions to provide choice and protections for seniors as they age. As a result, the Department of Human Services (Department) in partnership with the Department of Aging will pursue the implementation of managed long-term care and engage stakeholders to ensure that the system is person-centered, breaks down barriers and fills in the gaps that currently exist in the long-term care services and supports system. This initiative, which was recommended by the Pennsylvania Long-Term Care Commission, will result in a more strategic care delivery system and improved health outcomes for seniors and people with disabilities.

The University of Pittsburgh was engaged by the Department to develop a discussion document as the basis for policy development and contracting for a managed care program for Medicaid beneficiaries who require long-term services and supports (LTSS). This discussion document outlines key decision points and offers recommendations for a Medicaid managed long-term services and supports (MLTSS) program based on a review of the literature and relevant experiences from other states that have implemented or experimented with these types of programs. The overall objectives of the MLTSS initiative are to:

- Improve care coordination in the LTSS system to ensure consumers have access to comprehensive person-centered supports and services.
- Improve and expand service delivery in the LTSS system to ensure that consumers have access to appropriately qualified providers of care.
- Improve quality and outcomes in the LTSS system by utilizing alternative care delivery systems to provide the right service, at the right time and in the right location.
- Enhance transitions from more to less intensive settings to ensure continuity of care and prevent unnecessary readmissions.
- Make the LTSS system more fiscally sustainable.

The discussion document is available at <http://www.dhs.state.pa.us/foradults/managedlongtermsupports/index.htm> or by contacting the Department of Human Services, Office of Long-Term Living at (717) 783-8412. Persons who wish to request a copy of the discussion document in an alternate format, contact the Department at the number previously listed.

The Department will hold six public input meetings throughout this Commonwealth to receive comments on the Department's wish to move forward with the implementation of the MLTSS.

Location, Date and Time of Public Input Meeting

Erie—Wednesday, June 10, 2015
 Bayfront Convention Center
 1 Sassafras Pier
 Erie, PA 16507
 9 a.m. to 11 a.m.

Pittsburgh—Thursday, June 11, 2015
 Allegheny County Courthouse
 Gold Room
 436 Grant Street
 Pittsburgh, PA 15219
 9:30 a.m. to 12:30 p.m.

Altoona—Tuesday, June 16, 2015
 Blair County Convention Center
 One Convention Center Drive
 Altoona, PA 16602
 1 p.m. to 3 p.m.

Scranton—Wednesday, June 17, 2015
 Hilton Scranton and Conference Center
 100 Adams Avenue
 Scranton, PA 18503
 9 a.m. to 11 a.m.

Harrisburg—Tuesday, June 23, 2015
 PaTTAN—Harrisburg
 Conference Room 1
 6340 Flank Drive
 Harrisburg, PA 17112
 9 a.m. to 12 p.m.

Philadelphia—Friday, June 26, 2015
 Temple University Center City
 1515 Market Street—Room 222
 Philadelphia, PA 19102
 1 p.m. to 4 p.m.

Additional opportunities to provide input, including interactive webinars, will be announced.

Registering for a Public Input Meeting

Persons who wish to provide verbal comments at a public input meeting must register prior to the date.

Registration is not required for persons attending to listen, but the Department is requesting those interested in attending to register to help ensure there is adequate seating. If there are capacity limitations, priority will be given to those who have registered to attend.

To register to present verbal comments or attend the public input meeting, go to <http://www.dhs.state.pa.us/foradults/managedlongtermsupports/index.htm> and follow the registration instructions. Individuals may also register by calling (717) 783-8412 or (800) 654-5984 (TDD users).

Verbal comments at the public input meeting will be limited to 5 minutes to allow others time to share their comments. To assist the Department in accurately capturing verbal comments, individuals are asked to submit a written copy of their comments by submitting a copy at the public input meeting, e-mailing them or mailing them to the address noted as follows.

Submitting Written Comments and Feedback

Interested persons are invited to submit written comments regarding this notice and the discussion document. Comments should be addressed to April Leonhard, Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments may also be submitted to the Department at RA-MLTSS@pa.gov. Commentators are instructed to use subject header "MLTSS" when submitting electronic comments. Comments must be submitted by July 15, 2015.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA OSBORNE,
Secretary of Aging

THEODORE DALLAS,
Secretary of Human Services

[Pa.B. Doc. No. 15-1057. Filed for public inspection June 5, 2015, 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 May 26, 2015.

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 their 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**Conversions**

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|--|---------------|
| 5-26-2015 | <p><i>From:</i> Huntingdon Valley Bank Huntingdon Valley Montgomery County</p> <p><i>To:</i> Huntingdon Valley Bank Huntingdon Valley Montgomery County</p> <p>Application for approval to convert from a Pennsylvania State-chartered mutual savings bank to a Pennsylvania State-chartered stock savings bank.</p> | Withdrawn |

Holding Company Acquisitions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|--|---------------|
| 5-26-2015 | <p>HV Bancorp, Inc. Huntingdon Valley Montgomery County</p> <p>HV Bancorp, Inc., a proposed bank holding company, to acquire The Victory Bancorp, Inc. and the wholly-owned bank subsidiary, The Victory Bank.</p> | Withdrawn |

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 5-26-2015 | <p>Huntingdon Valley Bank Huntingdon Valley Montgomery County</p> <p>Application for approval to merge The Victory Bank, Limerick, with and into Huntingdon Valley Bank, Huntingdon Valley.</p> | Withdrawn |

Branch Applications**Branch Discontinuances**

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 4-17-2015 | <p>Susquehanna Bank Lititz Lancaster County</p> | <p>10455 Mill Run Circle Owings Mill Baltimore County, MD</p> | Closed |

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 15-1058. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Application Availability for the 2015 Emergency Solutions Grant

The Department of Community and Economic Development (Department), Center for Community Financing, is anticipating receiving funding through the United States Department of Housing and Urban Development for the 2015 Emergency Solutions Grant. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (Pub. L. No. 111-22), provides funding for the Emergency Solutions program for the Commonwealth to address the needs of homeless people through services in Street Outreach, Emergency Shelters, Rapid Rehousing

and Homelessness Prevention. The focus is to help individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness, or both.

The Department will accept applications from any general purpose units of local government, including cities, boroughs, townships, towns, counties, home rule municipalities and communities that desire to apply "on behalf of" other municipalities. Priority will be given to nonentitled jurisdictions; however, the Department will consider funding applications received from all eligible government jurisdictions previously listed.

A fully executed application with all applicable attachments must be submitted to the Department through the Electronic Single Application (ESA) only, and during the time the application is open. The application will open on June 1, 2015, and close at 5 p.m. on July 31, 2015. Applications received during this window of time will be considered for funding. Hard copies will not be accepted.

The ESA may be accessed on the Department's web site at <http://www.newpa.com/find-and-apply-for-funding/apply-for-programs-funding>.

A copy of the guidelines and application may be obtained by download from the Department's web site at <http://www.newpa.com/find-and-apply-for-funding/funding-and-program-finder/emergency-solutions-grant-esg-formerly-emergency-shelter-grant>. A hard copy may be requested by persons with a disability who wish to submit an application in accordance with the provisions stated herein and who require assistance with that application. Persons who require copies of this notice in an alternate format (large type, Braille, and the like) should contact Megan L. Snyder, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-7404 or TDD (717) 346-0308 to discuss how the Department may best accommodate those needs. Copies of the application may also be viewed at any of the Department's regional offices. The following is the listing of the Department's regional offices and the counties they serve:

Regional Offices

Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
200 South Broad Street, 11th Floor
Philadelphia, PA 19102
(215) 560-5822

Northeast

Bradford, Carbon, Lackawanna, Luzerne, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
409 Lackawanna Avenue
Oppenheim Building, 3rd Floor
Scranton, PA 18503
(570) 963-4571

Lehigh Valley

Berks, Lehigh, Monroe and Northampton Counties

(484) 547-2441

Central

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York, Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties

Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120
(717) 525-5796

Southwest

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties

Department of Community and Economic Development
301 5th Avenue, Suite 250
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development
100 State Street, Suite 205
Erie, PA 16507
(814) 871-4241

Main Office

Department of Community and Economic Development
Center for Community Financing
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120
(717) 787-5327

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 15-1059. Filed for public inspection June 5, 2015, 9:00 a.m.]

Substantial Amendment to the 2014-2018 Consolidated Plan and 2014 Action Plan and Adoption of the 2015 Action Plan; Public Hearing

The Department of Community and Economic Development (Department) is amending the Commonwealth's Consolidated Plan for 2014-2018 and the 2014 Action Plan and adopting the 2015 Action Plan. The Action Plan is the annual application to the United States Department of Housing and Urban Development (HUD) for Federal funds administered by the Commonwealth. The HUD funding programs covered by the Action Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), the Emergency Solutions Grant (ESG), Community Development Block Grant-Disaster Recovery (CDBG-DR) and Neighborhood Stabilization Program (NSP 1 and 3) programs. The Department of Health administers the Housing Opportunities for Persons with AIDS (HOPWA) program. Interested persons may view the Plan at <http://www.newpa.com/community/federal-program-resource-library/consolidated-plan-and-related-documents> or request a copy following the same procedures as listed under Written Comments.

Public Hearing

The second public hearing for the Substantial Amendment and 2015 Action Plan will be conducted electronically by means of the Internet on Wednesday, June 17, 2015. Access to the discussion by means of the Internet will occur between the hours of 1 p.m. and 2 p.m. This more widely available personal computer access will replace the onsite public hearing. The format will be more accessible than an in-person hearing because those who wish to make comment or discuss policy may participate directly from their personal computer or from a computer located at their public library.

Individuals or organizations may give testimony or comments by means of the Internet. Citizen comments will be taken on the Amendment and Action Plan and the Commonwealth's intended use and method of distribution of the 2015 Federal funding from HUD. The Commonwealth encourages public participation in this process.

Anyone who wants to participate must register in advance. Contact Megan L. Snyder at (717) 720-7404 to receive registration instructions for the Internet hearing at least 24 hours prior to the hearing date. During the hearing, if support is required, call (717) 787-5327. The hearing will be shortened if there is no one to testify or there is minimal response.

Individuals with a disability who wish to participate in the public hearing should contact Megan L. Snyder, Department of Community and Economic Development,

Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD at (717) 346-0308 to discuss how the Department can accommodate their needs.

Written Comments

Written testimony, instead of Internet testimony, must be submitted by 5 p.m. on Monday, June 29, 2015. Submit comments to Megan L. Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, RA-DCED cdbg&homequestions@pa.gov.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 15-1060. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Property

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry, and the Game Commission are proposing to negotiate an exchange of property interests in Benezette Township, Elk County.

The Game Commission proposes to convey 291.43 acres of State Game Lands 311 along the north and south sides of Gray Hill Road just west of Benezette. In return, the Bureau of Forestry proposes to convey 291.43 acres of Elk State Forest that is adjacent to State Game Lands 311 and near the Thunder Mountain Equestrian Trail just north of Benezette. An environmental review was conducted by the Bureau of Forestry regarding the exchange and the review was approved by the State Forester.

As is the policy of the Department, the public is hereby notified of this exchange. A 30-day period for public inquiry or comment, or both, will be in effect beginning June 6, 2015, and ending July 5, 2015. Oral or written comments or questions concerning this proposed exchange may be addressed to Ryan Szuch, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-2980, rszuch@pa.gov. Oral or written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 15-1061. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION 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 No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|----------------------------|--|--|---|--------------------|
| PAS802213 (Storm Water) | United Parcel Service— Stroudsburg 2129 Rockdale Lane Stroudsburg, PA 18360 | Monroe County Stroud Township | Little Pocono Creek (1-E) | Y |
| PA0035033 (Sewage) | Pinebrook Bible Conference & Retreat Center Conference/Retreat Center Route 191 Stroudsburg, PA 18360-0001 | Monroe County Stroud Township | Brodhead Creek (1-E) | Y |
| PAS602202 (Storm Water) | Denco Tire Recycling 1212 Industrial Boulevard Stockertown, PA 18083 | Northampton County Stockertown Borough | Unnamed Tributary to Bushkill Creek (1-F) | Y |
| PA0061662 (Sewage) | Arrowhead Sewer 2236 Lehigh Drive Pocono Lake, PA 18347 | Monroe County Coolbaugh Township | Lehigh River (2-A) | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed #) | EPA Waived Y/N? |
|---------------------|---|-----------------------------------|------------------------------|--------------------|
| PA0028088— SEW | Brown Township Municipal Authority 22 Brown Township Drive Reedsville, PA 17084 | Mifflin County/ Brown Township | Kishoquillas Creek/ 12-A | Y |
| PA0088242— CAFO | Country View Family Farms, LLC Huston Hollow Farm 1301 Fulling Mill Road, Suite 3000 Middletown, PA 17057-5990 | Fulton County/ Taylor Township | Wooden Bridge Creek/ 12-C | Y |

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|---|--|--|---|--------------------|
| PA0228044 (Sewage) | Bradford Heights MHP Bradford Drive Woodland, PA 16881 | Clearfield County Bradford Township | Unnamed Tributary to Abes Run (8-C) | Y |
| PA0113301 (Industrial Wastewater) | Mansfield Borough Municipal Authority Shaw Road Mansfield, PA 16933 | Tioga County Richmond Township | Lambs Creek (4-A) | Y |

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--------------------------------------|--|----------------------------|
| PA0209261 (Sewage) | Mooresburg Wastewater Treatment Plant 197 Mooresburg Road Danville, PA 17821-7030 | Montour County Liberty Township | Mauses Creek (5-E) | N |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--|--|----------------------------|
| PA0090832 (Sewage) | Abraham STP West Pike Run Twp Daisytown, PA 15427-0222 | Washington County West Pike Run Township | Unnamed Tributary of Pike Run (19-C) | Y |
| PA0252531 (Sewage) | Independence-Cross Creek STP 859 Meadowcroft Road Avella, PA 15312 | Washington County Independence Township | Cross Creek (20-D) | Y |
| PA0094757 (Sewage) | Lake Cresson Manor STP 177 Chestnut Street Gallitzin, PA 16641 | Cambria County Allegheny Township | Clearfield Creek (8-C) | N |
| PA0091791 (Sewage) | Argiro MHP STP 320 Breakneck Road Connellsville, PA 15425 | Fayette County Bullskin Township | Breakneck Run (19-D) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed#)</i> | <i>EPA Waived Y/N?</i> |
|------------------------------------|--|---|-------------------------------------|----------------------------|
| PA0221244 (Industrial Waste) | Salem Tube Manufacturing 951 4th Street Reynolds Industrial Park Greenville, PA 16125 | Mercer County Pymatuning Township | Big Run (20-A) | Y |
| PA0025461 (Sewage) | South Watson Run STP 9868 S Watson Run Road Meadville, PA 16335 | Crawford County Vernon Township | Watson Run (16-D) | Y |

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

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

PA0217077 A-1, SIC Code 3541, **Almac Mach Co. Inc.**, 205 Morgan Place, Johnstown, PA 15901-1136. Facility Name: Almac Mach Co. Inc. Johnstown Plant. This existing facility is located in Johnstown City, **Cambria County**.

Description of Existing Activity: The application is for the amendment of an existing NPDES permit because a source of categorical wastewater has been removed from the facility. The only remaining discharges are of treated stormwater associated with industrial activity, groundwater and miscellaneous housekeeping wastewater.

The receiving stream(s), Little Conemaugh River, is located in State Water Plan watershed 18-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 an intermittent flow.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (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 | XXX | XXX | 9 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 60 | XXX |
| Oil and Grease | XXX | XXX | XXX | 15 | 30 | XXX |
| Total Aluminum | XXX | XXX | XXX | Report | Report | XXX |
| Total Iron | XXX | XXX | XXX | Report | Report | XXX |
| Total Manganese | XXX | XXX | XXX | Report | Report | XXX |

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

The EPA Waiver is not in effect.

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

PA0205800, SIC Code 4941, **Southwestern PA Water Authority**, PO Box 187, Jefferson, PA 15344. Facility Name: Southwestern PA Water Authority (Tin Can Hollow Road WTP). This existing facility is located in Cumberland Township, **Greene County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated filter backwash water, filter-to-waste, clarifier sludge and effluent from sludge drying beds.

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 101 are based on a design flow of 0.418 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------------|-----------------|---------------|---------|----------------------|-----|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.0 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Total Aluminum | XXX | XXX | XXX | 4.0 | XXX | 8.0 |
| Total Iron | XXX | XXX | XXX | 2.0 | XXX | 4.0 |
| Total Manganese | XXX | XXX | XXX | 1.0 | XXX | 2.0 |

Outfall 001 is the main outfall to the Monongahela River and will receive plant area storm water and discharges from Internal Monitoring Point 101.

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

The EPA Waiver is in effect.

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

PA0244724, Storm Water, SIC Code 2834, **Micron Technologies, Inc.**, 333 Phoenixville Pike, Malvern, PA 19355. Facility Name: Micron Technologies Malvern Facility. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of Storm Water associated with industrial activities.

The receiving stream(s), Unnamed Tributary to Valley Creek, is located in State Water Plan watershed 3-F and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on stormwater flow.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| Total Suspended Solids | XXX | XXX | XXX | XXX | 100 | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report | XXX |
| pH | XXX | XXX | 6.0 Min | XXX | XXX | 9.0 Max |

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

I. Stormwater Requirements

- II. A. Property Rights
B. Sludge Removal

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

The EPA Waiver is in effect.

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

PA0009326, Industrial Waste, SIC Code 2033, 2037, **Motts LLP**, 45 Aspers North Road, Aspers, PA 17304. Facility Name: Motts LLP. This existing facility is located in Menallen Township, **Adams 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), Opossum Creek, is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.04 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | XXX | XXX |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | 104 | 208 | XXX | 12 | 24 | 30 |
| Nov 1 - Apr 30 | 217 | 434 | XXX | 25 | 50 | 62.5 |
| Total Suspended Solids | 260 | 520 | XXX | 30 | 60 | 75 |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 13 | 26 | XXX | 1.5 | 3.0 | 3.75 |
| Nov 1 - Apr 30 | 22 | 43 | XXX | 2.5 | 5.0 | 6.25 |
| Total Phosphorus | XXX | XXX | XXX | 2.0 | 4.0 | 5.0 |
| Total Dissolved Solids | Report | Report | XXX | Report | Report | XXX |
| Sulfate | Report | Report | XXX | Report | Report | XXX |
| Chloride | Report | Report | XXX | Report | Report | XXX |
| Bromide | Report | Report | XXX | Report | Report | XXX |

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

| Parameters | Mass (lbs) | | | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | Minimum | Monthly Average | Maximum |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 18,645 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 729 | XXX | XXX | XXX |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

PA0022209, Sewage, SIC Code 4952, **Bedford Borough Municipal Authority**, 244 W Penn Street, Bedford, PA 15522-1226. Facility Name: Bedford Borough STP. This existing facility is located in Bedford Borough, **Bedford County**.

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

The receiving stream(s), Raystown Branch Juniata River is located in State Water Plan watershed 11-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------|-----------------|---------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| CBOD ₅ | 250 | 400 | XXX | 20 | 32 | 40 |
| | | Wkly Avg | | | | |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|--------------------------------------|-----------------|---------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Weekly Average | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 375 | 563 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 94 | XXX | XXX | 7.5 | XXX | 15 |
| Nov 1 - Apr 30 | Report | XXX | XXX | Report | XXX | Report |
| Total Phosphorus | 25 | XXX | XXX | 2.0 | XXX | 4.0 |
| Total Copper | Report | XXX | XXX | Report | XXX | Report |
| UV Dosage (mjoules/cm ²) | XXX | XXX | Report | XXX | XXX | XXX |

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

| Parameters | Mass (lbs) | | Minimum | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | | Monthly Average | Maximum |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 27,397 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 3,653 | XXX | XXX | XXX |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- The permittee is granted 9,100 lbs/year Total Nitrogen offsets to meet the Net Total Nitrogen cap load.
- Stormwater Requirements
- CSO Compliance Requirements
- WETT Requirements

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.

PA0021644, Sewage, SIC Code 4952, **Dover Borough**, 46 Butter Road, Dover, PA 17315. Facility Name: Dover Borough Wastewater Treatment Plant. This existing facility is located in Dover Borough, **York County**.

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

The receiving stream, Fox Run, is located in State Water Plan watershed 7-F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------|-----------------|----------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| | | Daily Max | | | | |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | 96 | 142 | XXX | 23 | 34 | 46 |
| Nov 1 - Apr 30 | 104 | 154 | XXX | 25 | 37 | 50 |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------------------|-----------------|---------------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | 125 | 188 | XXX | 30 | 45 | 60 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| UV Intensity (mW/cm ²) | XXX | XXX | Report | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 6.3 | XXX | XXX | 1.5 | XXX | 3.0 |
| Nov 1 - Apr 30 | 18.8 | XXX | XXX | 4.5 | XXX | 9.0 |
| Total Phosphorus | 8.3 | XXX | XXX | 2.0 | XXX | 4.0 |

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

| Parameters | Mass (lbs) | | | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | Minimum | Monthly Average | Maximum |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 7,306 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 974 | XXX | XXX | XXX |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

PA0262137, Sewage, SIC Code 6515, **Log Cabin Court Mobile Home Park**, 123 Gilpin Drive, West Chester, PA 19382. Facility Name: Log Cabin Court MHP. This proposed facility is located in Earl Township, **Lancaster County**.

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

The receiving stream, Unnamed Tributary to Conestoga River, is located in State Water Plan watershed 7-J and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.014 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------------------|-----------------|---------------|---------|----------------------|-----|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| UV Intensity (mW/cm ²) | XXX | XXX | Report | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 4.0 | XXX | 8.0 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 12 | XXX | 24 |
| Total Phosphorus | XXX | XXX | XXX | 0.8 | XXX | 1.6 |

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

| <i>Parameters</i> | <i>Mass (lbs)</i> | | <i>Concentration (mg/l)</i> | | |
|----------------------|-------------------|---------------|-----------------------------|------------------------|----------------|
| | <i>Monthly</i> | <i>Annual</i> | <i>Minimum</i> | <i>Monthly Average</i> | <i>Maximum</i> |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 0 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 0 | XXX | XXX | XXX |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- 2,075 lbs/yr of Total Nitrogen offsets was approved to be used for compliance with TN Cap Load.

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.

PA0261441, Sewage, SIC Code 0752, **Playful Pups Retreat, LLC**, 850 North Milton Grove Road, Elizabethtown, PA 17022. Facility Name: Playful Pups Retreat WWTP. This existing facility is located in Mount Joy Township, **Lancaster County**.

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

The receiving stream, Unnamed Tributary to Conewago Creek, is located in State Water Plan watershed 7-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00024 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|-------------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Instant. Maximum</i> | <i>Instant. Maximum</i> |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |
| | | | | 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.

PA0043567, Sewage, SIC Code 4952, **York Springs Municipal Authority**, 311 Main Street, PO Box 222, York Springs, PA 17372. Facility Name: York Springs Municipal Authority WWTP. This existing facility is located in Huntington Township, **Adams County**.

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

The receiving stream, Gardner Run, is located in State Water Plan watershed 7-F 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 0.120 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|---|------------------------|----------------------|----------------|-----------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.02 | XXX | 0.06 |
| CBOD ₅ | 15 | 22 | XXX | 15 | 22 | 30 |
| | | Wkly Avg | | | | |
| BOD ₅ Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|---|------------------------|----------------------|----------------|-----------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Total Suspended Solids Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 30 | 45 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | Report | Report | XXX | XXX | XXX | XXX |
| | Total Mo | Total Annual | | | | |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 1.5 | XXX | XXX | 1.5 | XXX | 3.0 |
| Nov 1 - Apr 30 | 4.5 | XXX | XXX | 4.5 | XXX | 9.0 |
| Total Kjeldahl Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| | Total Mo | | | | | |
| Total Phosphorus | XXX | XXX | XXX | 2.0 | XXX | 4.0 |
| Total Phosphorus | Report | Report | XXX | XXX | XXX | XXX |
| | Total Mo | Total Annual | | | | |

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.

PA0261343, Sewage, SIC Code 4952, **Joshua Hill Sewer Company LLC**, 929 Baltimore Street, Hanover, PA 17331. Facility Name: Joshua Hill WWTP. This existing facility is located in West Manheim Township, **York County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Codorus Creek, is located in State Water Plan watershed 7-H 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 0.1 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|--|------------------------|----------------------|----------------|-----------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| UV Intensity ($\mu\text{w}/\text{cm}^2$) | XXX | XXX | Report | XXX | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 1.5 | XXX | 3.0 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 4.5 | XXX | 9.0 |
| Total Phosphorus | XXX | XXX | XXX | 0.5 | XXX | 1.0 |

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

| <i>Parameters</i> | <i>Mass (lbs)</i> | | | <i>Concentration (mg/l)</i> | |
|----------------------|-------------------|---------------|----------------|-----------------------------|----------------|
| | <i>Monthly</i> | <i>Annual</i> | <i>Minimum</i> | <i>Monthly Average</i> | <i>Maximum</i> |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |

| Parameters | Mass (lbs) | | | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | Minimum | Monthly Average | Maximum |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 0 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 0 | XXX | XXX | XXX |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.

PA0021687, Sewage, SIC Code 4952, **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901-1549. Facility Name: Wellsboro Municipal Authority. This existing facility is located in Wellsboro Borough, **Tioga 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), Marsh Creek, is located in State Water Plan watershed 9-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGDs.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|---|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine (Interim) | XXX | XXX | XXX | 0.17 | XXX | 0.56 |
| (Final) | XXX | XXX | XXX | 0.09 | XXX | 0.29 |
| CBOD ₅ | 330 | 500 | XXX | 20 | 30 | 40 |
| | | Wkly Avg | | | Wkly Avg | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 500 | 750 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | Wkly Avg | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Ammonia-Nitrogen | | | | | | |
| Jun 1 - Oct 31 | XXX | XXX | XXX | 1.5 | XXX | 3.0 |
| Nov 1 - May 31 | XXX | XXX | XXX | 4.5 | XXX | 9.0 |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |
| Total Cadmium (µg/L) | 0.007 | 0.011 | XXX | 0.41 | 0.6 | 1.06 |
| Total Copper (µg/L) | 1.60 | 2.48 | XXX | 96 | 149 | 240 |
| 3,3-Dichlorobenzidine (µg/L) | 0.001 | 0.002 | XXX | 0.10 | 0.16 | 0.25 |
| Hexachlorobutadiene (µg/L) | 0.03 | 0.05 | XXX | 2.15 | 3.36 | 5.38 |
| Hexachlorocyclopentadiene (µg/L) | 0.02 | 0.04 | XXX | 1.56 | 2.43 | 3.90 |
| Chronic Toxicity— Ceriodaphnia Reproduction (Pt-Co Units) | XXX | XXX | XXX | XXX | 1.56 | XXX |

The Total Copper limitation is a site specific criterion which was developed as part of a 2012 Water Effects Ratio study of both Marsh and Charleston Creeks in Wellsboro, PA.

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

| <i>Parameters</i> | <i>Mass (lbs)</i> | | <i>Minimum</i> | <i>Concentration (mg/l)</i> | |
|----------------------|-------------------|---------------|----------------|-----------------------------|----------------|
| | <i>Monthly</i> | <i>Annual</i> | | <i>Monthly Average</i> | <i>Maximum</i> |
| Ammonia—N | Report | Report | | Report | |
| Kjeldahl—N | Report | | | Report | |
| Nitrate-Nitrite as N | Report | | | Report | |
| Total Nitrogen | Report | Report | | Report | |
| Total Phosphorus | Report | Report | | Report | |
| Net Total Nitrogen | Report | 36,529 | | | |
| Net Total Phosphorus | Report | 4,871 | | | |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Nutrient Requirements
- CSO Requirements
- Pretreatment Program Implementation
- Solids Management
- Whole Effluent Toxicity
- Stormwater Requirements
- Water Effects Ratio

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

The EPA Waiver is not in effect.

PA0025933, Sewage, SIC Code 4952, **City of Lock Haven**, 20 East Church Street, Lock Haven, PA 17745-2527. Facility Name: City of Lock Haven WWTP. This existing facility is located in Lock Haven City, **Clinton 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), Bald Eagle Creek, is located in State Water Plan watershed 9-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.75 MGDs.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|-----------------------------|------------------------|----------------------|----------------|-----------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Report | XXX | XXX | XXX |
| CBOD ₅ | 782 | 1,251 | XXX | 25 | 40 | 50 |
| | | Wkly Avg | | | | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 938 | 1,407 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | | |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| UV Transmittance (%) | XXX | XXX | Report | XXX | XXX | XXX |
| Total Nitrogen | | | | | | |
| Effluent Net | XXX | 68,492 | XXX | XXX | XXX | XXX |
| | | Total Annual | | | | |
| Total Nitrogen | XXX | Report | XXX | XXX | XXX | XXX |
| | | Total Annual | | | | |
| Total Nitrogen | | | | | | |
| Effluent Net | Report | XXX | XXX | XXX | XXX | XXX |
| | Total Mo | | | | | |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------------------|-----------------|-----------------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Weekly Average | |
| Ammonia-Nitrogen May 1 - Oct 31 | 625 | 938 | XXX | 20 | 30 | 40 |
| Nov 1 - Apr 30 | Report | Wkly Avg Report | XXX | Report | Report | XXX |
| Ammonia-Nitrogen | XXX | Report | XXX | XXX | XXX | XXX |
| Total Phosphorus | XXX | Total Annual Report | XXX | XXX | XXX | XXX |
| Total Phosphorus Effluent Net | XXX | 9,132 Total Annual | XXX | XXX | XXX | XXX |
| Effluent Net | Report | XXX | XXX | XXX | XXX | XXX |
| Total Antimony (µg/L) | Total Mo Report | Report | XXX | Report | Report | XXX |
| Total Cadmium (µg/L) | Report | Report | XXX | Report | Report | XXX |
| Hexavalent Chromium (µg/L) | 0.62 | 1.25 | XXX | 20 | 40 | 50 |
| Total Copper (µg/L) | Report | Report | XXX | Report | Report | XXX |
| Total Selenium (µg/L) | Report | Report | XXX | Report | Report | XXX |
| Total Thallium (µg/L) | 0.13 | 0.26 | XXX | 4.18 | 8.36 | 10.46 |
| 3,3-Dichlorobenzidine (µg/L) | 0.06 | 0.12 | XXX | 1.99 | 3.99 | 4.99 |
| Pentachlorophenol (µg/L) | 0.58 | 1.17 | XXX | 18.85 | 37.70 | 47.13 |
| 2,3,7,8-TCDD (µg/L) | 0.000000000 | 0.000000000 | XXX | 0.000000005 | 0.00000001 | 0.000000125 |
| Acrolein (µg/L) | 0.33 | 1.17 | XXX | 10.80 | 21.61 | 27.04 |
| Benzo(a)Anthracene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| Benzo(a)Pyrene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| Benzo(k)Fluoranthene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| 3,4-Benzofluoranthene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| Bis(2-Chloroethyl)Ether (µg/L) | 0.08 | 0.17 | XXX | 2.85 | 5.71 | 7.14 |
| Chrysene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| Dibenzo(a,h)Anthracene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| Hexachlorobutadiene (µg/L) | Report | Report | XXX | Report | Report | XXX |
| Indeno(1,2,3-cd)Pyrene (µg/L) | 0.01 | 0.02 | XXX | 0.36 | 0.72 | 0.90 |
| N-Nitrosodimethylamine (µg/L) | 0.002 | 0.004 | XXX | 0.06 | 0.13 | 0.16 |
| N-Nitrosodi-N-Propylamine (µg/L) | 0.01 | 0.02 | XXX | 0.47 | 0.95 | 1.19 |
| Phenanthrene (µg/L) | 0.31 | 0.62 | XXX | 10 | 20 | 25 |
| Toxaphene (µg/L) | 0.00009 | 0.0001 | XXX | 0.003 | 0.006 | 0.007 |
| Vinyl Chloride (µg/L) | Report | Report | XXX | Report | Report | XXX |

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

| Parameters | Mass (lbs) | | | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | Minimum | Monthly Average | Maximum |
| Ammonia—N | Report | Report | | Report | |
| Kjeldahl—N | Report | | | Report | |
| Nitrate-Nitrite as N | Report | | | Report | |
| Total Nitrogen | Report | Report | | Report | |
| Total Phosphorus | Report | Report | | Report | |
| Net Total Nitrogen | Report | 68,492 | | | |
| Net Total Phosphorus | Report | 9,132 | | | |

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

The EPA Waiver is not in effect.

PA0027049, Sewage, SIC Code 4952, **Williamsport Sanitary Authority**, 253 W 4th Street, Williamsport, PA 17701-6113. Facility Name: West Plant. This existing facility is located in City of Williamsport, **Lycoming County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 10-A and is classified for Warm Water Fishes, 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 3.92 MGDs.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|-------------------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Report | XXX | XXX | XXX |
| Total Residual Chlorine (Interim) | XXX | XXX | XXX | 1.35 | XXX | 4.41 |
| (Final) | XXX | XXX | XXX | 0.50 | XXX | 1.63 |
| CBOD ₅ | 815 | 1,305 | XXX | 25 | 40 | 50 |
| | | Wkly Avg | | | Wkly Avg | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 980 | 1,470 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | Wkly Avg | |
| Total Dissolved Solids | Report | Report | XXX | Report | Report | XXX |
| Fecal Coliform (No./100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Total Copper | Report | Report | XXX | Report | Report | XXX |
| Sulfate | Report | Report | XXX | Report | Report | XXX |
| Bromoform | Report | Report | XXX | Report | Report | XXX |
| Chloride | Report | Report | XXX | Report | Report | XXX |
| Bromide | Report | Report | XXX | Report | Report | XXX |
| Chlorodibromomethane (Interim) | Report | Report | XXX | Report | Report | XXX |
| Chlorodibromomethane (µg/L) (Final) | 2.88 | 4.50 | XXX | 88.3 | 137.8 | 220.9 |
| Dichlorobromomethane | Report | Report | XXX | Report | Report | XXX |

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

| <i>Parameters</i> | <i>Mass (lbs)</i> | | | <i>Concentration (mg/l)</i> | |
|----------------------|-------------------|---------------|----------------|-----------------------------|----------------|
| | <i>Monthly</i> | <i>Annual</i> | <i>Minimum</i> | <i>Monthly Average</i> | <i>Maximum</i> |
| Ammonia—N | Report | Report | | Report | |
| Kjeldahl—N | Report | | | Report | |
| Nitrate as N | Report | | | Report | |
| Nitrite as N | Report | | | Report | |
| Nitrate-Nitrite as N | Report | | | Report | |
| Total Nitrogen | Report | Report | | Report | |
| Total Phosphorus | Report | Report | | Report | |
| Net Total Nitrogen | Report | 71,597 | | | |
| Net Total Phosphorus | Report | 9,546 | | | |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

PA0020583, Sewage, SIC Code 4952, **Middleburg Municipal Authority**, 13 North Main Street, Middleburg, PA 17842. Facility Name: Middleburg Municipal Authority Wastewater Treatment Plant. This existing facility is located in Middleburg Borough, **Snyder 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), Middle Creek, is located in State Water Plan watershed 6-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Report | XXX | XXX | XXX |
| CBOD ₅ | 90 | 150 | XXX | 25 | 40 | 50 |
| | | Wkly Avg | | | | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 110 | 165 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | | |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| UV Transmittance (%) | XXX | XXX | Report | XXX | XXX | XXX |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | XXX |

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

| Parameters | Mass (lbs) | | Minimum | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | | Monthly Average | Maximum |
| Ammonia—N | Report | Report | | Report | |
| Kjeldahl—N | Report | | | Report | |
| Nitrate-Nitrite as N | Report | | | Report | |
| Total Nitrogen | Report | Report | | Report | |
| Total Phosphorus | Report | Report | | Report | |
| Net Total Nitrogen | Report | 8,219 | | | |
| Net Total Phosphorus | Report | 1,096 | | | |

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

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

PA0273040, Sewage, SIC Code 6513, **Rebecca J. Davis**, 27 Hnida Road, West Middlesex, PA 16159-2015. Facility Name: Rebecca J Davis SFTF. This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated domestic sewage from a small flow treatment facility.

The receiving stream(s), Unnamed Tributary to the Shenango River, is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|-----|---------|----------------------|-----|------------------|
| | Average Monthly | | Minimum | Average Monthly | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |

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

- Other Requirements

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

The EPA Waiver is in effect.

PA0273074, Sewage, SIC Code 8800, **Brian L. Trezona**, 10097 Mohawk Road, Cranesville, PA 16410. Facility Name: Brian L. Trezona SRSTP. This proposed facility is located in Franklin Township, **Erie County**.

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

The receiving stream, an Unnamed Tributary to the Little Elk Creek, is located in State Water Plan watershed 15 and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------|---------|----------------------|----------|------------------|
| | Average Monthly | Minimum | Maximum | Average Monthly | Geo Mean | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| BOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 6215403, Sewage, **David Mohnhey**, PO Box 98, Sheffield, PA 16347-0098.

This proposed facility is located in Glade Township, **Warren 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 |
|------------------|--|------------|---------------------|--|
| PAI014615002 | 901 Washington Partners, LP 55 Country Club Drive Suite 200 Downingtown, PA 19335 | Montgomery | Whitemarsh Township | Schuylkill River WWF-MF |
| PAI014614008 | The Cutler Group, Inc. 5 Apollo Road, Suite 1 Plymouth Meeting, PA 19462 | Montgomery | Whitemarsh Township | Spring Mill Creek Tributary to Schuylkill River WWF |

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

Northampton County Conservation District, 14 Gracedale Avenue Greystone Building, Nazareth, PA 18064-9211

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|-------------------|--|-------------|----------------|--------------------------------------|
| PAI024806029R9(1) | J.G. Petrucci Co., Inc. Joseph Correia 171 State Route 173, Suite 201 Asbury, NJ 08802-1365 | Northampton | Forks Township | Bushkill Township (HQ-CWF, MF) |

Pike County Conserve District, 556 Route 402, Hawley, PA 18428

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|------------------|---|--------|-------------------------|---------------------------------|
| PAI025215001 | Horvath Towers III, LLC 312 W. Colifax Ave. South Bend, IN 46601-1502 | Pike | Blooming Grove Township | Burchland Creek (HQ-CWF, MF) |

Northampton County Conservation District, 14 Gracedale Avenue Greystone Building, Nazareth, PA 18064-9211

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|-----------------------------|
| PAI026415003) | Lake Ariel DPP XI LLC 9010 Overlook Blvd Brentwood, TN 37027 | Wayne | Lake Township | Ariel Creek (HQ-CWF, MF) |

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

| <i>Permit #</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------|---|---------------|--------------------------|---|
| PAI033615003 | Peach Bottom DG, LLC 361 Summit Blvd. Suite 110 Birmingham, AL 35243 | Lancaster | Fulton Township | Unnamed Tributary to Conowingo Creek/HQ-CWF, MF |
| PAI032115003 | Woodstork Watch, LLC 117 Stonehedge Drive Carlisle, PA 17015 | Cumberland | South Middleton Township | Letort Spring Run/HQ, CWF, MF |

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

Cameron County Conservation District: 20 East Fifth Street, Room 105, Emporium, PA 15834 (814) 486-2244, X 5

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|--|
| PAI041215001 | PA DCNR PO Box 8451 Harrisburg, PA 17105 | Cameron | Grove Township | First For of Sinnemahoning Creek HQ-TSF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|--------------------------------|
| PAI041415004 | P R Properties Partnership 1042 E. Springfield Dr. Bellefonte, PA 16823 | Centre | Marion & Walker Twp | Little Fishing Creek HQ-CWF |

Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---|
| PAI044115003 | Gilbert Harris 855 Plank Rd Morris, PA 16938 | Lycoming | Jackson Township | Blockhouse Creek CWF (Wild Trout w/wetlands) |

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

| <i>Permit No.</i> | <i>Applicant & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Stream Name</i> |
|-------------------|---|---------------|--|---|
| PAI050214006 | Bell Acres Municipality Authority 1151 Camp Meeting Road Sewickley, PA 15143-8325 | Allegheny | Bell Acres Borough | UNT Little Sewickley Creek (HQ-TSF) and UNT Big Sewickley Creek (TSF) |
| PAI052615001 | Joseph E. Thurby, Jr. 118 Baxter Ave Confluence, PA 15424 | Fayette | Henry Clay Township | Noah's Glade (HQ-CWF) |
| PAI055615004 | Ringer Hill Wind, LLC 45 Main Street Suite 536 Brooklyn, NY 11201 | Somerset | Addison Township and Elk Lick Township | Cucumber Run (WWF), Christner Run (HQ-CWF), Laurel Run, (CWF), Big Shade Run, CWF), Little Shade Run (CWF), Zehner Run (HQ-CWF) |

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

PAG123807, CAFO, White Oak Hollow Farms, LLC, 766 White Oak Hollow Road, Warfordsburg, PA 17267.

This proposed facility is located in Bethel Township, **Fulton County**.

Description of Size and Scope of Proposed Operation/Activity: 730.55 AEUs swine operation.

The receiving stream, UNT White Oak Run, is in watershed 13-B, and classified for: TSF.

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

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal/New</i> |
|--|---------------|--|--|------------------------|---|--------------------|
| Snider Swine Operation Tyler Snider 22357 Mountain Foot Road Neelyton, PA 17239 | Huntingdon | 291.8 acres for Manure application | 1,208.02 AEU's 4.1 AEU's/ac | Swine/Beef | NA | Renewal |
| Skyline Acres Inc. 381 Skyline Drive Bernville, PA 19506 | Berks | 793 | 1,217.5 | Dairy | NA | Renewal |
| Hillandale Gettysburg, LP Bailey Farms, Site 1 & 2 2820 Daron Road Spring Grove, PA 17362 | York | 25.2 | 9,387.43 | Poultry | NA | Renewal |
| Irvin Weaver 118 Wintersville Road, Richland, PA 17087 | Berks | 100 | 393.75 | Layers | None | Renewal |

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal/New</i> |
|--|---------------|--------------------|--------------------------------|--------------------|---|--------------------|
| Hetrickdale Farms 69 Hetrick Road Bernville, PA 19506 | Berks | 2,313 | 2,449.02 | Dairy | NA | Renewal |
| Lost Creek Farm (Brent Hershey) 586 Benner Rd. McAlisterville, PA 17049 | Juniata | 151 | 942.5 | Swine | NA | Renewal |

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 4115507—Construction Public Water Supply.

| | |
|------------------|--|
| Applicant | Lycoming County Water & Sewer Authority |
| Township/Borough | Fairfield Township |
| County | Lycoming |

| | |
|-----------------------|--|
| Responsible Official | Christine Weigle, Executive Director Lycoming County Water & Sewer Authority P. O. Box 186 Montoursville, PA 17754 |
| Type of Facility | Public Water Supply |
| Consulting Engineer | David M. Swisher, P.E. Herbert, Rowland & Grubic, Inc. 474 Windmere Drive, Suite 100 State College, PA 16801 |
| Application Received | May 19, 2015 |
| Description of Action | Construction of approximately 2,075 feet of transmission main, water supply well, and modifications to the Tules Run treatment system. |

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

Permit No. 0215515, Public Water Supply.

| | |
|---------------------------|---|
| Applicant | Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672 |
| [Township or Borough] | City of McKeesport |
| Responsible Official | Christopher Kerr, Resident Manager Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672 |
| Type of Facility | Water system |
| Consulting Engineer | Gibson-Thomas Engineering Company, Inc. 1004 Ligonier Street Box 853 Latrobe, PA 15650 |
| Application Received Date | May 13, 2015 |
| Description of Action | Installation of a mixing system in the Renzie #1 water storage tank. |

Permit No. 0215516, Public Water Supply.

| | |
|-----------------------|--|
| Applicant | Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672 |
| [Township or Borough] | Port Vue Borough |

Responsible Official Christopher Kerr, Resident Manager
Municipal Authority of Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date May 13, 2015

Description of Action Installation of a mixing system in the Port Vue water storage tank.

Permit No. 2615503, Public Water Supply.

Applicant **Indian Creek Valley Water Authority**
2019 Indian Head Road
PO Box 486
Indian Head, PA 15446

[Township or Borough] Springfield Township

Responsible Official R. Kerry Witt, Manager
Indian Creek Valley Water Authority
2019 Indian Head Road
PO Box 486
Indian Head, PA 15446

Type of Facility Water system

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

Application Received Date May 15, 2015

Description of Action Installation of the new Pleasant Hill water storage tank with a mixer.

Permit No. 1115510, Public Water Supply.

Applicant **Nanty Glo Water Authority**
1015 First Street
Suite 1
Nanty Glo, PA 15943

[Township or Borough] Cambria Township

Responsible Official Harry Gearhart, Chairman
Nanty Glo Water Authority
1015 First Street
Suite 1
Nanty Glo, PA 15943

Type of Facility Water system

Consulting Engineer Stiffler, McGraw and Associates, Inc.
1731 N. Juniata Street
Hollidaysburg, PA 16648

Application Received Date May 18, 2015

Description of Action Replacement of the filtration system, construction of a backwash wastewater plate settler and installation of a well/absorption bed for backwash water disposal.

Permit No. 0315503, Public Water Supply.

Applicant **Manor Township Joint Municipal Authority**
2310 Pleasant View Drive
Ford City, PA 16226

[Township or Borough] City of McGrann

Responsible Official Grant Kanish, Chairman of the Board
Manor Township Joint Municipal Authority
2310 Pleasant View Drive
Ford City, PA 16226

Type of Facility Water system

Consulting Engineer Black & Veatch Corporation
4 Penn Center West
Suite 326
Pittsburgh, PA 15276

Application Received Date May 8, 2015

Description of Action Construction of a WTP facility, installation of a 1.4 MGD pellet softening system, two new dual-cell filters, four new well pumps, three high service pumps and two backwash pumps.

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

Permit No. 6215501, Public Water Supply

Applicant **Pine Grove Township Municipal Authority**

Township or Borough Pine Grove Township

County **Warren**

Responsible Official James Schrecongost

Type of Facility Public Water Supply

Consulting Engineer Joel E. Romagna, P.E.
Stiffler McGraw Northwest
16424 Route 62
P. O. Box Q
Tidioute, PA 16351

Application Received Date May 12, 2015

Description of Action Installation of a replacement ground water supply.

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. 6515506MA, Minor Amendment.

Applicant **Municipal Authority of the City of New Kensington**
920 Barnes Street
PO Box 577
New Kensington, PA 15068

[Township or Borough] Lower Burrell Township

Responsible Official James Matta, General Manager
Municipal Authority of the City of New Kensington
920 Barnes Street
PO Box 577
New Kensington, PA 15068

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date May 15, 2015

Description of Action Painting of the interior and exterior of the Braeburn water storage tank.

Application No. 6515507MA, Minor Amendment.

Applicant **Municipal Authority of the City of New Kensington**
920 Barnes Street
PO Box 577
New Kensington, PA 15068

[Township or Borough] City of New Kensington

Responsible Official James Matta, General Manager
Municipal Authority of the City of New Kensington
920 Barnes Street
PO Box 577
New Kensington, PA 15068

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date May 15, 2015

Description of Action Painting of the interior and exterior of the East Kensington water storage tank.

Application No. 6515508MA, Minor Amendment.

Applicant **Latrobe Municipal Authority**
104 Guerrier Road
Latrobe, PA 15650

[Township or Borough] Derry Township

Responsible Official Thomas Gray, Manager
Latrobe Municipal Authority
104 Guerrier Road
Latrobe, PA 15650

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date May 13, 2015

Description of Action Painting of the interior and exterior of the clearwell tank.

Application No. 3015505MA, Minor Amendment.

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

[Township or Borough] Cumberland Township

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

Type of Facility Water system

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

Application Received Date May 15, 2015

Description of Action Installation of approximately 3,390 feet of waterline.

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

Application No. 6109503-MA1, Minor Amendment.

Applicant **Aqua Pennsylvania**

Township or Borough Emlenton Borough

Responsible Official James S. Willard

Type of Facility Public Water Supply

Consulting Engineer Robert L. Horvat, P.E.
KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date May 8, 2015

Description of Action Various water treatment plant yard piping modifications.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appro-

priate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

Weis Markets, 238 Chestnut Street, Mifflinburg Borough, **Union County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16602, on behalf of Weis Markets, 1000 South Second Street, Sunbury, PA 17801 submitted a Notice of Intent to Remediate. The site is a vacant parcel that formerly was utilized as a retail gasoline station. The soil and groundwater will demonstrate attainment through a combination of the Statewide Health and Site Specific Standards. The intended future use of the property will continue to be for commercial purposes.

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

Yarasavage Well Pad, 139 Keiserville Road, Washington Township, **Wyoming County**. Resource Environmental, 36 Taylor Lane, Montrose, PA 18801 on behalf of Carrizo (Marcellus) LLC, 251 Drain Lick Road, Drifting, PA 16834 submitted a Notice of Intent to Remediate. An estimated 304 barrels of flowback fluid was released to the well pad surface. The proposed future use of the property will be agricultural/residential. The Notice of Intent to Remediate was published in *The Wyoming County Press Examiner* on October 15, 2014.

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

Huntingdon Holdings/Huntingdon Fiberglass, 1200 Susquehanna Avenue, Huntingdon, PA 16652, Huntingdon Borough, **Huntingdon County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16652, on behalf of Huntingdon Holdings, LLC, 1200 Susquehanna Avenue, Huntingdon, PA 16652, submitted a Notice of Intent to Remediate soils and groundwater contaminated with Chlorinated Solvents, VOCs, and Inorganics. The site will be remediated to the Site Specific Standard and remain industrial. The Notice of Intent to Remediate was published in *The Daily News* on May 11, 2015.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Former Glassport Rail Yard (former P&LE Railroad Maintenance Buildings and Yard), between Fifth Street and Third Street to the immediate east of the CSX Railroad ROW, Borough of Glassport, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Borough of Glassport, 44 Monongahela Ave, Glassport, PA 15045 has submitted a Notice of Intent to Remediate to meet the Site Specific standard concerning site soils contaminated with manganese, benzidine, and tetrachloroethane, and groundwater contaminated with naphthalene, arsenic, and manganese. Notice of the NIR was published in the *Daily News* on April 30, 2015.

MUNICIPAL WASTE GENERAL PERMITS

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.

General Permit Application No. WMGM030D001. Warner Company, Van Sciver Northside Quarry Site, 600 Tyburn Rd., Morrisville, PA 19067, Falls Township, Bucks County. This permit is for the composting of yard waste, leaf waste, grass clippings, garden residue, tree trimmings, chipped shrubbery and other vegetative material in an area between 5 and 15 acres. Beneficial use of finished compost for marketing or distribution includes the use as a soil substitute, soil conditioner, soil amendment, fertilizer or mulch. The application for renewal was found to be administratively complete by the Bureau of Waste Management on May 20, 2015.

Persons with questions may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

RESIDUAL WASTE GENERAL PERMITS

Application(s) received for Permit Reissuance Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

General Permit Application No. WMGR099SC001. Kline's Services, LLC, 5 Holland Street, Salunga, PA 17538. This application is for the reissuance of Residual Waste General Permit No. WMGR099SC001 from Kline's Services, Inc. to Kline's Services, LLC for processing of combined domestic sewage and industrial wastewater treatment residual, generated at a pre-treatment facility for beneficial use as a soil additive or effective fertilizer for utilization by (i) land application upon agricultural, agronomic, horticultural, and silvicultural lands and (ii) land application on disturbed lands to facilitate revegetation for land reclamation purposes. The application was determined to be administratively complete on May 26, 2015.

Comments concerning the application should be directed to Mr. John Oren, P.E., Technical Services Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about the general permit application may contact the Southcentral Regional Office, 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation

to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

PLAN APPROVALS

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

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

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

14-00003G: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) has submitted a plan approval application to the Department for the construction of two 580 bhp diesel-fired Doosan model HP1600WCU air compressors at the Pennsylvania State University's East Campus and West Campus Steam Plants, located in College Township and State College Borough, **Centre County**.

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

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

28-05002M: Letterkenny Army Depot—US Department of Defense (One Overcash Avenue, Chambersburg, PA 17201) for the construction of three existing and previously unreported paint stripping tanks at the Letterkenny Army Depot located in Letterkenny Township, **Franklin County**. The expected combined potential emissions from the sources are: 29.64 tons per year of VOCs; 1.13 tons per year of SO_x and less than one ton per year each of NO_x, CO, PM and HAPs. The facility is a Title V 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 the Reasonably Available Control Technology requirements of 25 Pa. Code § 129.91. 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.

PLAN APPROVAL

PUBLIC HEARINGS

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

28-05002M: Letterkenny Army Depot—US Department of Defense (One Overcash Avenue, Chambersburg, PA 17201) to receive comments on a proposed revision to the Reasonably Available Control Technology (RACT) Plan and amendment to the State Implementation Plan (SIP) for the Letterkenny Army Depot facility in Greene/Letterkenny Townships, **Franklin County**. The proposed SIP revision does not adopt any new regulations. It incorporates the requirements that include emission limitations for the significant VOC sources at the facility. The revision involves establishing VOC emission limits and other work practices designed to minimize VOC emissions for the construction of three existing and previously unreported paint stripping tanks at the facility. Copies of the materials submitted to DEP, DEP's analyses, and other relevant information are available for public review at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the documents may be scheduled by calling 717-705-4732 between 8:00 A.M. and 3:30 P.M., Monday through Friday, except holidays. The Department will hold one public hearing on July 13, 2015, at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, from 9:00 A.M. until all scheduled oral comments are received. Those wishing to comment orally are requested to contact Mr. Gary Helsel, P.E., Acting New Source Review Chief, Southcentral Regional Office, at 814-949-7935, to schedule their testimony. Testimony must be pre-scheduled by no later than July 6, 2015. Oral testimony which has not been pre-scheduled will not be accepted at the hearing. Commenters are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to ten minutes per person. Organizations are requested to designate a representative to present testimony on their behalf. Written comments may be submitted to the Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, no later than July 23, 2015. Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Mr. Helsel at the number provided above or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

OPERATING PERMITS

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

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

36-05117: Dart Container Corporation of PA (60 East Main Street, Leola, PA 17603) to issue a Title V Permit renewal for their cup manufacturing processes located at the Pitney Road facility in East Lampeter

Township, **Lancaster County**. Reported plant emissions for 2014 included 101 tons of VOCs, 4.9 tons of CO, and 1.9 ton of NO_x. The Title V 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 permit renewal will include provisions derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

36-05015: Dart Container Corporation of PA (60 East Main Street, Leola, PA 17603) to issue a Title V Permit renewal for their foam cup and containers manufacturing processes located at the Leola Facility in Upper Leacock Township, **Lancaster County**. Reported plant emissions for 2014 included 639.6 tons of VOCs, 63.1 tons of NO_x, 18.2 tons of CO, 11.4 tons of SO_x, and 2.0 tons of PM₁₀. The Title V 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 permit renewal will include provisions derived from 40 CFR Part 63 that include Subpart JJJ—National Emission Standards for Hazardous Air Pollutants: Group IV Polymers and Resins, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, Subpart YYYY—National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, and Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks. Also included are those provisions those from 40 CFR Part 60 that include Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, and Subpart KKKK—Standards of Performance for Stationary Combustion Turbines.

22-05005: NRG Energy Center Paxton, LLC (100 North 10th Street, Harrisburg, PA 17101) to issue a Title V Permit renewal for steam-electric generation facility in the City of Harrisburg, **Dauphin County**. Reported plant emissions for 2014 included 58.9 tons of NO_x, 22.3 tons of SO_x, 10.3 tons of CO, and 3.6 tons of PM₁₀. The Title V 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 permit renewal will include provisions derived from 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

TVOP-65-00053: (P. O. Box 518, 2658 Puckety Drive, Export, PA 15632) In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Title V Operating Permit renewal to Dura-Bond Steel Corporation for their facility located in Export Borough, **Westmoreland County**. Dura Bond is a specialty fabricator and coater of steel pipe and metal products.

The primary operations at this facility include shot blasting, sand blasting, coating and fabrication. The steel pipes and other metal products are cleaned by sandblasting or shot blasting. After cleaning, the materials are coated in the spray area using airless spray guns. Materials are then placed in the day down area for drying and curing. Sometimes, they are forced cured using portable natural gas heaters. Fabrication work is done in a separate building. It includes typical machine shop/metal fabrication equipment such as grinders, welding stations, saws, torching, etc. There are several baghouses to control particulate emissions.

The pollutants of concern from this facility are VOCs from the coating and cleaning operations and small amount of particulate matters. The overall facility's potential VOC emission is limited to 92 tons per 12 consecutive month period. Other insignificant emissions are NO_x, SO_x and CO from the use of natural gas fired heaters. The reported emissions inventory for the year 2013 were 16.17 tpy of VOCs and 13.71 tpy of PM₁₀. Dura Bond is major for HAPs and subject to 40 CFR 63, Subpart MMMM. The proposed TVOP renewal contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

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

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

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

15-00110: Pepperidge Farm, Inc., (421 Boot Road, Downingtown, PA 19335) for the renewal of the State Only Operating Permit for this facility. The permit is for a non-Title V (State Only) facility. The applicable requirements of 40 CFR. Part 63 Subpart ZZZZ were incorporated into the permit for the emergency engines. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00152: Upper Merion Area School District (435 Crossfield Rd., King of Prussia, PA 19406-2363), for renewal of a State Only, Natural Minor Operating Permit in Upper Merion Township, **Montgomery County**. Upper Merion Area School District operates a variety of natural gas and fuel oil fired boilers and emergency generators on the contiguous properties of the high school and middle school. There have been no modifications to any of the existing sources and there have been no new sources added. The facility has a maximum potential to emit 17.5 tons of NO_x per year. The permit includes monitoring, record keeping and reporting requirements designed to address 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

48-00070: Prime Conduit Inc./Upper Nazareth (635 East Lawn Road, Nazareth, PA 18064-1213) for the manufacture of rigid polyvinyl chloride (PVC) pipe via an extrusion process in Upper Nazareth Township, **Northampton County**. The primary sources are extrusion lines and storage silos. The control devices are dust collectors. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

36-03120: Esbenshade Mills (220 Eby Chiques Road, Mount Joy, PA 17552) to issue a State Only Operating Permit for the animal feed processing facility located in Rapho Township, **Lancaster County**. The potential emissions from the facility are estimated at 10.0 tpy of PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63 Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing and 40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

17-00021: West Branch Area School District (516 Allport Cutoff, Morrisdale, PA 16858) to issue a renewal State Only Operating Permit for their Bigler Cutoff Junior/Senior High School located in Morris Township, **Clearfield County**. The facility is currently operating under State Only Operating Permit 17-00021. The facility's main sources include four No. 2 fuel oil-fired boilers, two No. 2 fuel oil-fired water heaters, one diesel-fired emergency generator engine and one propane-fired emergency generator engine.

The facility has potential emissions of 11.32 TPY of CO; 21.51 TPY of NO_x; 43.21 TPY of SO_x; 1.42 TPY of PM/PM₁₀; 0.98 TPY of VOCs; 0.04 TPY HAPs; 13,647 TPY GHGs.

All four boilers are subject to 40 CFR Part 63, Subpart JJJJJ—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers at Area Sources. Both generator engines are subject to 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The emission limits and work practice standards along with testing, monitoring, record keeping and reporting

requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63.

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

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

30841317 and NPDES No. PA0213517. Consol Pennsylvania Coal Company LLC, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County**, South Franklin Township, Washington County and related NPDES Permit. To add surface acres for construction of the E29 Bleeder Site. Surface Acres Proposed 22.6. No additional discharges. The application was considered administratively complete on May 13, 2015. Application received February 24, 2015.

17743702 and NPDES No. PA0215490. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the Permit for the Lady Jane Plant in Huston Township, **Clearfield County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on May 20, 2015. Application received January 27, 2015.

30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Harvey Mine in Richhill, Morris and Washington Townships, **Greene County**, East Finley Township, Washington County. To add 8,152.0 underground permit area acres and 8,152.0 subsidence control plan area acres to Harvey Mine from Bailey Mine. Underground Acres Proposed 8,152.0, Subsidence Control Plan Acres Proposed 8,152.0. No additional discharges. The application was considered administratively complete on May 22, 2015. Application received February 17, 2015.

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

Permit No. 56140101 and NPDES No. PA0269441. Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, commencement, operation and restoration of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 165 acres. Receiving streams: unnamed tributaries to and Miller Run to Dark Shade Creek to the Stonycreek River classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 4, 2015.

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

24743008 and NPDES Permit No. PA0127566. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853) Renewal of an existing bituminous surface mine and associated NPDES permit in Fox Township, **Elk County**, affecting 66.0 acres. Receiving streams: Unnamed tributary to Benninger Creek, classified for the following uses:

CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: May 18, 2015.

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

17814033 and NPDES PA0609501. Philip Reese Coal Company, Inc. (P. O. Box 67, 3515 Main Street, Karthaus, PA 16845). Permit renewal for continued operation and restoration of a bituminous surface mine located in Karthaus Township, **Clearfield County** affecting 412.8 acres. Receiving stream(s): Unnamed Tributary to Saltlick Run and Saltlick Run classified for the following use(s): HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 17, 2014.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

03830116 and NPDES Permit No. PA0599727. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Revision application for postmining land use change from forestland to unmanaged natural habitat to an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 830.0 acres. Receiving streams: unnamed tributaries to Mill Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: May 15, 2015.

03100101 and NPDES Permit No. PA0251925. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Renewal application for reclamation only to an existing bituminous surface mine, located in North Buffalo Township, **Armstrong County**, affecting 33.3 acres. Receiving streams: unnamed tributaries to Nicholson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 15, 2015.

65050102 and NPDES Permit No. PA0250830. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Renewal application for reclamation only to an existing bituminous surface mine, located in Washington and Bell Townships, **Westmoreland County**, affecting 245 acres. Receiving streams: unnamed tributaries to Beaver Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 15, 2015.

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. 58040810. Clyde Very, (7655 Dimock to Nicholson Road, Nicholson, PA 18446), Stage I & II bond release of a quarry operation in Lathrop Township, **Susquehanna County** affecting 2.0 acres on property owned by Edward Wulff. Application received: May 11, 2015.

Permit No. 58150806 and NPDES Permit No. PA0225568. Juan Loja, (1525 Fair Hill Road, New Milford, PA 18834), Commencement operation and restoration of a bluestone quarry operation and NPDES permit for discharge of treated mine drainage in Thompson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Starrucca Creek, classified for the following use: EV-Migratory Fishes. Application received: May 15, 2015.

Permit No. 7475SM5C5 and NPDES Permit No. PA0223522. Essroc Cement Corp., (3938 Easton Nazareth Highway, Nazareth, PA 18064), renewal of an existing NPDES Permit for discharge of treated mine drainage from a quarry operation in Nazareth Borough, Upper and Lower Nazareth Townships, **Northampton County** affecting 32.7 acres, receiving stream: unnamed tributary to Shoeneck Creek, classified for the following use: warm water fishes. Application received: May 18, 2015.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0215317 (Mining Permit No. 17831601), River Hill Coal Company, (P. O. Box 141, Kylertown, PA 16847). A renewal to the NPDES and mining activity permit for the Belford Siding in Karthaus Township, **Clearfield County**. Surface Acres Affected 16.0. Receiving stream: West Branch Susquehanna River, classified for the following use: WWF. West Branch Susquehanna TMDL. The application was considered administratively complete on October 2, 2014. Application received May 19, 2014.

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

The facility location of the non-discharge alternatives are listed below:

Outfall 001R discharges to: West Branch Susquehanna River

The proposed effluent limits for *Outfall 001R* (Lat: 41° 07' 36.3" Long: 78° 04' 48.3") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------|----------------|-----------------------|----------------------|-------------------------|
| Flow (mgd) | | - | - | - |
| Iron (mg/l) | | 1.5 | 3.0 | 3.75 |
| Manganese (mg/l) | | 1.0 | 2.0 | 2.5 |
| Aluminum (mg/l) | | 0.75 | 0.75 | 0.75 |
| Suspended Solids (mg/l) | | 35 | 70 | 90 |
| Sulfates (mg/l) | | | Monitor and Report | |

NPDES No. PA0215317 (Mining Permit No. 0215317), River Hill Coal Company, (P. O. Box 141, Kylertown, PA 16847). A revision to the NPDES and mining activity permit for the Belford Siding in Karthaus Township, **Clearfield County** to relocate the permitted NPDES Outfall from Salt Lick Run to the West Branch of Susquehanna River. Surface Acres Affected 16.0. Receiving stream: West Branch Susquehanna River, classified for the following use: WWF. West Branch Susquehanna River TMDL. The application was considered administratively complete on May 6, 2015. Application received September 10, 2014.

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

The facility location of the non-discharge alternatives are listed below:

Outfall 001R discharges to: West Branch Susquehanna River

The proposed effluent limits for *Outfall 001R* (Lat: 41° 07' 36.3" Long: 78° 04' 48.3") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------|----------------|-----------------------|----------------------|-------------------------|
| Flow (mgd) | | - | - | - |
| Iron (mg/l) | | 1.5 | 3.0 | 3.75 |
| Manganese (mg/l) | | 1.0 | 2.0 | 2.5 |
| Aluminum (mg/l) | | 0.75 | 0.75 | 0.75 |
| Suspended Solids (mg/l) | | 35 | 70 | 90 |
| Sulfates (mg/l) | | | Monitor and Report | |

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

NPDES No. PA0259594 (Permit No. 16140109). Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) New NPDES permit for a bituminous surface mine in Washington Township, **Clarion County**, affecting 58.0 acres. Receiving streams: Unnamed tributaries to East Sandy Creek, classified for the following uses: CWF. TMDL: None. Application received: April 13, 2015.

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

The outfall(s) listed below discharge to unnamed tributaries A, B & L to East Sandy Creek:

| <i>Outfall No.</i> | <i>New Outfall (Y/N)</i> |
|--------------------|--------------------------|
| TP1 | Y |
| TP2 | Y |
| TP3 | Y |

The proposed effluent limits for the above 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 ¹ (S.U.) | 6.0 | | | 9.0 |
| Iron (mg/l) | | 3 | 6 | 7 |
| Manganese (mg/l) | | 2 | 4 | 5 |
| Aluminum (mg/l) | | 2 | 4 | 5 |
| Alkalinity greater than acidity ¹ | | | | |
| Total Suspended Solids (mg/l) | | 35 | 70 | 90 |
| Osmotic Pressure (milliosmoles/kg) | | | | 50 |

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributaries A, B & L to East Sandy Creek:

| <i>Outfall No.</i> | <i>New Outfall (Y/N)</i> |
|--------------------|--------------------------|
| SP1 | Y |
| SP2 | Y |

The proposed effluent limits for the above 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 ¹ (S.U.) | 6.0 | | | 9.0 |
| Iron (mg/l) | | | | 7.0 |
| Alkalinity greater than acidity ¹ | | | | |
| Total Settleable Solids (ml/l) | | | | 0.5 |

Noncoal NPDES Draft Permits

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

NPDES No. PA0258890 (Permit No. 37100301). 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 47.0 acres. Receiving streams: Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: April 13, 2015.

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 outfall(s) listed below discharge to Slippery Rock Creek:

| <i>Outfall No.</i> | <i>New Outfall (Y/N)</i> |
|--------------------|--------------------------|
| TC1 | N |
| TC2 | N |

The proposed effluent limits for the above 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 ¹ (S.U.) | 6.0 | | | 9.0 |
| Iron (mg/l) | | 3 | 6 | 7 |
| Manganese (mg/l) | | 2 | 4 | 5 |
| Alkalinity greater than acidity ¹ | | | | |
| Total Suspended Solids (mg/l) | | 35 | 70 | 90 |

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to Slippery Rock Creek:

| <i>Outfall No.</i> | <i>New Outfall (Y/N)</i> |
|--------------------|--------------------------|
| C | N |

The proposed effluent limits for the above 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 ¹ (S.U.) | 6.0 | | | 9.0 |
| Iron (mg/l) | | | | 7.0 |
| Alkalinity greater than acidity ¹ | | | | |
| Total Settleable Solids (ml/l) | | | | 0.5 |

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

NPDES No. PA0256447 (Mining permit no. 14060302, White Rock No. 2 Quarry). Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803, renewal of NPDES permit for Noncoal Surface Mine in Spring Township, **Centre County** affecting 23.6 acres. Receiving stream(s): Spring Creek, classified for the following use(s): CWF. Application received: August 25, 2014.

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 outfall(s) listed below discharge to Spring Creek:

| <i>Outfall No.</i> | <i>New Outfall (Y/N)</i> |
|--------------------|--------------------------|
| 008 | Yes |
| 009 | Yes |

In addition the proposed effluent limits for outfalls 008 and 009 will include:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|------------------|----------------|-----------------------|----------------------|-------------------------|
| Oil and Grease | Monitor Only | Monitor Only | Monitor Only | Monitor Only |

NPDES No. PA0269646 (Mining permit no. 08120307, Greens Landing Quarry). Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803, new NPDES permit for Noncoal Surface Mine in Athens Township, **Bradford County** affecting 77.0 acres. Receiving stream(s): Susquehanna River, Wolcott Creek and Buck Creek, classified for the following use(s): WWF. Application received: February 2, 2015.

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 outfall(s) listed below discharge to Buck Creek:

| <i>Outfall No.</i> | <i>New Outfall (Y/N)</i> |
|--------------------|--------------------------|
| SD-1 | Yes |
| PD-1 | Yes |

In addition the proposed effluent limits for outfall SD-1 will include:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|------------------|----------------|-----------------------|----------------------|-------------------------|
| Oil and Grease | Monitor Only | Monitor Only | Monitor Only | Monitor Only |

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

NPDES Permit No. PA0225550 on Surface Mining Permit No. 58152501. Brett Excavation, Inc., new NPDES Permit for a General Permit for Bluestone (GP105) quarry operation in New Milford Township, **Susquehanna County**, affecting 10.0 acres. Receiving stream: unnamed tributary to Meylert Creek to Salt Lick Creek, classified for the following uses: HQ-cold water and migratory fishes. Application received: April 20, 2015.

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

Non-discharge BMP's shall be in effect.

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.

E45-594. Paradise Township, 5912 Paradise Valley Road, Cresco, PA 18326, in Paradise Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream restoration project in a 2,120-foot reach of Paradise Creek (EV, MF) with work consisting of approximately 2,511 linear feet of boulder bank revetments on both sides of the watercourse, 1 rock cross vane with scour pool, 1 rock w-weir with scour pools, realignment of the channel and floodplain, relocation of the watercourse thalweg, grading, excavation and backfill in various areas of the channel and embankments. The project begins approximately 700 feet upstream from where Paradise Creek (EV, MF) intersects Red Rock Road and also extends downstream from that intersection point for approximately 1,420 linear feet (Mount Pocono, Buck Hill Falls, PA Quadrangle, Latitude: 41°07'10.1"; Longitude: -75°16'53.2").

E64-301. Lake Ariel DPP XI, LLC, 9010 Overlook Blvd., Brentwood, TN 37027, in Lake Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To place and maintain fill in 0.04 acre of wetland for the development of the proposed Lake Ariel Dollar General store. The project is located along SR 191 at the intersection of Samson Road (T 375) in Lake Township, Wayne Co. (Lake Ariel, PA Quadrangle, Latitude: 41°27'16"; Longitude: -75°22'47").

E58-311. Lackawanna College, 501 Vine Street, Scranton, PA 18509, in New Milford Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To maintain unauthorized fill in 0.81 acre of wetland and to place and maintain fill in an additional 0.41 acre of wetland for a parking lot to include a utility line crossing and stormwater basin for a total of 1.22 acre associated with the Lackawanna College School of Petroleum and Natural Gas. The project is located along SR 0848 to the west of Exit 219 off I-81 in New Milford Township, Susquehanna Co. (Harford, PA Quadrangle, Latitude: 41°49'31"; Longitude: -75°40'54").

E35-458. Scranton/Lackawanna Industrial Building Company, 222 Mulberry Street, P. O. Box 431, Scranton, PA 18501, in Jessup Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain fill in 0.04 acre of wetland for a parking lot associated with the development of a proposed warehouse located in the Valley View Business Park, Lot 18. The project is located at the end of a cul-de-sac at the end of Valley View Drive approximately 0.5 mile east of the intersection of SR 0247 and Valley View Drive in Jessup Borough, Lackawanna Co. (Olyphant, PA Quadrangle, Latitude: 41°27'25"; Longitude: -75°32'43").

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

E17-491. Pennsylvania Department of Conservation and Natural Resources, Bureau of Forestry, 400 Market Street, Sixth Floor, PO Box 8552, Harrisburg, PA 17105-8552. PA DCNR Quehanna Equestrian Trails Project. Covington and Karthaus Townships, **Clearfield County**, ACOE Baltimore District (Pottersdale, PA Quadrangle, Latitude: 41° 11' 05"; Longitude: -78° 06' 03").

The applicant is seeking authorization to modify, operate and maintain an existing public trail system to improve and further expand the Quehanna Equestrian Trails within the Moshannon State Forest. Modification and upgrades to the existing trail system to safely accommodate increased equestrian riding requires five (5) stream and one (1) wetland encroachments at the following locations:

| Impact ID | Regulated Feature | Activity | Latitude | Longitude | Activity Length | Water Quality |
|-----------|------------------------------------|------------------------------------|-------------|--------------|-----------------|---------------|
| 1 | Unnamed Tributary Little Moyer Run | Trail Crossing Culvert Replacement | 41° 11' 29" | -78° 05' 56" | 15' | HQ-CWF, MF |
| 2 | Unnamed Tributary Little Moyer Run | Trail Crossing Culvert Replacement | 41° 11' 47" | -78° 05' 51" | 15' | HQ-CWF, MF |

| <i>Impact ID</i> | <i>Regulated Feature</i> | <i>Activity</i> | <i>Latitude</i> | <i>Longitude</i> | <i>Activity Length</i> | <i>Water Quality</i> |
|------------------|------------------------------------|------------------------------------|-----------------|------------------|------------------------|----------------------|
| 3 | Unnamed Tributary Little Moyer Run | Trail Crossing Culvert Replacement | 41° 11' 48" | -78° 05' 51" | 15' | HQ-CWF, MF |
| 4 | Upper Three Runs | Equestrian Ford Crossing | 41° 11' 05" | -78° 06' 03" | 8' | HQ-CWF, MF |
| 5 | Twelve Mile Run | Equestrian Ford Crossing | 41° 12' 37" | -78° 12' 05" | 8" | EV, MF |
| 5 | Wetland Twelve Mile Run | Equestrian Ford Crossing | 41° 12' 37" | -78° 12' 05" | 3' | EV |

As proposed, the above listed activities will permanently impact 61-feet of stream and 160-square feet of wetland; whereas, temporary impacts of 21-feet of stream and 160-square feet of wetland will also be incurred. Any in-stream construction activity shall be performed in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around the stream section where activities are to be conducted. Since the above listed streams are wild trout fisheries, no in-stream repair, replacement or maintenance activities on equestrian trail crossings shall be conducted between October 1 and December without prior written approval of the Pennsylvania Fish & Boat Commission. The Quehanna Equestrian Trails is generally located along the western right-of-way of Upper Three Run Road approximately 2.1-miles north of Pottersdale Road and Upper Three Runs Road intersection. The 160-square feet of permanent wetland impact being incurred for the Twelve Mile Run equestrian ford crossing has been deemed de minus, for which mitigation shall not be required.

41-661. Brett Snyder, 599 Lyons Barr Road, Montoursville, PA 17754. Snyder Property along Loyalsock Creek in Fairfield Township, **Lycoming County**, ACOE Baltimore District (Montoursville North, PA Quadrangle Lat: 41° 16' 36"; Long: -76° 55' 01").

To construct and maintain an existing single family home in Fairfield Township—Lycoming County, which is located within the floodway/floodplain of Loyalsock Creek. The project proposes three fill areas which would be offset by a borrow pit area located within the floodway.

The project will have a no net fill with approximately 1,200 cubic yards of cut and 1,200 cubic yards of fill. Approximately 1,184 cubic yards of material will be removed from a borrow pit located within the floodway of Loyalsock Creek. Excavated material from construction operations will be disposed out of the floodway. The proposed project and calculations show a balance in cut/fill which will have no effect on the flood storage capacity.

The proposed project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Loyalsock Creek is classified with a designated use of Trout Stocked Fishery (TSF) and with an existing use of Exceptional Value (EV).

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

E63-671. John Sisson, 470 Washington Rd., Washington, PA 15301; South Strabane Township, **Washington County**; ACOE Pittsburgh District.

The application is proposing to operate and maintain an existing 200 linear foot (lf) long reinforced concrete pipe (RCP) stream enclosure and to construct and maintain an extension of the existing stream enclosure with a 160 lf, 60-inch diameter, RCP stream enclosure within an unnamed tributary (UNT) to Chartiers Creek (WWF), for the purpose of expanding the existing John Sisson, Inc. Mercedes-Benz dealership building and parking lot, located at 470 Washington Road (Washington East, PA USGS Topographic Quadrangle; Lat: 40° 11' 19"; Long: -80° 12' 42"), in South Strabane Township, Washington County. The permanent impacts to 160 linear feet of watercourse will be mitigated, downstream from the proposed structure, by restoring 181 lf of the same UNT to Chartiers Creek.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E5929-047: Talisman Energy USA, Inc., 337 Daniel Zenker Drive, Horseheads, NY 14845, Liberty and Bloss Townships, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,349 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, 2,645 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, and 181 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41°37'55"N, 77°07'06"W);

2) A temporary road crossing using timber mats impacting 507 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41° 37'59"N, 77°07'04"W);

3) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,752 square feet of a palustrine emergent (PEM) wetland (Arnot, PA Quadrangle 41°38' 01"N, 77°07'02"W);

4) A temporary road crossing using timber mats impacting 340 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41° 38'01"N, 77°07'02"W);

5) A temporary road crossing using timber mats impacting 195 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41° 38'53"N, 77°06'05"W);

6) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 65 linear feet of Flower Run (CWF) (Arnot, PA Quadrangle 41°38'55"N, 77°06'02"W);

7) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 60 linear feet of an unnamed tributary to Bellman Creek (CWF) and 933 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Arnot, PA Quadrangle 41°39'24"N, 77°05'55"W);

8) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 26 linear feet of an unnamed tributary to Bellman Creek (CWF) (Arnot, PA Quadrangle 41°39'26"N, 77°05'57"W);

9) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 65 linear feet of an unnamed tributary to Bellman Creek (CWF) (Arnot, PA Quadrangle 41°39'28"N, 77°05'59"W);

10) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 406 square feet of a palustrine emergent (PEM) wetland (Arnot, PA Quadrangle 41°39'29"N, 77°06'00"W);

11) A 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,117 square feet of a palustrine emergent (PEM) wetland (Arnot, PA Quadrangle 41°39'31"N, 77°06'02"W);

12) A 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,117 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°39'40"N, 77°06'07"W);

13) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 67 linear feet of an unnamed tributary to Johnson Creek (CWF) and 122 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°39'40"N, 77°06'07"W);

14) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 62 linear feet of Johnson Creek (CWF) (Arnot, PA Quadrangle 41°39'41"N, 77°06'08"W);

15) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 79 linear feet of an unnamed tributary to Johnson Creek (CWF), 845 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 431 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Arnot, PA Quadrangle 41°39'43"N, 77°06'08"W);

16) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 2,393 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, 363 square

feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, 1,895 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41°39'56"N, 77°06'05"W);

17) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 618 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°40'56"N, 77°07'10"W);

18) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 5,672 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°41'01"N, 77°07'14"W);

19) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 5,672 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°41'02"N, 77°07'15"W);

The project will result in 424 linear feet of temporary stream impacts, 16,673 square feet (0.38 acre) of temporary wetland impacts, and 7,295 square feet (0.17 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line in Liberty and Bloss Townships, Tioga County.

ENVIRONMENTAL ASSESSMENTS

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

EA54-022NE. Schuylkill Headwaters Association, Inc., Attn: Mr. William Reichert, President, Schuylkill Headwaters Association, PO Box 1385 Pottsville, PA 17901, Auburn Borough & West Brunswick Township, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove coal waste and fill materials from 11.9 acres of the floodway and floodplain of the Schuylkill River (CWF, MF) in order to reduce coal waste from being transported into the Schuylkill River during high water. The coal waste will be disposed of in upland areas and no material removed from the floodway will return to the site. The final result of the project will be the creation of approximately 2.8 acres of new wetlands, 4.5 acres of new or enhanced riparian buffer, and 4.6 acres of wildlife food plots. No wetland or watercourse impacts are proposed for this floodplain restoration project. The project requires the approval of an Environmental Assessment for Section 401 Water Quality Certification. The project is located at 313 River Road, Auburn, PA 17922 in Auburn Borough and West Brunswick Township, Schuylkill County within the eastern half of the property whose boundary is defined by the Schuylkill River. (Auburn, PA Quadrangle, Latitude: 40.58514; Longitude: -76.0753). Subbasin: 3A.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|---|---------------------------------------|----------------------------|
| PA0081566— SEW | York Haven Sewer Authority PO Box 394 York Haven, PA 17370 | York County/York Haven Borough | Conewago Creek/7-F | Y |
| PA0088676— SEW | Creek View Community 493 Potato Valley Road Carlisle, PA 17015 | Cumberland County/ Upper Frankford Township | Conodoguinet Creek/7-B | Y |
| PA0083551— SEW | Tyrone Township—Walnut Grove Mobile Home Park 5280 Old Harrisburg Road York Springs, PA 17372 | Adams County/ Tyrone Township | UNT Conewago Creek/7-F | Y |
| PA0085243— SEW | Manns Choice Borough & Harrison Township Joint Sewer Authority PO Box 28 Manns Choice, PA 15550 | Bedford County/ Harrison Township | Raystown Branch Juniata River/11-C | Y |

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N?</i> |
|---|---|--|---|-----------------------------|
| PA0085715— SEW | Bertha Geib 504 Hemlock Lane Lebanon, PA 17042-9015 | Lebanon County/ Cornwall Borough | UNT Shearers Creek/7-G | Y |
| PA0081345— SEW | Grier Foundation PO Box 308 Tyrone, PA 16686 | Huntingdon County/ Warriors Mark Township | Little Juniata River/11-A | Y |
| <i>Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.</i> | | | | |
| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
| PA0233897 (Sewage) | Wade J. Robbins SFTF 273 Paradise Lane Julian, PA 16844 | Centre County Huston Township | Unnamed Tributary of Bald Eagle Creek (9-C) | Y |
| PA0229091 (CAFO) | GNH Farms LLC. 224 White Church Road Elysburg, PA 17824 | Columbia County Cleveland Township | Unnamed Tributary to Mugser Run (5-E) | N |
| <i>Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745</i> | | | | |
| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
| PA0093262 (Sewage) | PENNDOT Bureau of Project Delivery PO Box 3060 Harrisburg, PA 17105-3060 | Washington County North Bethlehem Township | Unnamed Tributary of Chartiers Creek (20-F) | Y |
| PA0252441 (SFTF) | Ondo Ext Deep Mine STP 501 Douglas Road Indiana, PA 15701 | Indiana County Brush Valley Township | Ferrier Run (18-D) | Y |
| PA0219215 (Sewage) | Donegal Township STP 50 Depot Street West Alexander, PA 15376 | Washington County West Alexander Borough | Little Wheeling Creek (20-E) | Y |
| <i>Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481</i> | | | | |
| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N ?</i> |
| PA0101320 (Sewage) | Titusville Estates 701 East Spring Street Titusville, PA 16354 | Crawford County Oil Creek Township | Unnamed Tributary to the Pine Creek (16-E) | Y |
| PA0222852 (Sewage) | West Fallowfield Township STP 5530 Main Street Hartstown, PA 16131 | Crawford County West Fallowfield Township | Patton Run (20-A) | Y |
| PA0221481 (IW) | Norfolk Southern Meadville Yard Linden Alley Meadville, PA 16335 | Crawford County Meadville City | French Creek (16-D) | Y |
| PA0223051 (Sewage) | Connoquenessing Borough STP State Route 68 Connoquenessing, PA 16270 | Butler County Connoquenessing Borough | Unnamed Tributary to Connoquenessing Creek (20-C) | Y |
| PA0210102 (Sewage) | Brett C. Gassner SRSTP 300 Gilkey Road West Middlesex, PA 16159 | Mercer County Shenango Township | Unnamed Tributary to the Shenango River (20-A) | Y |
| PA0102822 (Sewage) | Rolling Valley Estates 369 Eagle Mill Road Butler, PA 16001 | Butler County Connoquenessing Township | Unnamed Tributary to the Little Connoquenessing Creek (20-C) | Y |

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 13, P O Box 9205, Harrisburg, PA 17106-9205

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|------------------|--|--------------|---|---|
| PAI-105915001 | DEP—BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 717-783-1311 | Tioga County | Hamilton Township and Blossburg Borough | Tioga-Cowanesque Rivers Watershed (04A); Tioga River is a CWF, MF. The project site has 3 intermittent sub-drainage tributaries; all are Non-attaining and Impaired due to Abandoned Mine Drainage—Metals and pH. One tributary along the north side of the project site drains to East Creek Tioga River that has an EV existing use classification. |

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

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

NPDES Permit No. PA0244716, Sewage, **Anthony P & Susan Laurento**, 117 Nobb Hill Drive, West Chester, PA 19380-1884.

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

Description of Action/Activity: To discharge from a facility known as Laurento SRSTP to unnamed Tributary Broad Run in Watershed(s) 3-H.

NPDES Permit No. PA0058190, Sewage, **Brenda Phelan**, 191 Hill Road, Green Lane, PA 18054-2415.

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

Description of Action/Activity: To discharge from a facility known as Phelan SRSTP to unnamed Tributary to Unnamed Creek in Watershed(s) 3-E.

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

NPDES Permit No. PA0275646, Stormwater, SIC Code 2051, **Bimbo Bakeries USA, Inc.**, 150 Boulder Drive, Breinigsville, PA 18031.

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

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

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

NPDES Permit No. PA0261891, Industrial Waste, **Bear Valley Franklin County PA Joint Authority**, 218 School House Road, St. Thomas, PA 17252-0308.

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

Description of Proposed Action/Activity: Authorization to discharge to a facility known as Bear Valley WTP to a UNT of West Branch Conococheague Creek in Watershed 13-C.

NPDES Permit No. PAS213502, Stormwater, **Frank Casilio & Sons, Inc.**, (Kutztown Concrete Plant), 1035 Mauch Chunk Road, Bethlehem, PA 18018.

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

Description of Proposed Action/Activity: Authorization to discharge to UNT Sacony Creek in Watershed 3-B.

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

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

WQM Permit No. 2398405, Sewage, Renewal, **Brandywine Operating Partnership, LP**, 555 East Lancaster Avenue, Suite 100, Radnor, PA 19087.

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

Description of Action/Activity: Approval for renewal to allow continued operation of three sewage treatment plants with land application.

WQM Permit No. 0911201, Industrial, Amendment, **Waste Management Disposal Services of Pennsylvania, Inc.**, 1000 New Ford Mill Road, Moorsville, PA 19067.

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

Description of Action/Activity: Construction and operation of a 0.230 mgd industrial wastewater treatment plant with landfill leachate.

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

WQM Permit No. 5414405, Orwigsburg Interceptor Realignment Project, SIC Code 4952, Orwigsburg Borough Schuylkill County, 209 N Warren Street, Orwigsburg, PA 17961-1852.

This proposed facility is located in Orwigsburg Borough, West Brunswick Township & North Manheim Township, **Schuylkill County**.

Description of Proposed Action/Activity: Realigned new interceptor replacing existing two mains.

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

WQM Permit No. WQG01281401, Sewerage, **Christian F. Stoltzfus**, 237 Springville Road, Quarryville, PA 17566.

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

Description of Proposed Action/Activity: Authorization for the construction/operation of a small flow treatment facility.

WQM Permit No. 1040623, Industrial Waste, **Bear Valley Franklin County PA Joint Authority**, 218 School House Road, St. Thomas, PA 17252-0308.

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

Description of Proposed Action/Activity: Approval for the construction of industrial wastewater facilities consisting of two sedimentation tanks, one waste holding tank, dechlorination manhole, and an outfall to UNT to West Branch Conococheague Creek.

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

WQM Permit No. 1115401, Sewage, **Lower Yoder Township**, 128 J Street, Johnstown, PA 15906.

This proposed facility is located in Lower Yoder Township, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of replacement sewers and sewer rehabilitation to correct existing defective sanitary sewers in the Westwood and Stackhouse Areas of Lower Yoder Township—Phase I.

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

WQM Permit No. 3203405, Sewage, **Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201-1504.

This existing facility is located in Brush Valley Township, **Indiana County**.

Description of Proposed Action/Activity: Transfer from AMFIRE Mining Co. to Rosebud Mining Co.

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

WQM Permit No. 3315401, Sewage, **Brookville Municipal Authority**, 30 Darrah Street, Brookville, PA 15825-2404.

This proposed facility is located in Brookville Borough, **Jefferson County**.

Description of Proposed Action/Activity: Replacement of existing wastewater conveyance system sewers, White Street Lift Station and Industrial Park Lift Station in Brookville Borough and Pine Creek Township.

WQM Permit No. 1094411, Amendment No. 2, Sewage, SIC Code 6552, **Allegheny Clarion Valley Development Corp**, PO Box 311, Foxburg, PA 16036-0311.

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

Description of Proposed Action/Activity: Minor amendment to the WQM Permit to modify the method of disinfection from Ultraviolet (UV) light to a liquid hypochlorite feed with a tablet dechlorinator.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---|
| PAI132242 | Scott Township Lackawanna County, RR 1 Box 432 A, Olyphant, PA 18447-9788 | Lackawanna | Scott Township | Hull Creek and South Branch Tunkhannock Creek/CWF, MF, TSF and MF |
| PAI132260 | Fell Township Lackawanna County, 1 Veterans Road, Simpson, PA 18407-1341 | Lackawanna | Fell Township | Coal Brook, Lackawanna River and Wilson Creek/CWF, MF, HQ-CWF and MF |
| PAI132247 | Washington Township Northampton County, 1021 Washington Boulevard, Bangor, PA 18031 | Northampton | Washington Township | Martins Creek/ Greenwalk Creek/ Waltz Creek/ Little Martins Creek CWF, MF, TSF and MF |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|----------------|-----------------------|---|
| PAI023914010 | Premier Land Development, LP c/o Mr. Dennis Benner, Esq. 4511 Falmer Drive Bethlehem, PA 18020 | Lehigh | Upper Saucon Township | UNTs to Saucon Creek (CWF, MF); EV Wetlands |
| PAI024014007 | David Tarantini 25 Perrago Street Harveys Lake, PA 18612 | Luzerne County | Harveys Lake Borough | UNT to Beaver Creek (HQ-CWF, MF) Harveys Lake (HQ-CWF, MF) |
| PAI024014006 | Xcell Towers 2050 Marconi Drive Suite 300 Alpharetta, GA 30005-2077 | Luzerne County | Harveys Lake Borough | UNT to Beaver Creek (HQ-CWF, MF) Harveys Lake (HQ-CWF, MF) |
| PAI024809006R | Terence O'Reilly, Jr. 65 Constitution Avenue Wind Gap, PA 18091 | Northampton | Moore Township | Monocacy Creek (HQ-CWF, MF) |

Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|-------------------------|---|---|
| PAI050214004 | CSX Transportation, Inc. 500 Water Street, J275 Jacksonville, FL 32202 | Allegheny | McKees Rocks Borough and Stowe Township | Ohio River (WWF), and Chartiers Creek (WWF) |
| PAI052615001 | Kurt Subrick 121 W. Patterson Road Eighty-Four, PA 15330 | Washington | North Strabane Township | UNT to Little Chartiers Creek (HQ-WWF) |
| PAI056514011 | New Enterprise Stone and Lime Co. P. O. Box 77 New Enterprise, PA 16664 | Westmoreland & Somerset | Jefferson Township and Cook Township | Indian Creek (HQ-CWF) and UNT to Clear Run (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 & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|---|---|
| Falls Township Bucks County | PAG02000915046 | HFH PA, LP 1128 Slotter Road Perkasie, PA 18944 | Delaware River WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Pennsburg Borough Montgomery County | PAG02004615034 | Borough of Pennsburg 76 West 6th Street Pennsburg, PA 18073 | Unnamed Tributary to Perkiomen Creek TSF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| City of Philadelphia Philadelphia County | PAG0201511409 | Philadelphia Water Department Aramark Tower, 2nd Floor 1101 Market Street Philadelphia, PA 19107 | Schuylkill River WWF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| City of Philadelphia Philadelphia County | PAG0201511504 | William Penn Charter School 3000 West School House Lane Philadelphia, PA 19144 | Schuylkill River WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| City of Philadelphia Philadelphia County and Bensalem Township Bucks County | PAG0201511510 | PennDOT 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406 | Schuylkill and Delaware Rivers WWF-MF Byberry and Poquessing Creeks 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 & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|--|
| Franklin Township, Carbon County | PAG02001315001 | New Enterprise Stone & Lime 3912 Brimbaugh Road PO Box 77 New Enterprise, PA 16664 | Pohopoco Creek (CWF, MF) | Carbon County Conservation District 610-377-4894 |
| Weisenberg Township Lehigh County | PAG02003914015 | Regent Valley Builders, Inc. William J. Steinhauser, Jr. 54 East Main Street PO Box 295 Lansdale, PA 19446 | Mill Creek (TSF, MF) | Lehigh County Conservation District 610-391-9583 |
| City of Allentown Lehigh County | PAG02003912015(3) | Two City Center, OP, LP J. B. Reilly 645 Hamilton Street, Suite 600 Allentown, PA 18101 | Jordan Creek (TSF, MF) | Lehigh County Conservation District 610-391-9583 |
| Upper Saucon Township Lehigh County | PAG02003907018(8) | DeSales University Marc Albanese 2755 Station Ave. Center Valley, PA 18034 | Laurel Run (CWF, MF) | Lehigh County Conservation District 610-391-9583 |
| Butler Township Schuylkill County | PAG02005414014 | Bonita J. Leib 165 Valley Hill Road Ashland, PA 17921 | UNT to Mahanoy Creek (CWF, MF) Mahanoy Creek (WWF, MF) | Schuylkill County Conservation District 570-622-3742 |

NOTICES

2771

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

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|------------------------------|---|--|---|
| Middlesex Township Cumberland County | PAG02002112001R(1) Issued | Pamay Development Company, Inc. 375 North Middlesex Road Carlisle, PA 17013 | Conodoguinet Creek/WWF | Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.5359 |
| Silver Spring Township Cumberland County | PAG02002115006 Issued | Sample Bridge Associates 6570 Carlisle Pike Mechanicsburg, PA 17055 | Conodoguinet Creek/WWF | Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.5359 |
| Swatara Township Dauphin County | PAG02002212014(2) Issued | Norfolk-Southern Railroad 1200 Peachtree Street NE Atlanta, GA 30309 | Spring Creek—West/ CWF-MF and Beaver Creek/WWF, MF | Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100 |
| Washington Township Dauphin County | PAG02002215010 Issued | Stephen Fisher 975 Rakers Mill Road Elizabethville, PA 17023 | Wiconisco Creek/ WWF | Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100 |

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|--|
| Clinton County Castanea Twp | PAG02001814010 | PPL Electric Utilities Inc 2 N 9th St Allentown, PA 18101 | UNT Bald Eagle Creek CWF | Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 (570) 726-3798 |
| Clinton County Pine Creek Twp | PAG02001815002 | MBC Development LP 950 E Main St Schuylkill Haven, PA 17972 | UNT to WB Susquehanna River CWF | Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 (570) 726-3798 |
| Lycoming County City of Williamsport | PAG02004114002(1) | Jeff Richards Williamsport Area Sch Dist 2780 W 4th St Williamsport, PA 17701 | UNT to Daugherty Run WWF | Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003 |
| Lycoming County Fairfield & Loyalsock Twp Montoursville Boro | PAG02004115002 | Thomas Hart Williamsport Mun Airport Auth 700 Airport Rd Montoursville, PA 17754 | Bennetts Run WWF WB Susquehanna River WWF, MF | Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003 |
| Lycoming County City of Williamsport | PAG02004115006 | Daniel Klingerman Liberty Hospitality LP 1500 Sycamore Rd Montoursville, PA 17754 | WB Susquehanna River WWF, MF | Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003 |
| Tioga County Tioga Twp | PAG02005915001 | Mill Cove Inc 51B S Main St Mansfield, PA 16933 | Mill Creek TSF | Tioga County Conservation District 50 Plaza Ln Wellsboro, PA 16901 (570) 724-1801 X 5 |

Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|-----------------------------------|-------------------|--|---|---|
| City of Erie Erie County | PAG02002515008 | Sarah Reed Senior Living 227 West 22nd Street Erie, PA 16502 | Mill Creek WWF; MF & Presque Isle Bay WWF | Erie County Conservation District 814-825-6403 |
| Summit Township Erie County | PAG02002514035(1) | GS Erie LLC 3300 Enterprise Parkway PO Box 228042 Beachwood, OH 44122 | Walnut Creek CWF; MF | Erie County Conservation District 814-825-6403 |
| Keating Township McKean County | PAG02004214003 | First Energy Corporation 76 South Main Street Akron, OH 44308 | Pierce Brook CWF & Potato Creek CWF | McKean County Conservation District 814-887-4001 |
| Logan Township, Blair County | PAG02092615003 | Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 | Unnamed Tributary to Redstone Creek (WWF) | Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800 |

General Permit Type—PAG-03

Facility Location

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|---|--|
| Philadelphia City Philadelphia County | PAR600057 | Manchio Michael d.b.a. Oscars Auto Parts 6145 W Passyunk Avenue Philadelphia, PA 19153 | Unnamed Tributary to Schuylkill River—3-F | Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970 |
| Bethel Township Delaware County | PAR200044 | Alloy Surfaces Co. Inc. 121 N Commerce Drive Chester Township, PA 19014 | Unnamed Tributary to East Branch Naaman Creek—3-G | Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970 |
| Upper Providence Township Montgomery County | PAR140013 | Graphic Pkg International Inc. 1035 Longford Road Phoenixville, PA 19460 | Unnamed Tributary of Schuylkill River—3-D | Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970 |
| Upper Providence Township Montgomery County | PAG030028 | Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222 | Unnamed Tributary of Schuylkill River—3-D | Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970 |
| Mount Carmel Borough Northumberland County (Industrial Stormwater) | PAR144804 | International Paper Co. 2164 Locust Gap Highway Mount Carmel, PA 17851-2564 | Shamokin Creek—6-B | DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530 |
| Chester Hill Borough Clearfield County (Industrial Stormwater) | PAG034820 | Calfrac Well Services Corp. 717 17th Street Suite 1445 Denver, CO 80202-3303 | Moshannon Creek—8-D | DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530 |

| <i>Facility Location Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|--|---|
| Georges Township Fayette County | PAR316114 | Calfrac Well Services Corporation 717 17th Street Suite 1445 Denver, CO 80202-3303 | Georges Creek— 19-G | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Georges Township Fayette County | PAR316114 | Calfrac Well Services Corporation 717 17th Street Suite 1445 Denver, CO 80202-3303 | Georges Creek— 19-G | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Summerville Borough Jefferson County | PAR218315 | Glen Gery Corp PO Box 7001 1166 Spring Street Wyomissing, PA 19610-6011 | Unnamed Tributary to the Redbank Creek and Redbank Creek—17-C | DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942 |

General Permit Type—PAG-4

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|-------------------------------------|---|
| Franklin County Lurgan Township | PAG043942 | Christian F. Stoltzfus 237 Springville Road Quarryville, PA 17566 | UNT to Conodoguinet Creek/WWF | DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |

General Permit Type—PAG-5

| <i>Facility Location Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|--|---|
| South Abington Township Lackawanna County | PAG052230 | Vanga Properties, LLC 107 Squirrel Run Clarks Summit, PA 18411 | Unnamed Tributary to Summit Lake Creek—05A | DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511 |

General Permit Type—PAG-8

| <i>Facility Location & County/ Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Site Name & Location</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|--|
| Lancaster County/ Marietta Borough | PAG08 | Marietta—Donegal Joint Authority 50 Furnace Lane Marietta, PA 17547 | Marietta—Donegal Joint Authority Wastewater Treatment Plant 50 Furnace Lane Marietta, PA 17547 | DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707 |
| Cumberland County/ Monroe Township | PAG08 | South Middleton Township Municipal Authority Wastewater Treatment Plant 345 Lear lane Boiling Springs, PA 17007 | Wilmer Harris Farm Ledigh Drive & Lear Lane Boiling Springs, PA 17007 | DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707 |

General Permit Type—PAG-8 (SSN)

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Site Name &
Location*

*Contact Office &
Phone No.*

Butler Township
Schuylkill County

PAG082209

Frackville Area Municipal
Authority
42 South Center
P. O. Box 471
Frackville, PA 17931

Frackville Area
Municipal Authority
1199 West Oak St.
Frackville

PA DEP NERO
2 Public Square
Wilkes-Barre, PA
18701-1915
(570) 826-2511

Mahanoy City
Schuylkill County

PAG082211

Mahanoy City Sewer
Authority
130 East Center St.
Mahanoy City, PA 17948

MCSA Wastewater
Treatment Plant
10 Golden Bear Dr.
Mahanoy City

PA DEP NERO
2 Public Square
Wilkes-Barre, PA
18701-1915
(570) 826-2511

General Permit Type—PAG-9

*Facility Location &
County/
Municipality*

Permit No.

*Applicant Name &
Address*

*Site Name &
Location*

*Contact Office &
Phone No.*

Blair County/
Franklin Township

PAG093546

Ken Wertz Hauling &
Septic Service, Inc.
2567 West Loop Road
Hollidaysburg, PA 16648

Ken Wertz Farm
2567 West Loop
Road
Hollidaysburg, PA
16648

DEP—SCRO—
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA 17110-8200
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 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

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

Permit No. 1515509, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township Tredyffrin

County **Chester**

Type of Facility PSW

Consulting Engineer GHD
1240 N. Mountown Road
Harrisburg, PA 17112

Permit to Construct Issued May 18, 2015

Permit No. 0910526, Public Water Supply.

Applicant **Solebury School**
6832 Phillips Mill Road
New Hope, PA 18938

Township Solebury

County **Bucks**

Type of Facility PWS

Consulting Engineer Castle Valley Consultants, Inc.
10 Beulah Road
New Britain, PA 18901

Permit to Construct Issued April 21, 2015

Permit No.0915503, Public Water Supply.
 Applicant **PA American Water Company**
 800 West Hershey Park Drive
 Hershey, PA 17033
 Township Lower Makefield
 County **Bucks**
 Type of Facility PWS
 Consulting Engineer PA American Water Company
 800 West Hershey Park Drive
 Hershey, PA 17033
 Permit to Construct May 18, 2015
 Issued

Permit No.1514540, Public Water Supply.
 Applicant **Honey Brook Borough Authority**
 91 Pequea Avenue
 P. O. Box 669
 Honey Brook, PA 19344
 Township Honey Brook
 County **Chester**
 Type of Facility PWS
 Consulting Engineer Weiser Engineering, LLC
 25 Stevens Avenue
 Reading, PA 19609
 Permit to Construct May 18, 2015
 Issued

Operations Permit # 1515512 issued to: **Appleville Mobile Home Park**, 3892 W. Lincoln Highway, Parkesburg, PA 19365, [(PWSID)] West Bradford Township], **Chester County** on April 21, 2015 for the operation Certification of 4-Log Treatment of Viruses.

Operations Permit # 4615505 issued to: **Saint Gabriels's Hall** 1250 Pawlings Road, P. O. Box 7280, Audubon, PA 19407, [(PWSID)] Lower Providence Township, **Montgomery County** on April 21, 2015 for the operation of Sodium Hypochlorite facilities approved under construction permit #4612506.

Operations Permit # 4615504 issued to: **Saint Gabriel's Hall**, 1250 Pawlings Road, P. O. Box 7280, Audubon, PA 19407 [(PWSID)] Lower Providence Township, **Montgomery County** on April 21, 2015 for the operation of Caustic Soda facilities approved under construction permit #4610516.

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

Permit No. 4015505 Major Amendment, Public Water Supply.

Applicant **Aqua PA, Inc.**
 1 Aqua Way
 White Haven, PA 18661
 [Township or Borough] Kingston Township,
Luzerne County
 Responsible Official Patrick R. Burke, PE
 Aqua PA, Inc.
 204 E. Sunbury Street
 Shamokin, PA 17872

Type of Facility PWS
 Consulting Engineer Peter Lusardi, PE
 GHD
 1240 North Mountain Road
 Harrisburg, PA 17112
 (717) 541-0622

Permit to Construct 05/14/2015
 Issued

Permit No. 2450134, Operation Permit Public Water Supply.

Applicant **Pennsylvania-American Water Company**
 (Fernwood Well No. 9)
 800 West Hershey Park Drive
 Hershey, PA 17033

[Borough or Township] Middle Smithfield Township

County **Monroe**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate May 21, 2015
 Issued

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

Permit No. 1712502—Operation—Public Water Supply.

Applicant **City of DuBois**
 Township/Borough City of DuBois
 County **Clearfield**
 Responsible Official Mr. Herm Suplizio
 City of DuBois
 16 West Scribner Avenue
 DuBois, PA 15801

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued May 22, 2013

Description of Action Development of Wells C, D, F and G, upgrade of the permanganate feed systems, blending for TDS and sulfate treatment, and cascade tray aeration for methane removal.

Permit No. 4496557EP111—Permit-by-Rule—Public Water Supply.

Applicant **Glacier Water**
 Township/Borough Renovo Borough
 County **Clinton**
 Responsible Official Mr. Thomas Conti
 VP & COO
 GW Services, LLC
 d/b/a Glacier Water
 1385 Park Center Drive
 Vista, CA 92081

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued May 26, 2013
 Description of Action Vended water machine with a backflow device using water from CWS Renovo Borough Water Authority located at Lingles Neighborhood Market 9161.

Permit No. 4496557EP112—Permit-by-Rule—Public Water Supply.

Applicant **Glacier Water**
 Township/Borough City of Lock Haven
 County **Clinton**
 Responsible Official Mr. Thomas Conti
 VP & COO
 GW Services, LLC
 d/b/a Glacier Water
 1385 Park Center Drive
 Vista, CA 92081
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued May 26, 2013
 Description of Action Vended water machine with a backflow device using water from CWS City of Lock Haven Water Department located at Save A Lot 24794.

Permit No. 4496557EP113—Permit-by-Rule—Public Water Supply.

Applicant **Glacier Water**
 Township/Borough Jersey Shore Borough
 County **Lycoming**
 Responsible Official Mr. Thomas Conti
 VP & COO
 GW Services, LLC
 d/b/a Glacier Water
 1385 Park Center Drive
 Vista, CA 92081
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued May 26, 2013
 Description of Action Vended water machine with a backflow device using water from CWS Jersey Shore Area Joint Water Authority located at Lingles Neighborhood Market.

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

Permit No. 1115501MA, Minor Amendment. Public Water Supply.

Applicant **Highland Sewer and Water Authority**
 120 Tank Drive
 Johnstown, PA 15904
 [Borough or Township] Richland Township

County **Cambria**
 Type of Facility Rachel Hill Tank #1
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Construct Issued May 21, 2015

Permit No. 1115502MA, Minor Amendment. Public Water Supply.

Applicant **Highland Sewer and Water Authority**
 120 Tank Drive
 Johnstown, PA 15904
 [Borough or Township] Richland Township
 County **Cambria**
 Type of Facility Rachel Hill Tank #2
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Construct Issued May 21, 2015

Permit No. 1115503MA, Minor Amendment. Public Water Supply.

Applicant **Highland Sewer and Water Authority**
 120 Tank Drive
 Johnstown, PA 15904
 [Borough or Township] Richland Township
 County **Cambria**
 Type of Facility Rachel Hill Tank #3
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Construct Issued May 21, 2015

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

Operation Permit issued to **Erie City Water Authority d/b/a Erie Water Works**, PWSID No. 6250028, Harborcreek Township/Lawrence Park, **Erie County**. Permit Number 2515501 issued May 20, 2015 for the use of the sodium hypochlorite feed systems at the East Lake Road, Depot Road, and Station Road Pump Stations. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on May 15, 2015.

Operation Permit issued to **Aqua Pennsylvania Incorporated**, PWSID No. 6620021, Clarendon Borough, **Warren County**. Permit Number 6214501 issued May 20, 2015 for the operation of the public water supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on May 4, 2015.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Southwest Regional Office, Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Plan Location: Pleasant Hills Authority, Lick Run Sewage Treatment Plant, South Park Township, Allegheny County

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|--|---------------|
| Pleasant Hills Borough | 410 E. Bruceton Road Pittsburgh, PA 15236 | Allegheny |
| South Park Township | 2675 Brownsville Road South Park, PA 15129 | Allegheny |
| Baldwin Borough | 3344 Churchview Avenue Pittsburgh, PA 15227 | Allegheny |
| Whitehall Borough | 100 Borough Park Drive Pittsburgh, PA 15236 | Allegheny |

Plan Description: The approved plan provides for the upgrade of the Lick Run Sewage Treatment Plant to treat a peak instantaneous flow of 25 MGDs. The project involves the Primary Clarifier Effluent being rerouted through the Wastewater Treatment Plant to a parallel activated sludge process instead of the current two-stage process.

The Department's review of the sewage facilities Special Study has not identified any significant environmental impacts resulting from this proposal. Any required WQM Permits must be obtained in the name of the Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific

standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

Aurand Trucking LLC, US Routes 11/15 Southbound, Monroe Township, **Snyder County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Aurand Trucking, LLC, 225 Patton Road, Danville, PA 17821 submitted a Final Report concerning remediation of site soils contaminated with diesel fuel and motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Former Cerro Metals Plant, Titan Energy Park, 2022 Axemann Road, Spring Township, **Centre County**. P. Joseph Lehman Engineers, 117 Olde Farm Office Centre, Holidaysburg, PA 16648 on behalf of The Marmon Group, LLC, 181 W. Madison Street, Chicago, Illinois 60602 submitted a Remedial Investigation Report and Risk Assessment Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents and aromatic hydro carbons. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Gross 2 Tank Battery, Brace Road, Springfield Township, **Bradford County**. Moody and Associates, Inc., 685 Broad Street Extension, Suite 1, Waverly, NY 14892 on behalf of VAVCO, LLC, 101 Mahood Road, Suite 1, Butler, PA 16001, submitted a Final Report concerning remediation of site inorganics from brine and volatile organics from oil. The report is intended to document remediation of the site to meet the Background and Statewide Health Standards.

Hawking Chevrolet, 435 Mill Street, Danville Borough, **Montour County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406 on behalf of Hawkins Chevrolet, 435 Mill Street, Danville, PA 17821, submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds and lead. The report is intended to document remediation of the site to meet the Site-specific Standard.

Samson Energy Pardee/Curtain F Pad Cuttings Release, Shippen Township, **Cameron County**. Bigler Bozy Enviro, 1950 Dale Road, Woodland, PA 16881 on behalf of Samson Energy, 1300 Main Street, Suite 1900,

Houston, TX 77002 submitted a Final Report concerning remediation of site soils contaminated with drilling slurry and solidification agents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Former American Color Graphics, 215 North Zarfoss Drive, York, PA 17404, West Manchester Township, **York County**. Ramboll Environ US Corporation, 214 Carnegie Center, Princetown, NJ 08540, on behalf of Gordon York, LP, 215 North Zarfoss Drive, York, PA 17404, and Alvarez & Marsal North America, LLC, 600 Madison Avenue, 8th Floor, New York, NY 10022, submitted Final Report concerning remediation of site soils and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

N. H. Weidner, Inc., 4868-4870 McKnight Road, Ross Township, **Allegheny County**. CORE Environmental Services, Inc., 4068 Mt. Royal Boulevard, Gamma Building, Suite 225, Allison Park, PA 15101 on behalf of N.H. Weidner, Inc., 2425 Huntington Drive, Pittsburgh, PA 15241 has submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with chlorinated volatile organic compounds. The RIR is intended to document remediation of the site to meet the Site Specific standard. Notification of the RIR was published April 20, 2015 in the *Pittsburgh Post-Gazette*.

R.E. Uptegraff Manufacturing Company Site, 120 Uptegraff Drive (formerly 105 Bridge St.), Scottdale Borough, **Westmoreland County**. Woodard & Curran, 300 Penn Center Boulevard, Suite 800, Pittsburgh, PA 15235 on behalf of Endersbe Enterprises, Inc., 839 Main Street, Latrobe, PA 15650 has submitted a Clean Up Plan concerning the remediation of site soils and groundwater contaminated with volatile and semi-volatile organic compounds (VOC's and SVOC's), polychlorinated biphenyls (PCB's) and metals. The CP is intended to document remediation of the site to meet the Site Specific Standard. Notice of the CP was published in the *Independent Observer* on April 30, 2015.

Chevron Appalachia, LLC—Robin Hill 15H/18H/Gas Well Site, 724 Washington Road, Robinson Township, **Washington County**. Moody and Associates, 199 Johnson Road, Building No. 2, Suite 101, Houston, PA 15342 on behalf of Chevron Appalachia, LLC., 1550 Coraopolis Heights Road, Moon Township, PA 15108 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with natural gas condensate, including, but not limited to volatile organic compounds. The report is intended to document remediation of the site to meet the residential Statewide Health standard. Notice of the Final Report was published in the *Observer Reporter* on April 23, 2015.

XTO Energy—Clyde Green #3 Well Site, Allison Road, Green Township, **Indiana County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Twp., PA 16066 on behalf of XTO Energy Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Remedial Investigation/Final Report concerning site soils

contaminated with aluminum, barium, boron, iron, lithium, manganese, strontium, vanadium, selenium and chloride from a release of brine. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site Specific Standards. Notice of the RIR/FR Report was published in the *Indiana Gazette* on March 30, 2015.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

Hawkins Chevrolet, 435 Mill Street, Danville Borough, **Montour County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406 on behalf of Hawkins Chevrolet, 435 Mill Street, Danville, PA 17821 submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds and lead. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan was approved by the Department on April 14, 2015.

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

Sullivan Trail Park—203 Moyer, 203 Moyer Court, Scotrun, PA 18355, Pocono Township, **Monroe County**. Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Sullivan Trail Park of Pocono Township LLC, 400 Frost Hollow Road, Easton, PA 18040, submitted a Final Report concerning remediation of site soil contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, MTBE, 1,2,4 TMB, and 1,3,4 TMB. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on May 19, 2015.

Sasriv Property, 226 Harrison Street, Hanover Township, **Luzerne County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Newell Fuel Service Inc., P. O. Box B, Dallas, PA 18612, submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 21, 2015.

REEB Millwork, 600 Brighton Street, Fountain Hill Borough, **Lehigh County**. MEA Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Reeb Millworks, 600 Brighton Street, Bethlehem, PA 18015, submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 26, 2015.

Borger Property, 427 South Cottonwood Road, Lehigh Township, **Northampton County**. BalckRock Environmental LLC, P. O. Box 288, Nazareth, PA 18064, on behalf of Rose Borger, 472 South Cottonwood Road, Northampton, PA 18067-9624, submitted a Final Report concerning the remediation of site soils contaminated with Kerosene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 26, 2015.

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

Norfolk Southern Enola Rail Yard—Former Lagoon Area, Enola Road, Enola, PA 17025, East Pennsboro Township, **Cumberland County**. AECOM Technical Services, Inc., 100 Sterling Parkway, Suite 205, Mechanicsburg, PA 17050, and Consolidated Rail Corporation,

1000 Howard Boulevard, Mount Laurel, NJ 08054, on behalf of Norfolk Southern Corporation, 1200 Peachtree Street, NE, Box 13, Atlanta, GA 30309, has submitted a Final Report to remediate site soils contaminated with PCBs, PAHs, VOCs and Inorganics. The site is being remediated to Non-Residential Statewide Health and Site Specific Standards, and the Final Report was approved by the Department on May 21, 2015.

1480 Harrisburg Pike Property, Lancaster, PA 17601, Manheim Township, **Lancaster County**. GTA Environmental Services, Inc., 3445 Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Quattro Lancaster LLC, 1100 Jorie Boulevard, Suite 140, Oak Brook, IL 60523, submitted a Final Report concerning site soils contaminated with unleaded gasoline. The site is being remediated to a Nonresidential Statewide Health Standard, and the Final Report was approved by the Department on May 21, 2015.

John Riddell Property, 8221 Jonestown Road, Grantville, PA, East Hanover Township, **Dauphin County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of John Riddell, 8221 Jonestown Road, Grantville, PA 17028-8635, submitted a Final Report concerning site soils contaminated with No. 2 fuel oil. The site is being remediated to a Residential Statewide Health Standard, and the Final Report was approved by the Department on May 20, 2015.

Former O-Z/Gedney Company LLC Facility, 150 Birch Hill Road, Shoemakersville, Perry Township, **Berks County**. WSP Environment and Energy, 11190 Sunrise Valley Drive, Suite 300, Reston, VA 20191, on behalf of Emerson, 8000 West Florissant Avenue, St. Louis, MO 63136-1415, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with PCBs, PAHs and Inorganics. The site is being remediated to a Site Specific Standard, and the Remedial Investigation Report was approved by the Department on May 18, 2015.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

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

Northwest Regional Office: 230 Chestnut Street, Meadville, PA 16335

General Permit Registration No. WMGR123NW005. Highland Field Services, LLC—McKean Facility, Hutchins Drive, Sergeant Township, **McKean County**, PA. Registration to operate under General Permit No. WMGR123 for storage and reuse of gas well frac water and production water. The registration for this operation was previously issued to Cares, McKean Water TRMT & Recycling Facility by Northwest Regional Office on August 20, 2012. Highland Field Services, LLC (Owned by Seneca Resources Corp) purchased the facility from Cares. The application for the ownership change was received by the Northwest I Regional Office on February 4, 2015 and registration for coverage under the general permit was issued on May 15, 2015.

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

Permit Issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 300370. Hatfield's Ferry Power Station CCB Landfill, Reissued from Allegheny Energy Company, LLC to FirstEnergy Generation, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. Renewal and reissuance of a permit for the operation of a residual waste landfill in Monongahela Township, **Greene County**. Permit renewed and reissued in the Southwest Regional Office on May 22, 2015.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401

Permit No. 101494. Waste Management of Pennsylvania, Inc., 1000 New Ford Road, Morrisville, PA 19067, Falls Township and Tullytown Borough, **Bucks County**. This permit renewal is for continued operations for an additional two (2) years at the Tullytown Resource Recovery Facility (TRRF), an existing municipal waste landfill located in Falls Township and the Borough of Tullytown, Bucks County. The permit was issued by the Southeast Regional Office on May 21, 2015.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-09-0130: G.A. Peak Excavating Inc. (2850 Clymer Avenue, Telford, PA 18969) On May 19, 2015 was authorized to install and operate the portable nonmetallic mineral processing plant under GP3-09-0130 for G.A. Peak Excavating Inc. in West Rockhill Township, **Bucks County**.

GP9-09-0061: G.A. Peak Excavating Inc. (2850 Clymer Avenue, Telford, PA 18969) On May 19, 2015 was authorized to install and operate the diesel fired internal combustion engine under GP9-09-0061 for G.A. Peak Excavating Inc. in West Rockhill Township, **Bucks County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

GP4-67-03095: Fox Pool Corp. (3490 Board Road, York, PA 17406-8478) on May 20, 2015, for an existing burnoff oven, under GP4, at the swimming pool manufacturing facility located in Manchester Township, **York County**. The general permit authorization was renewed.

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

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

GP3-14-00014A: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on April 10, 2015, to construct and operate a portable non-metallic mineral mobile crushing plant with associated water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Pleasant Gap facility located in Spring Township, **Centre County**.

GP11-14-00014A: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on April 10, 2015, to construct and operate one Deutz model TCD2012L04 diesel-fired engine with a rating of 122 brake horsepower (bhp) pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Pleasant Gap facility located in Spring Township, **Centre County**.

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174

GP9-63-00963A: Boord Benchek & Associates (345 Southpointe Blvd. Suite 202, Canonsburg, PA 15317) on May 20, 2015, to allow the installation and operation of one (1) Cummins diesel engine rated at 305 bhps and to allow continued operation of previously installed one (1) Deutz diesel engine rated at 74 bhps at their Portable Non-Metallic Mineral Crushing Plant located in Smith Township, **Washington County, PA**.

GP3-63-00963B: Boord Benchek & Associates (345 Southpointe Blvd. Suite 202, Canonsburg, PA 15317) on May 20, 2015, to allow the installation and operation of one (1) Jaw Crusher rated at 400 tphs, one (1) Conveyor rated at 400 tphs and to allow continued operation of previously installed equipment which include one (1) Double Deck Vibratory Screen rated at 300 tphs, three (3) Conveyors at their Portable Non-Metallic Mineral Crushing Plant located in Smith Township, **Washington County, PA**.

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

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

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

55-00026A: Hummel Station LLC (5001 Spring Valley Road, Suite 1150 West Dallas, TX 75244) on May 26, 2015 the Department issued a plan approval to revise the operational flexibility of the sources to operate up to 8,760 hours per year. The operational limitations were established under Plan approval 55-00001G. Plan approval 55-00001G authorized the construction of three (3) natural gas-fired combined-cycle combustion turbines coupled with heat recovery steam generators (HRSGs) equipped with natural gas fired duct burners capable of producing 1,064 MWs of electricity at their facility in Shamokin Dam Borough, **Snyder County**. This plan

approval is also an authorization for construction and operation of an emergency diesel generator and diesel fire pump.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

10-330B: Butler Veterinary Associates (1761 N. Main Street, Butler, PA 16001), on May 19, 2015 has issued a plan approval for changes in their method of operating one existing animal crematory (relating to door opening) at their facility in the Center Township, **Butler County**.

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 Elmer-ton Avenue, Harrisburg, PA 17110

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

36-05107D: Pepperidge Farm, Inc. (2195 North Reading Road, Denver, PA 17517) on May 19, 2015, for the installation of a new Catalytic Oxidizer 5 to control Cracker Oven 8 and re-routing the exhaust so only Cracker Oven 7 exhausts to Catalytic Oxidizer 4 at the Pepperidge Farm bakery located in East Cocalico Township, **Berks County**. The plan approval was extended.

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

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

59-00005J: Dominion Transmission, Inc. (445 West Main St., Clarksburg, WV 26301) on May 18, 2015, to extend the authorization for the construction of a 12.07 million Btu per hour ETI model THE-1207 natural-gas fired salt bath heater (Source ID 044) and a 3.0 million Btu per hour Ajax model WRFG-3000 natural-gas fired boiler (Source ID 045) at the Sabinsville Compressor Station located in Clymer Township, **Tioga County** to November 14, 2015. The plan approval has been extended.

14-00016A: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) on May 18, 2015, to extend the authorization for the construction of a wood-fired boiler at their facility located in Penn Township, **Centre County** to November 14, 2015. The plan approval has been extended.

47-00001E: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) on April 30, 2015, to extend the authorization an additional 180 days from May 3, 2015 to October 30, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the auxiliary boiler used for utility boiler start-up at the Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

19-00028A: White Pines Corporation (515 State Route 442, Millville, PA 17846) on May 6, 2015, to extend the authorization an additional 180 days from May 21, 2015 to September 17, 2015, in order to permit operation

pending issuance of an operating permit. The extension authorization allows operation of the ammonia stripper associated with the leachate treatment plant located at the White Pine Landfill in Pine Township, **Columbia County**. The plan approval has been extended.

55-00001E: Hummel Station LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244) on May 18, 2015, to extend authorization for the construction and operation of the combined cycle natural gas fired turbine electrical generating facility. The project consists of the construction of three (3) natural gas fired combined cycle turbines controlled by a selective catalytic reduction units and oxidation catalyst, a natural gas fired auxiliary boiler to assist with start-up and shut down and a natural gas fired heater at their facility located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended to June 29, 2018.

55-00001G: Hummel Station LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244) on May 18, 2015, to extend authorization for the construction of the combined cycle natural gas fired turbine electrical generating facility. The project consists of the construction and operation of three (3) natural gas fired combined cycle turbines controlled by a selective catalytic reduction units and oxidation catalyst, a natural gas fired auxiliary boiler to assist with start-up and shut down and a natural gas fired heater at their facility located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended to June 29, 2018.

55-00001F: Hummel Station LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244) on May 18, 2015, to extend authorization for the construction and operation of a mechanical draft cooling tower as part of the combined cycle natural gas fired turbine project at their facility located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended to June 29, 2018.

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

Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

PA-65-00839B: Texas Eastern Transmission, L.P. (PO Box 1642, Houston, TX 77251) Plan Approval Extension effective May 25, 2015, to extend the period of temporary operation of the Solar Titan 250 turbine rated at 30,000 HPs and controlled by an oxidation catalyst until November 25, 2015, at the Delmont Compressor Station located in Salem Township, **Westmoreland County**.

PA-63-00965A: Rice Poseidon Midstream LLC (400 Woodcliff Drive, Canonsburg, PA 15317-9554) Plan Approval Extension issuance date effective May 20, 2015, to extend the period of temporary operation for 180 days to prepare and submit State Only Operating Permit application for their Twilight Compressor Station located in West Pike Run Township, **Washington County**.

PA-30-00183C: EQM Gathering Opco, LLC (625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222) Transfer and extension of plan approval effective May 18, 2015, due to change of ownership and to extend the period of temporary operation of two Caterpillar G3616LE lean burn natural gas-fired compressor engines rated at 4,735 bhp each and controlled by oxidation catalysts until November 18, 2015, at the Jupiter Compressor Station located in Morgan Township, **Greene County**. The facility was formerly owned by EQT Gathering, LLC.

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

46-00013: Hatfield Quality Meats, Inc. (aka Clemens Food Group 2700 Funks Rd., Hatfield, PA 19440) On May 13, 2015 for a Title V operating permit in Hatfield Township, **Montgomery County**. This action is a renewal of the Title V Operating Permit. The existing permit was initially renewed on 12-29-1998 and was subsequently renewed on 8-4-2004. The facility is a meat processing plant that operates boilers and emergency generators. As a result of potential emissions of NO_x, SO_x, and PM, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

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

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

41-00001: Transcontinental Gas Pipe Line Company, LLC. (PO Box 1396, Houston, TX 77251-1396) on May 14, 2015, was issued a renewal Title V operating permit for their facility located in Mifflin Township, **Lycoming County**. The facility's main sources include five 2,050 horsepower compressor engines, two 12,600 horsepower combustion turbines, an emergency generator, and one boiler. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

TVOP-65-00720: (1576 Arona Road, Irwin, PA 15642) On May 20, 2015, DEP issued a Title V Operating Permit renewal to Kennametal Inc. for their continued operation of Irwin facility located in Hempfield Township, **Westmoreland County**. Kennametal produces cemented tungsten carbide at this facility.

The facility is made up of eight attritors and four ballmills where heptane is added to make the carbide slurry. The heptane is used to prevent oxidation. The attritors have water cooling jackets on the lids. The ballmills are equipped with a cool water jacket which is supplied by municipal water. The drying room is equipped with 3 vacuum dryers; each utilizes a condenser which employs vacuum technology to collect and contain greater than 95% of the vapors of each batch. For the most part the drying cycle is considered to be a closed loop system. There are baghouses to control particulate emissions.

The pollutants of concern from this facility are VOC from heptane and small amount of particulate matters. The overall potential VOC emission limit for the facility is 152 tons per 12 consecutive month period. The proposed TVOP renewal contains emission restriction, test-

ing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of Pa. Code Title 25, Article III, Chapters 121–145.

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

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

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

15-00128: Brandywine Green DBA Pet Memorial Services (126 Turner Lane, West Chester, PA 19380; Attn: Ms. Margaret Houtman) On May 12, 2015 for the renewal of a non-Title V Facility, State-Only Natural Minor Operating Permit in West Goshen Township, **Ches-ter County**. The initial operating permit was issued on November 12, 2009, with an effective date of December 1, 2009. Pet Memorial Services continues to operate four (4) identical Crawford animal crematoriums (Source ID 101), rated at 450 lbs/hr each and one (1) EPA Technologies animal crematorium (Source ID 102), rated for 130 lbs/hr. As a modification to the crematoriums, opacity sensors have been added to each unit to ensure that the opacity does not exceed 10%, allow the facility to stoke the crematoriums as needed. Conditions have been added to the operating permit to address this modification. The facility also has a parts washer (Source ID 200) and an emergency generator (Source ID 700). These sources did not require a Plan Approval. Applicable requirements have been incorporated into the operating permit for these two sources. The following are potential emissions from the facility: NO_x—17.21 TPY; VOC—17.1 TPY; SO_x—13.96 TPY; PM—39.09 TPY; CO—55.89 TPY; and HCl—6.14 TPY. The permit will contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

46-00168: Moss Rehab Einstein (60 East Township Line Road, Elkins Park, PA 19027) On May 19, 2015 located in Cheltenham Township, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. The facility elects to cap facility-wide Nitrogen Oxide (NO_x) emissions to less than 25 tons per year; therefore, the facility is a Synthetic Minor. The requirements of 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines apply to the Detroit Emergency Generator (Source ID 107). The renewal permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

09-00168: Fiberglass Technologies, Inc. (1610 Hanford Street, Levittown, PA 19057) On May 19, 2015 for a renewal of A State Only Operating Permit in Bristol Township, **Bucks County**. This manufactures architectural ornamentation products (e.g., column covers, cornice, mouldings, door surroundings, etc.) out of reinforced plastics/composites for use in the building industry. To this end, FTI operates and maintains a gelcoat and a resin spray booth, from which the main pollutant emitted is styrene, a volatile organic compound (VOC) and a hazardous air pollutant (HAP). The potential to emit styrene from the facility exceeds 25 tons per year; however, VOC and HAP emissions from the facility are each restricted to less than 2.7 tons per year. Therefore,

the facility is categorized as Synthetic Minor. No changes have occurred at the facility since the State Only Operating Permit (SOOP) was originally issued in March 2009. The renewal SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-00148: Bucks County Community College (275 Swamp Road, Newtown, PA 18940-4106) On May 19, 2015 for operation of a higher education facility in Newtown Township, **Bucks County**. The renewal permit is for a non-Title V (State only) facility. The major sources of air emissions are: two (2) boilers, three (3) fuel oil-fired heaters, and seven (7) emergency generators. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the 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

39-00091: Service Tire Truck Center, Inc., Bethlehem Plant (2255 Avenue A, Bethlehem, PA 18017-2107) on May 21, 2015 for tire retreading facility in Bethlehem City, **Lehigh County**. The sources consist of truck tire retreading process. The sources are controlled by a rubber recovery cyclone. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

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

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

47-00002: Great Dane Limited Partnership (70 Strick Road, Danville, PA 17821) on May 19, 2015, was issued a renewal state only operating permit for their Danville Plant located in Limestone Township, **Montour County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

SOOP-63-00955: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221) SOOP issued on May 21, 2015, for operation the Buffalo Compressor Station located in Buffalo Township, **Washington County**. The facility consists of two natural gas compressor engines rated at 2,370 bhps each and controlled by oxidation catalysts, two natural gas compressor turbines rated at 10,280 HPs each, and one natural gas-fired emergency generator rated at 803 bhps and controlled by an oxidation catalyst.

SOOP-63-00893: Master Woodcraft Corporation/Washington Plant (100 Station View, Washington, PA 15301) On May 20, 2015, the Department issued a State Only Operating Permit for the manufacturing of wood furniture and architectural millwork located in Chartiers Township, **Washington County**. Master Woodcraft oper-

ates two spray booths, eight natural gas-fired radiant heaters and 29 woodworking machines.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

16-00149: Clarion Laminates, LLC (310 Fiberboard Road, Shippenville, PA 16254-4811) on May 19, 2015 for renewal of a Natural Minor Permit at the fabricated hard surface floor covering plant located in the Paint Township, **Clarion County**. The emitting sources include: 1) Thermal Oil Heater, 2) 8 Direct Fired Space Heaters, 3) Laminating & Saw Line 1, 4) Laminating & Saw Line 2, 5) Profiling 1, 6) Profiling 2 and, 7) Crystal Clean Degreaser Unit. The potential emissions from the facility are less than the Title V threshold limits. Thus, the facility is a natural minor. The potential emissions based on the permit renewal application are as follows: PM₁₀: 15.54 Tons per year (TPY), NO_x: 16.25 TPY, CO: 9.75 TPY, SO_x: 0.09 TPY, VOC: 0.76 TPY.

33-00159: Brookville Mining Equipment Corporation. (175 Evans Street, Brookville, PA 15825), on May 12, 2015 issued a renewal State Only Operating Permit for the facility located in Pine Creek Township, **Jefferson County**. The facility is a Natural Minor. The facility manufactures and restores mining and railroad cars and other equipment. The primary sources at the facility include spray booths for surface coating, a heater for the booths and a parts cleaner. The permit also includes the sources at the Pickering Street Facility (spray booth and oven). The facility uses some coatings that contain the Target HAP so the requirements for 40 CFR 63 Subpart HHHHHH are included in the renewal permit. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00322: Thompson Fabricating Inc. (PO Box 432, Wheatland, PA 16161-0432), on May 13, 2015 issued a renewal State Only Operating Permit for the facility located in Wheatland Borough, **Mercer County**. The facility is a Natural Minor. The facility fabricates and surface coats dumpsters and storage containers for the oil and gas industry. The primary sources at the facility include a spray booth for coating and a heater for the booth. The actual VOC emissions from the facility were approximately 6.0 TPY in 2014. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

46-00027: Janssen R&D, LLC (1400 McKean Road, Spring House, PA 19477) On May 13th, 2013 for the facility in Lower Gwynedd Township, **Montgomery County**. The operating permit amendment was to incorporate the requirements of Plan Approval No. 46-0027C into the operating permit. The amended operating permit

contains the applicable regulatory requirements including emission limitations, monitoring, recordkeeping, reporting, and work practices.

46-00147: Conshohocken Real Property LLC (9700 West Higgins Rd, Suite 1000, Rosemont, Illinois 60018) May 19, 2015 with Chemalloy Co. LLC as the operator located in Plymouth Township, **Montgomery County**. The amendment incorporates a change in the ownership from Chemalloy Company Inc. (Tax ID 23-1615403-1) to Conshohocken Real Property LLC (Tax ID 32-0453494). Chemalloy Company LLC (Tax ID 37-1769884) will be the operator of this facility. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

46-00010: Covanta Plymouth Renewable Energy LLC (1155 Conshohocken Road, Conshohocken, PA 19428) On May 19, 2015, issued an amended Title V Operating Permit for a change of owner name from Covanta Plymouth Renewable Energy LP to Covanta Plymouth Renewable Energy LLC. This facility is located in Plymouth Township, **Montgomery County**. This amended operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

SOOP-65-00912 The AMES Companies, Inc., (465 Railroad Avenue, Camp Hill, PA 17011) Administrative Amendment issued on May 12, 2015 to change the name of the Owner/Operator, facility name itself, Responsible Official, and Environmental Contact. The facility is a lumber mill, previously known as the Champion Facility. The previous owner was the Babcock Lumber Company. The owner/operator is now The AMES Companies, Inc. William Glusing is now the Responsible Official and Tina McCarthy is now the Environmental Contact. The AMES Champion, PA facility is located in Donegal Township, **Westmoreland County**.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

10-00047: BASF Corporation Evans City Site (1424 Mars-Evans City Road, Evans City, PA 16033-9360) on May 21, 2015 issued a minor modification to the State Only Operating Permit for the facility located in Forward Township, **Butler County**. The revised permit incorporates the pan dryer under Source 443 which was exempted from plan approval.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

04-00227: IPSCO Koppel Tubulars, LLC (PO Box 410, Ambridge, PA 15003) Per 25 Pa. Code § 127.449(i), this notice is for the proposed de minimis emission increase at the IPSCO Koppel Tubulars, LLC Ambridge Plant located in Harmony Township, **Beaver County**,

authorized on May 20, 2015. The list of de minimis increases for this facility includes the following:

- February 2015—Automatic Pipe Stencil System
- May 2015—Mandrel Mill Water Cooling Tank Roof Exhaust

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

GP5-17-476: Stonehaven Energy Management Company (1251 Waterfront Place, Suite 540, Pittsburgh, PA 15222) for the termination of a General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) on April 16, 2015, for the Ansonville (aka Ricketts) Compressor Station located in Jordan Township, **Clearfield County**. The company has removed the permitted compressor engine and has received a determination of exemption for a new engine and remaining existing sources. The general permit is terminated.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); 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

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

33-13-19 and PAG-02 Permit No. 24331401. Cookport Coal Company, Inc. (425 Market Street, Kittanning, PA 16201) Proposal to enter into a Government Financed Construction Contract on an 18.6 acres site in Perry Township, **Jefferson County**. The proposal includes the reclamation of 10.7 acres of abandoned underground mine workings, abandoned highwall, and an abandoned pit as well as coal removal incidental and necessary to the reclamation activities. Receiving streams: Unnamed tributary to Rose Run. Application received: September 25, 2014. Contract Issued: May 6, 2015.

24990101 and NPDES Permit No. PA0241491. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201) Transfer of an existing bituminous surface and

auger mine and associated NPDES permit from AMFIRE Mining Company, LLC in Horton Township, **Elk County**, affecting 568.9 acres. Receiving streams: Unnamed tributary to Mead Run and Mead Run; unnamed tributary to Little Toby Creek. Application received: January 13, 2015. Permit Issued: May 12, 2015.

24960101 and NPDES Permit No. PA0227170. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201) Transfer of an existing bituminous surface mine and associated NPDES permit from AMFIRE Mining Company, LLC in Horton Township, **Elk County**, affecting 235.0 acres. Receiving streams: Four unnamed tributaries to Mead Run and Mead Run. Application received: January 13, 2015. Permit Issued: May 12, 2015.

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

17050107 and NPDES PA0256269. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine locate in Girard Township, **Clearfield County** affecting 209.6 acres. Receiving stream(s): Unnamed Tributaries to Little Surveyor Run and Unnamed Tributary to Surveyor Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 27, 2014. Permit issued: May 12, 2015.

17050107 and NPDES PA0256269. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Girard Township, **Clearfield County** affecting 209.6 acres. Receiving stream(s): Unnamed Tributaries to Little Surveyor Run and Unnamed Tributary to Surveyor Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: May 12, 2015.

17930120 and NPDES PA0219614. Energy Resources, Inc. (c/o Ohio American Energy, Inc., 34 Kelley Way, Brilliant, OH 43913-1087). Permit renewal for reclamation only of a bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 88.8 acres. Receiving stream(s): Unnamed Tributaries of Wallace Run and Wallace Run classified for the following use(s): HQ-CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: March 19, 2015. Permit issued: May 12, 2015.

17813182 and NPDES PA0609692. Penn Coal Land, Inc. (P. O. Box 68, Boswell, PA 15531). Permit renewal for reclamation only with post mining water treatment of a bituminous surface mine located in Decatur Township, **Clearfield County** affecting 125.8 acres. Receiving stream(s): Unnamed Tributary to Big Run classified for the following use(s): CWF and MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 24, 2014. Permit issued: May 14, 2015.

17900143 and NPDES PA0206458. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Permit renewal of an existing bituminous surface mine located in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving stream(s): Irish Run and an Unnamed Tributary to Irish Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 14, 2014. Permit issued: May 12, 2015.

17900143 and NPDES PA0206458. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface mine from AMFIRE Mining Company LLC. This site is located in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving stream(s): Irish Run and an Unnamed Tributary to Irish Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: May 12, 2015.

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

Permit No. 54040103R2. Hammond Mining Co., Inc., (9 Mulberry Lane, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing and coal refuse disposal operation in Schuylkill and Blythe Townships, **Schuylkill County** affecting 785.0 acres, receiving stream: unnamed tributaries to Schuylkill River. Application received: October 22, 2015. Renewal issued: May 22, 2015.

Permit No. 54040103GP104R. Hammond Mining Co., Inc., (9 Mulberry Lane, Pottsville, PA 17901), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54040103 in Schuylkill and Blythe Townships, **Schuylkill County**, receiving stream: unnamed tributaries to Schuylkill River. Application received: October 22, 2014. Renewal issued: May 22, 2015.

Noncoal Permits Issued

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

Permit No. 31140301 and NPDES No. PA0279340, US Silica Co., 12942 Oriskany Road, Mapleton Depot, PA 17052, commencement, operation and restoration of a large noncoal (industrial minerals) operation in Brady Township, **Huntingdon County**, affecting 55.9 acres, receiving stream: Mill Creek. Permit received: December 1, 2014. Permit issued: May 18, 2015.

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

Permit No. 58142505. Scott Weida, (4282 Whengreen Road, Nicholson, PA 18446), commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 6.5 acres, receiving stream: East Branch Martins Creek to Martins Creek. Application received: October 27, 2014. Permit issued: May 19, 2015.

Permit No. 58142505GP104. Scott Weida, (4282 Whengreen Road, Nicholson, PA 18446), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58142505 in New Milford Township, **Susquehanna County**, receiving stream: East Branch Martins Creek to Martins Creek. Application received: October 29, 2014. Permit issued: May 19, 2015.

Permit No. 58142506. Marty Evans, (7312 Kingsley Road, Kingsley, PA 18826), commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 7.5 acres, receiving stream: Tuscarora Lake to Tuscarora Creek. Application received: October 29, 2014. Permit issued: May 19, 2015.

Permit No. 58142506GP104. Marty Evans, (7312 Kingsley Road, Kingsley, PA 18826), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No.

58142506 in Rush Township, **Susquehanna County**, receiving stream: Tuscarora Lake to Tuscarora Creek. Application received: October 29, 2014. Permit issued: May 19, 2015.

Permit No. 58150803. Enrique Vasquez, (417 South Main Street, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Middle Branch Wyalusing Creek to Wyalusing Creek. Application received: December 30, 2014. Permit issued: May 19, 2015.

Permit No. 58150803GP104. Enrique Vasquez, (417 South Main Street, Montrose, PA 18801), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58150803 in Forest Lake Township, **Susquehanna County**, receiving stream: Middle Branch Wyalusing Creek to Wyalusing Creek. Application received: December 30, 2014. Permit issued: May 19, 2015.

Permit No. 4873SM3GP104. Kinsley Construction, Inc., (PO Box 2886, York, PA 17405), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 4873SM3C3 in Springettsbury Township, **York County**, receiving stream: Codorus Creek. Application received: May 8, 2015. Permit issued: May 19, 2015.

Permit No. 58122510 and NPDES Permit No. PA0225312. Nittany Nova Aggregates, LLC, (2840 West Clymer Road, Suite 400, Telford, PA 18969), commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 10.0 acres in New Milford Township, **Susquehanna County**, receiving stream: unnamed tributary to Beaver Creek. Application received: July 10, 2012. Permit issued: May 20, 2015.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Issued

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

14154104. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866). Blasting for commercial development located in Spring Township, **Centre County** with an expiration date of May 1, 2016. Permit issued: May 13, 2015.

53154001. Command Equipment, LLC (7324 State Route 54, Bath, NY 14810). Blasting for seismic exploration in Allegany, Ulysses, Eulalia, Hebron and Sweden Townships, **Potter County** with an expiration date of July 31, 2015. Permit issued: May 21, 2015.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

63154002. KESCO, Inc. (215 South Main Street, Zelenople, PA 16063). Blasting activity permit for the construction of the Rice Energy Gas Well Pad, to conduct seismic activity located in Somerset and West Pike Run Townships, **Washington County**, with an exploration date of July 15, 2015. Blasting permit issued: May 18, 2015.

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

Permit No. 40154104. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Grimes Industrial Park FedEx site in Pittston Township, **Luzerne County** with an expiration date of April 30, 2016. Permit issued: May 19, 2015.

Permit No. 40154105. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Latona Trucking South Main Street Project in Jenkins Township, **Luzerne County** with an expiration date of December 31, 2016. Permit issued: May 19, 2015.

Permit No. 54154101. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Lone Eagle access road in Foster Township, **Schuylkill County** May 11, 2016. Permit issued: May 19, 2015.

Permit No. 58154112. Midstream Explosives, LLC, (289 Southside Drive, Newville, PA 17241), construction blasting for Choconut to Schmidt Pipeline in Apolacon Township, **Susquehanna County** with an expiration date of May 8, 2016. Permit issued: May 19, 2015.

Permit No. 22154103. M & J Explosives, LLC, (P. O. Box 1248, Carlisle, PA 17013), construction blasting for Apple Creek in Susquehanna Township, **Dauphin County** with an expiration date of May 18, 2016. Permit issued: May 21, 2015.

Permit No. 36154118. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Elmer Kaufman chicken house in West Cocalico Township, **Lancaster County** with an expiration date of July 31, 2015. Permit issued: May 21, 2015.

Permit No. 45154102. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting at Skytop Lodge in Barrett Township, **Monroe County** with an expiration date of May 20, 2016. Permit issued: May 21, 2015.

Permit No. 67154107. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for 83 Trade Center in East Manchester Township, **York County** with an expiration date of November 3, 2015. Permit issued: May 21, 2015.

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 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

E40-754. Michael E. Daley, 3261 Lakeview Drive, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 609 sq. ft. lakehouse/dock expansion to the existing 1,015 sq. ft. lakehouse within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 295, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°21'4.6"; Longitude: -76°2'27.7"). Subbasin: 4G.

E40-762. Gregory M. Hughes, 1305 Songbird Drive, Frazier Park, CA 93225. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 1,810 sq. ft. boathouse/dock within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 65, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°22'17"; Longitude: -76°02'21"). Subbasin: 4G.

E40-756. Susan Kaufer, 930 Maple Street, Shavertown, PA 18708. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 1,075 square foot lakehouse abutting an existing 642 square foot boat dock having a combined surface area of 1,717 square feet within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 73, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41° 22' 24"; Longitude: -76° 02' 08") in Harveys Lake Borough, Luzerne County. Subbasin 4G.

E52-243. Tennessee Gas Pipeline Company, LLC, 101 Louisiana Street, Suite 1460A, Houston, TX 77002. Lackawaxen Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an electrical monitoring wire known as "cathodic protection" through approximately 750 linear feet of wetlands for an existing petroleum pipeline. The project will temporarily impact approximately 0.25 acre of wetlands. The cathodic protection consists of an electrical wire contained in a 2-inch PVC conduit. The project is located approximately 0.15 mile south of the intersection of West Shore Drive and Welcome Lake Road (Narrowsburg, NY-PA Quadrangle Latitude: 41°30'37.22"; Longitude: -75°6'10.98") Subbasin 1B.

E40-753. George Nahas, 55 Butler Street, Kingston, PA 18708. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing 1,195 sq. ft. dock and to construct and maintain a 1,895 sq. ft. boathouse/dock within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 211, Lakeside Drive (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 51"; Longitude: -76° 3' 16") Harveys Lake Borough, Luzerne County. Subbasin 4G.

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

E22-612: Steelton Borough Authority, 123 North Front Street, Steelton, PA 17113 in Steelton Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain an Electrical Generator with pad within the floodplain of the Susquehanna River (WWF, MF). The permit was issued on May 18, 2015.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA

E5729-076: Regency Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Fox Township, **Sullivan County**, ACOE Baltimore District. To construct, operate, and maintain:

1) a temporary road crossing using a timber mat bridge, a 24 inch diameter steel gas line, and a 12 inch HDPE water line impacting 3,672 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 1,231 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'27"N, 76°48'17"W);

2) a temporary road crossing using a timber mat bridge, a 24 inch diameter steel gas line, a 12 inch diameter HDPE water line impacting 61 linear feet of an unnamed tributary to Schrader Creek (EV) and 51 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'27"N, 76°48'14"W);

3) a temporary road crossing using a timber mat bridge, a 24 inch diameter steel gas line, and a 12 inch diameter HDPE water line impacting 77 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'14"N, 76°47'31"W);

4) a 24 inch diameter steel gas line and a 12 inch diameter HDPE water line crossing by way of horizontal directional drill impacting 3 linear feet of an unnamed tributary to Schrader Creek (EV) and 39 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'10"N, 76°47'18"W);

5) a 24 inch diameter steel gas line and a 12 inch diameter HDPE water line crossing by way of horizontal directional drill impacting 259 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'11"N, 76°47'17"W);

6) a 24 inch diameter steel gas line and a 12 inch diameter HDPE water line crossing by way of horizontal directional drill impacting 3 linear feet under an unnamed tributary to Schrader Creek (EV) and 428 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'11"N, 76°47'15"W);

7) a temporary road crossing using a timber mat bridge, a 24 inch diameter steel gas line, and a 12 inch diameter HDPE water line impacting 4,424 square feet of a palustrine forested (PFO) wetland and 1,542 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'12"N, 76°47'02"W);

8) a temporary road crossing using a timber mat bridge, a 24 inch diameter steel gas line, and a 12 inch diameter HDPE water line impacting 10,513 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'12"N, 76°46'49"W);

9) a 24 inch diameter steel gas line and a 12 inch diameter HDPE water line crossing by way of horizontal directional drill impacting 1,944 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 582 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 3 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'13"N, 76°46'32"W);

10) a 24 inch diameter steel gas line and a 12 inch diameter HDPE water line crossing by way of horizontal directional drill impacting 3 linear feet of an unnamed tributary to Schrader Creek (EV), 3 linear feet of an unnamed tributary to Schrader Creek (EV), 1,422 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 270 square feet under an exceptional value palustrine emergent (EV-PEM) wetland, and 3 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'13"N, 76°46'25"W);

11) a temporary road crossing using a timber mat bridge, a 16 inch diameter steel gas line, and a 12 inch diameter HDPE water line impacting 61 linear feet of an unnamed tributary to Schrader Creek (EV) and 4,208 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°34'52"N, 76°44'34"W);

12) a temporary road crossing using a timber mat bridge, a 16 inch diameter steel gas line, and a 12 inch diameter HDPE water line impacting 4,300 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland and 21 linear feet of an unnamed tributary to Schrader Creek (EV) (Shunk, PA Quadrangle 41°34'53"N, 76°43'41"W);

13) a temporary road crossing using a timber mat bridge impacting 18 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 1,112 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 99 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'17"N, 76°47'27"W);

14) a temporary road crossing using a timber mat bridge impacting 3,291 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 5,362 square

feet of an exceptional value palustrine emergent (EV-PEM) wetland (Grover, PA Quadrangle 41°34'13"N, 76°46'35"W);

15) a temporary road crossing using a timber mat bridge impacting 32 linear feet of an unnamed tributary to Schrader Creek (EV), 3,133 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 5,057 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 31 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'16"N, 76°46'33"W);

16) a temporary road crossing using a timber mat bridge impacting 21 linear feet of an unnamed tributary to Schrader Creek (EV) (Shunk, PA Quadrangle 41°34'41"N, 76°44'33"W);

17) a temporary road crossing using a timber mat bridge impacting 21 linear feet of an unnamed tributary to Schrader Creek (EV) and 619 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Shunk, PA Quadrangle 41°34'45"N, 76°44'33"W);

18) a permanent road crossing using a 20 foot long 12 inch diameter Smooth Lined Corrugated Plastic Pipe impacting 20 linear feet of an unnamed tributary to Schrader Creek (EV) and 8 evenly spaced 6 inch diameter HDPE pipes impacting 845 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°34'36"N, 76°44'20"W);

19) a permanent road crossing using 6 evenly spaced 6 inch diameter HDPE pipes impacting 508 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°34'35"N, 76°44'00"W);

20) a permanent road crossing using 6 evenly spaced 6 inch diameter HDPE pipes impacting 19 linear feet of an unnamed tributary to Schrader Creek (EV) and 1,003 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°34'35"N, 76°43'51"W).

A total of 29,885 square feet (0.69 acre) of permanent wetland impacts, 25,897 square feet (0.59 acre) of temporary wetland impacts, 39 linear feet of permanent stream impacts, and 493 linear feet of temporary stream impacts will result from the installation of a steel gas line, a HDPE water line, and associated access roadways in Fox Township, Sullivan County. The permittee will provide 1.04 acre of compensatory wetland mitigation at the Tunkhannock Viaduct Mitigation Site (Factoryville, PA Quadrangle 41°37'11"N 75°46'22"W) in Nicholson Township, Wyoming County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also

available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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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.

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

| <i>ESCGP No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|---|---------------|--|--|
| ESCGP22213801-2 | Texas Eastern Transmission, LP 890 Winter Street, Suite 300 Waltham, MA 02451 | Dauphin | Middle Paxton Township and West Hanover Township | Fishing Creek/ WWF, MF and Stony Creek/ WWF, MF |

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481
Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501*

| <i>ESCGP-2 No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------------|--|---------------|---|--|
| ESG00 019 15 0002 | Columbia Midstream Group LLC 5151 San Filipe, Suite 2500 Houston, TX 77056 | Butler | Connoquenessing Boro, Connoquenessing Twp, Forward, Jackson & Penn Twps | UNT Connoquenessing Creek CWF, WWF and Connoquenessing Creek CWF, WWF and Thorn Creek CWF |
| ESG00 019 15 0002 | MarkWest Liberty Bluestone LLC c/o Mr. Rick Lowry 4600 J. Barry Court, Suite 500 Canonsburg, PA 15317 | Butler | Jackson & Lancaster Townships | UNT Connoquenessing Creek WWF and Connoquenessing Creek WWF |

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

ESCGP-2 #ESG15-019-0013 Polaris Well Pad
Applicant EM Energy Pennsylvania LLC
Contact Hugh Caperton
Address 1800 Main Street Suite 220
City Canonsburg State PA Zip Code 15317
County Butler Township Oakland
Receiving Stream(s) and Classification(s) Trib 35304 and 35299 to Pin Run/Connoquenessing Creek

ESCGP-2 #ESG15-019-0002 Mourer to McCall Gas Pipeline
Applicant Mountain Gathering LLC
Contact Mr. Dewey Chalos
Address 810 Houston Street
City Fort Worth State TX Zip Code 76102
County Butler Township(s) Donegal(s)
Receiving Stream(s) and Classification(s) UNT to Buffalo Creek (HQ—CWF)/Buffalo Creek

ESCGP-2 #ESX14-047-0015—G11-G Major Modification
Applicant Seneca Resources Corporation
Contact Doug Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County Elk Township(s) Ridgway Township and City of St Marys
Receiving Stream(s) and Classification(s) UNTs to Clario River (CWF); UNTs to Powers Run (CWF); Seventy One

and UNT to Seventy One (CWF): Water Tank Run (CWF) and UNTs to Water TANK Run (CWF), Silver Run (CWF)

ESCGP-2 #ESG15-047-0001—E09-M
Applicant Seneca Resources Corporation
Contact Doug Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County Elk Township(s) Jones(s)
Receiving Stream(s) and Classification(s) Briggs Hollow, Trib 50777 to South Fork Straight Creek, Carson Hollow HQ—CWF, EV South Fork Straight Creek

ESCGP-2 #ESG15-019-0014—Briston Well Pad
Applicant XTO Energy, Inc.
Contact Melissa Breitenbach
Address 190 Thorn Hill Road
City Warrendale State PA Zip Code 15086
County Butler Township(s) Butler and Penn(s)
Receiving Stream(s) and Classification(s) UNT to Thorn Creek CWF, UNT to Butcher Run WWF, Connoquenessing Creek Watershed, Beaver River

ESCGP-2 #ESX15-073-0002—Moretto Well Pad
Applicant Hilcorp Energy Company
Contact Stephanie McMurray
Address 1201 Louisiana Street, Suite 1400
City Houston State TX Zip Code 77002
County Lawrence Township(s) Neshannock(s)
Receiving Stream(s) and Classification(s) UNT to the Shenango River/Shenango River

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

ESCGP-2 # ESG29-117-15-0007
Applicant Name Talisman Energy USA Inc
Contact Person Ben Younkin
Address 337 Daniel Zenker Dr
City, State, Zip Horseheads, NY 14845
County Tioga

Township(s) Bloss & Liberty
Receiving Stream(s) and Classification(s) Watersheds:
Zimmerman Creek (#21318—HQ, CWF, MF); Blacks
Creek (#21363—CWF, MF); Sawmill Creek (#31469—
CWF, MF, NRT); Bellman Run (#31455—CWF, MF,
NRT); Flower Run (#31457—CWF, MF, NRT); and
Johnson Creek (#31443—CWF, MF, NRT)
Secondary—Bellman Run (CWF, MF, NRT)

ESCGP-2 # ESX10-035-0014(01)
Applicant Name Anadarko E & P Onshore LLC
Contact Person Rane A Wilson
Address 33 W Third St, Suite 200
City, State, Zip Williamsport, PA 17701
County Clinton
Township(s) Grugan
Receiving Stream(s) and Classification(s) UNT to Right
Branch Hyner Run (HQ—CWF, MF)
Secondary—Right Branch Hyner Run (HQ—CWF, MF)

ESCGP-2 # ESX10-081-0048
Applicant Name XTO Energy Inc
Contact Person Stacey Vehovic
Address 395 Airport Rd
City, State, Zip Indiana, PA 15701
County Lycoming
Township(s) Moreland
Receiving Stream(s) and Classification(s) German Run—
CWF
Secondary—Little Muncy Creek (CWF, MF)

ESCGP-2 # ESX29-115-15-0020
Applicant Name Angelina Gathering Co LLC
Contact Person Tory Thompson
Address 1000 Energy Drive
City, State, Zip Spring, TX 77389-4954
County Susquehanna
Township(s) Oakland, Great Bend, Jackson
Receiving Stream(s) and Classification(s) Lewis Creek,
Bedbug Brook; UNTs to Deacon Brook, Drinker Creek,
Lewis Creek and Bedbug Brook—CWF, MF
Secondary—Susquehanna River

ESCGP-2 # ESX09-115-0019(01)
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Susquehanna
Township(s) Auburn
Receiving Stream(s) and Classification(s) UNT to Little
Meshoppen Creek, a Trib to Meshoppen Creek (CWF,
MF) & Little Meshoppen Creek, a Trib to Meshoppen
Creek (CWF, MF)
Secondary—Little Meshoppen Creek, a Trib to Meshop-
pen Creek (CWF, MF) & Meshoppen Creek (CWF, MF)

ESCGP-2 # ESX29-115-14-0124
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840

County Susquehanna
Township(s) Auburn
Receiving Stream(s) and Classification(s) UNT to Little
Meshoppen Creek, a Trib to Meshoppen Creek (CWF,
MF)
Secondary—Little Meshoppen Creek, a Trib to Meshop-
pen Creek (CWF, MF)

SPECIAL NOTICES

Intent to Issue Plan Approval—IPAOP

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

AMS 15042: Envirowaste, LLC, (13 Pattison Avenue, Philadelphia, PA 19148) for installation of an asphalt grinder and a jaw crusher for processing construction and demolition waste. The jaw crusher and asphalt grinder are both powered by diesel engines. Particulate Matter (PM) emissions from the exhaust from the grinder and the crusher and the engines shall not exceed 2.60 tons/year. There will be potential Non-Methane Hydrocarbon and Nitrogen Oxides (NMHC+NO_x) emissions of 15.7 tons/year. Carbon Dioxide (CO) emissions will have a potential of 12.4 tons/year. Total HAP emissions potential is less than 0.1 ton/year.

The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) has administratively amended Minor State Only Operating Permit for the following facility:

S11-028A: Kinder Morgan—Point Breeze Terminal (6310 West Passyunk Ave Street Philadelphia, PA 19153) for the operation of a gasoline loading terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include a gasoline and distillate truck loading rack, 6 gasoline storage tanks, 1 distillate storage tanks, 1 biodiesel storage tank, 2 additive tanks, and fugitive emissions from piping components. The gasoline and distillate loading racks vents to a vapor recovery unit. The permit was administratively amended to reflect the change in ownership, permit contact, and responsible official.

Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Acting Chief of Source Registration, 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) issued a Minor State Only Operating Permit for the following facility:

S14-007: Kirkbride Center, (111 North 49th Street, Philadelphia, PA 19139) for the operation of a psychiatric hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes three 16.7 MMBTUs/hr boilers, three emergency generators, and one emergency sprinkler pump.

Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief of Source Registration, 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) issued a Minor State Only Operating Permit for the following facility:

S14-010: St. Christopher’s Hospital for Children, LLC, (Erie Avenue at Front Street, Philadelphia, PA 19134) for the operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility’s air emission source includes one (1) 200 Hps boiler, one (1) 300 Hps boiler, one (1) 500 Hps boiler, two (2) less than 50 Hps boilers, two (2) 1,520 Hps emergency generators, and two (2) emergency generators less 500 Hps.

102/NPDES Stormwater and 105/Water Obstruction & Encroachment Public Hearing

The Department of Environmental Protection (Department) Waterways and Wetlands Program will be holding a fact finding hearing for the Chapter 102/NPDES Construction Permit Application No. PAI01151214 and Chapter 105/Water Obstruction and Encroachment Application E15-824, submitted by the Pennsylvania Turnpike Commission (700 South Eisenhower Blvd., Middletown, PA 17057) for the Widening and Reconstruction Project between Milepost 320 and 326 located in Tredyffrin Township, Chester County and Upper Merion Township, Montgomery County. The project proposes discharges of stormwater into Valley Creek (EV) and Trout Creek (WWF).

The hearing is tentatively scheduled for the week of July 13, 2015. The hearing will be held at approximately 7:00 p.m. The location will be in the Tredyffrin Township area. More precise information on the date and location of the hearing will be provided in a follow-up public notice.

The hearing is being held due to public interest in the project and to solicit pertinent comments on these applications. Copies of the applications are available for review in the Southeast Regional Office’s Record Management Section, 2 East Main Street, Norristown, PA 19401 (484) 250-5910. The NPDES Application is also available for review at the Chester County Conservation District located at 688 Unionville Rd #200, Kennett Square, PA 19348 (610) 925-4920. Those interested in reviewing the applications should call to schedule a date to review the file.

Comments received will be considered by the Department in completing its review and prior to taking final actions concerning any of the applications. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Man-

ager, Waterways and Wetlands Program, PA DEP, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. The notice should include your name, address and phone number, whether you are opposed or in favor of the project and a brief statement about your presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 5 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group’s concern. Anyone wishing to present written material directly to the Department may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact DEP Waterways and Wetlands Program at (484) 250-5160. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Approval of Source Water Protection Plan

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

Salisbury Commission Water Works (Public Water Supply), **Somerset County**: On May 18, 2015, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for Salisbury Commission Water Works. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect this water source for their community. Development of the SWP Plan was completed with assistance from PA DEP’s Source Water Protection Technical Assistance Program.

Environmental Assessment

Northwest Regional Office, Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335

Location: Taylor Township, Lawrence County, 218 Industrial Street, P. O. Box 489, West Pittsburgh, PA 16160

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth’s State Revolving Fund, is intended to be the funding source for this project. Taylor Township proposes upgrades to their existing wastewater treatment plant. The Department’s review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

General Permit Type—PAG-02

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

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|----------------------------------|-------------------|---|-------------------------------|---------------------------------------|
| Perry Twp., Jefferson Co. | 24331401 | Cookport Coal Co., Inc. 425 Market Street, Kittanning, PA 16201 | Unnamed tributary to Rose Run | Knox District Office 814.797.1191 |

[Pa.B. Doc. No. 15-1062. Filed for public inspection June 5, 2015, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting Cancellation

The Air Quality Technical Advisory Committee (Committee) meeting scheduled for Thursday, June 11, 2015, has been cancelled. The next Committee meeting is scheduled for Thursday, August 6, 2015, at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

For additional information or questions concerning the next scheduled Committee meeting, contact Alex Haas, (717) 772-9495, alehaas@pa.gov. The agenda and materials for the August 6, 2015, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (Select "Public Participation Center," then "Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Alex Haas at (717) 787-9495 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-1063. Filed for public inspection June 5, 2015, 9:00 a.m.]

Chesapeake Bay Management Team Meeting

The Department of Environmental Protection (Department) will hold a meeting of the Chesapeake Bay Management Team on Thursday, June 18, 2015, at 1 p.m. in Susquehanna Rooms A and B at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA.

Questions concerning the meeting can be directed to Rhonda Manning, (717) 772-4472, rmanning@pa.gov. The agenda and meeting materials for the meeting will be available through the Department's web site at www.dep.state.pa.us (Select "Public Participation Center," then "Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Rhonda Manning at (717) 772-4472 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-1064. Filed for public inspection June 5, 2015, 9:00 a.m.]

Draft Program Assessment and Strategy under Section 309 of the Coastal Zone Management Act; Availability for Public Comment

Pennsylvania's Coastal Resources Management Program has developed a draft Section 309 Assessment and Strategy in accordance with section 309 of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1456b), as amended in 1990 and 1996. This assessment

is part of a voluntary coastal zone enhancement grants program (program) that encourages states and territories to develop program changes in one or more of the following nine coastal enhancement areas: coastal wetlands; coastal hazards; public access; marine debris; cumulative and secondary impacts; special area management planning; ocean/Great Lakes resources; energy and government facility siting and activities; and aquaculture. Under this program, the United States Secretary of Commerce is authorized to make awards to states and territories to develop and submit for Federal approval program changes that support attainment of the objectives of one or more of the enhancement areas. The National Oceanic and Atmospheric Administration has provided preliminary comments on the draft Section 309 Assessment and Strategy.

The draft Section 309 Assessment and Strategy is available on the Department of Environmental Protection's web site at www.dep.state.pa.us (DEP Keyword: Coastal Zone) or can be obtained by contacting the Department of Environmental Protection Interstate Waters Office at (717) 772-4785.

Interested persons may submit written comments on the draft Section 309 Assessment and Strategy by July 7, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Comments should be submitted in writing to Kevin Hess, Department of Environmental Protection, Interstate Waters Office, P. O. Box 8465, Harrisburg, PA 17105-8465, khess@pa.gov.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-1065. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Blue Bell Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Blue Bell Surgery Center has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1066. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of Gettysburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 3.6-3.7.1 (relating to support areas for staff).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1067. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of JC Blair Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that JC Blair Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-6.3.5.1, 3.1-6.3.5.2, 2.2-3.4.2.1(1)(b), 2.2-3.4.4.2(2), 2.2-3.4.4.7 and 2.2-3.4.5.4.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1068. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of Lock Haven Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lock Haven Hospital has requested an exception to the requirements of 28 Pa. Code § 107.61 (relating to written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1069. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of Milton S. Hershey Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Milton S. Hershey Medical Center has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires

compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 2.1-8.5.3.2 and 2.1-8.5.3.4(1) (relating to Technology Distribution Room (TDR) sizes; and Technology Distribution Room (TDR) facility requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1070. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of North East Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that North East Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(3) (relating to criteria for ambulatory surgery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and

Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1071. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of The Surgery Center at Limerick for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Surgery Center at Limerick has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1072. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of Surgery Center of the Main Line for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgery Center of the Main Line has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1073. Filed for public inspection June 5, 2015, 9:00 a.m.]

Application of Wilkes-Barre General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wilkes-Barre General Hospital has requested an extension to their current exception to the requirements of 28 Pa. Code § 101.31(7) (relating to hospital requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1074. Filed for public inspection June 5, 2015, 9:00 a.m.]

Emergency Medical Services Patient Care Reports Data Elements, Form Specifications and Essential Patient Information for Transmission at Patient Transfer

Under 28 Pa. Code §§ 1021.41 and 1021.43 (relating to EMS patient care reports; and vendors of EMS patient care reports), the Department of Health has the authority to publish in the *Pennsylvania Bulletin*, and update as necessary: (a) a list of data elements and form specifications for emergency medical services (EMS) patient care

reports (PCR); (b) requirements that a vendor must satisfy to secure endorsement of the vendor's software by the Bureau of Emergency Medical Services; (c) a designation of data items for the PCR that are confidential; and (d) patient information in the PCR designated as essential for immediate transmission to the receiving facility for patient care.

The notice relating to EMS PCRs published at 39 Pa.B. 68 (January 3, 2009) remains in effect.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Richard L. Gibbons, Bureau Director, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1075. Filed for public inspection June 5, 2015, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Avalon Springs Nursing Center
745 Greenville Road
Mercer, PA 16137
FAC ID # 132402

Hospitality Care Center of Hermitage, Inc.
3726 East State Street
Hermitage, PA 16148
FAC ID # 011302

Mountain City Nursing & Rehabilitation Center
P. O. Box 2307
403 Hazle Township Boulevard, Hazle Township
Hazleton, PA 18201
FAC ID # 085602

Pincrest Manor
763 Johnsonburg Road
Saint Marys, PA 15857
FAC ID # 010902

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

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommoda-

tion to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-1076. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Nursing Facility Assessment Program for Fiscal Year 2015-2016

This notice announces the proposed assessment amount, the proposed assessment methodology and the estimated aggregate impact on nursing facilities that will be subject to the assessment under the Nursing Facility Assessment Program beginning Fiscal Year (FY) 2015-2016.

Background

Article VIII-A of the Public Welfare Code (code) (62 P. S. §§ 801-A—815-A) authorizes the Department of Human Services (Department) to impose an annual monetary assessment on nonpublic and county nursing facilities in this Commonwealth each fiscal year. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P. S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Centers for Medicare and Medicaid Services (CMS) if necessary to implement the Assessment Program. See 62 P. S. § 812-A. For FY 2015-2016, the Department will submit a request to CMS for an amendment to the Assessment Program. The implementation of the changes to the Assessment Program is contingent on CMS's approval of the request.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary of the Department (Secretary) to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P. S. § 804-A. The code specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for FFP. See 62 P. S. § 804-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for a fiscal year. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P. S. § 805-A.

This notice announces the assessment amounts, rates and methodology that the Department is proposing to implement in FY 2015-2016 and the estimated aggregate impact on nursing facilities that will be subject to the assessment in FY 2015-2016.

Proposed Assessment Methodology and Rates

During FY 2015-2016, the Department is proposing to maintain the same assessment methodology that was used in FY 2014-2015, but for an adjustment to the qualifications for the assessment rates.

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2015-2016:

- (1) State-owned and operated nursing facilities.
- (2) Veteran's Administration nursing facilities.
- (3) Nursing facilities that have not been licensed and operated by the current or previous owner for the full calendar quarter prior to the calendar quarter in which an assessment is collected.
- (4) Nursing facilities that provide nursing facility services free of charge to all residents.

Under the proposed rate structure, the Department will assess nonexempt nursing facilities at two rates. One rate will apply to four categories of nursing facilities: county nursing facilities; nursing facilities that have 44 or fewer licensed beds; certain Continuing Care Retirement Community (CCRC) nursing facilities (see 40 Pa.B. 7297 (December 18, 2010)); and nursing facilities with an MA occupancy rate of at least 94% based on the 4 most recently submitted assessment quarter reports for each nursing facility as of November 5, 2014. Previously, nursing facilities with an MA occupancy rate of at least 94% did not qualify for this rate unless they qualified under the existing three categories.

Since the Nursing Facility Assessment Program began in 2003, the Department has requested and CMS has approved a waiver of the broad based and uniformity requirements under 42 CFR 433.68 (relating to permissible health care-related taxes) for each State fiscal year (SFY) thereby avoiding any reduction in FFP. When submitting the waiver request, the Department must demonstrate, among other things, that the assessment is generally redistributive using the statistical test described in 42 CFR 433.68(e)(2). Generally, to meet the test a certain proportion of high MA utilization facilities must be exempt or assessed at a lower rate. Due to the number of former county nursing facilities that are now assessed at a higher rate because of a change of ownership from county ownership to a nonpublic nursing facility provider, the Department is proposing that nursing facilities with an MA occupancy rate of at least 94% qualify for the lower assessment rate to ensure the value of the statistical test (B1/B2) previously referenced is at least 1 and thereby ensuring CMS's approval of the waiver request for SFY 2015-2016.

A nursing facility's MA occupancy rate for the purpose of qualifying for the lower assessment rate will be calculated as follows: MA Occupancy Rate = Sum of Total Pennsylvania MA Days from each of the four quarters ÷ Sum of Total Resident Days from each of the four quarters, rounded to two decimals.

The other rate will apply to all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010. Using the applicable rate, the Department will calculate each nonexempt facility's quarterly assessment amount by multiplying its assessment rate by the facility's non-Medicare resident days during the calendar quarter that immediately preceded the assessment quarter.

The Department also proposes to increase the assessment rate for nonexempt nursing facilities in the higher

rate tier from the rate in FY 2014-2015. The proposed assessment rates for FY 2015-2016 are as follows:

(1) For county nursing facilities, for nursing facilities that have 44 or fewer licensed beds, for grandfathered CCRC nursing facilities and nursing facilities with an MA occupancy rate of at least 94% based on the latest 4 assessment quarters for each nursing facility as of November 5, 2014, the assessment rate will be \$8.01 per non-Medicare resident day.

(2) For all other nonexempt nursing facilities, the assessment rate will be \$30.06 per non-Medicare resident day.

Before proposing this change and determining the assessment rates to be applied in FY 2015-2016, the Department met with representatives of the nursing facility industry to discuss the need to modify the assessment to comply with Federal requirements and to obtain their input on various alternatives. The Department used this input in developing the proposed changes. These changes will ensure that the assessment program continues to achieve its intended purpose of generating revenue to support medical assistance payments to nursing facilities while minimizing any potential financial harm to nursing facilities.

Aggregate Assessment Amounts and Fiscal Impact

The Department estimates that if the proposed assessment rates are implemented the annual aggregate assessment fees for nonexempt nursing facilities will total \$485.035 million. The Department will use the State revenue derived from the assessment fees and any associated FFP to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments must be submitted within 30 days of publication of the notice. See 62 P. S. § 805-A. After considering the comments, the Secretary will publish a second notice announcing the final assessment rates for FY 2015-2016. The Department will not begin collecting assessment fees until after the publication of the final assessment rate notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-951. (1) General Fund; (2) Implementing Year 2014-15 is \$0; (3) 1st Succeeding Year 2015-16 is -\$485,035,000; 2nd Succeeding Year 2016-17 through 5th Succeeding Year 2019-2020 are \$0; (4) 2013-14 Program—\$820,409,000; 2012-13 Program—\$770,903,000; 2011-12 Program—\$737,356,000; (7) MA—Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 15-1077. Filed for public inspection June 5, 2015, 9:00 a.m.]

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Hyaluronic Acid Agents, Idiopathic Pulmonary Fibrosis Agents and Santyl Ointment to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Public Welfare Code (62 P. S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Hyaluronic Acid Agents, Idiopathic Pulmonary Fibrosis Agents and Santyl Ointment. These prior authorization requirements apply to prescriptions dispensed on or after June 15, 2015.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications previously listed.

Fiscal Impact

It is anticipated that this change will result in minimal savings in the MA—Outpatient appropriation.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-950. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 15-1078. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Determination of the Average Wholesale Price of Prescription Drugs by the Department

Under 34 Pa. Code § 127.131(b) (relating to payments of prescription drugs and pharmaceuticals—generally) the Department of Labor and Industry, Bureau of Workers' Compensation, gives notice that it utilizes the *Red Book*, published by Truven Health Analytics, to determine the average wholesale price of prescription drugs.

KATHY MANDERINO,
Secretary

[Pa.B. Doc. No. 15-1079. Filed for public inspection June 5, 2015, 9:00 a.m.]

Range of Fees and Average Fee Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy) the Department of Labor and Industry (Department), Bureau of Workers' Compensation, gives notice of the range of fees charged by Utilization Review Organizations (URO) and Peer Review Organizations (PRO) for services performed under the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2708) during 2014. The Department further provides notice of the average fee charged by each URO and PRO during 2014.

KATHY MANDERINO,
Secretary

2014 URO Minimum—Maximum Fee

| <i>URO/PRO</i> | <i>Minimum Fee</i> | <i>Maximum Fee</i> |
|----------------------------------|--------------------|--------------------|
| Alico Services LTD | \$142.50 | \$4,632.96 |
| American Review Systems Inc. | \$320.00 | \$4,112.27 |
| CAB Medical Consultants | \$350.00 | \$3,431.54 |
| Caduceus Lex Medical Auditing | \$84.41 | \$4,176.50 |
| CEC Inc. | \$387.00 | \$3,848.35 |
| Chiro Med Review Co. | \$192.49 | \$5,242.00 |
| Denovo Management | \$50.00 | \$3,107.00 |
| DLB Services | \$156.47 | \$3,327.35 |
| Hajduk & Assoc. URO/PRO Ser. | \$211.90 | \$4,832.70 |
| Industrial Rehabilitation Assoc. | \$325.00 | \$3,525.00 |
| KVS Consulting Services | \$227.11 | \$3,982.30 |
| Laurel Reviews | \$339.22 | \$3,829.10 |
| Margroff Review Services | \$231.74 | \$4,840.05 |
| McBride & McBride Associates | \$378.29 | \$2,834.04 |
| Quality Assurance Reviews Inc. | \$582.00 | \$5,110.00 |
| Rehabilitation Planning | \$1,119.44 | \$1,166.75 |
| T & G Reviews | \$1.00 | \$3,953.18 |
| Uniontown MRPC | \$133.95 | \$3,072.79 |

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

| | |
|-----------------------------|------|
| \$10 w/ FLYING MONKEY | \$10 |
| \$10 | \$10 |
| \$10 × 2 | \$20 |
| \$20 w/ FLYING MONKEY | \$20 |
| \$20 | \$20 |
| \$20 × 2 | \$40 |
| (\$10 w/ FLYING MONKEY) × 4 | \$40 |
| \$40 | \$40 |
| \$10 × 5 | \$50 |

| <i>URO/PRO</i> | <i>Minimum Fee</i> | <i>Maximum Fee</i> |
|-----------------------------------|--------------------|--------------------|
| Watson Review Services | \$230.51 | \$3,909.77 |
| West Penn IME Inc. | \$421.09 | \$5,178.13 |
| Total Averages (year 2014) | \$319.21 | \$3,905.59 |

34 Pa. Code § 127.667(b): The Bureau will publish in the *Pennsylvania Bulletin*, on an annual basis, the range of fees charged by each URO and PRO for services performed under the act and this chapter during the preceding year.

[Pa.B. Doc. No. 15-1080. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania The Wizard of Oz™ Instant Lottery Game; Change to Game Rules; Amended Notice

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania The Wizard of Oz™ instant lottery game rules that were published at 45 Pa.B. 1465 (March 21, 2015).

The Pennsylvania Lottery executed a partial reorder comprising an additional 2,880,000 Pennsylvania The Wizard of Oz™ tickets. With this increased quantity of tickets, there will also be an additional number of cash prize winners and Entry-doubler Prizes within the Second-Chance Game for The Wizard of Oz™. Also, one additional grand prize second-chance drawing will be added. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 1465—1470:

* * * * *

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,480,000 tickets will be printed for the Pennsylvania The Wizard of Oz™ instant lottery game.

* * * * *

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 12,480,000 Tickets:</i> |
|-----------------------------------|---|
| 12 | 1,040,000 |
| 12 | 1,040,000 |
| 60 | 208,000 |
| 30 | 416,000 |
| 40 | 312,000 |
| 600 | 20,800 |
| 200 | 62,400 |
| 600 | 20,800 |
| 600 | 20,800 |

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

| Win: | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 12,480,000 Tickets: | |
|---|----------------------------|--|--------|
| (((\$20 w/ FLYING MONKEY) × 2) + (\$10 w/ FLYING MONKEY)) | \$50 | 150 | 83,200 |
| \$50 | \$50 | 600 | 20,800 |
| POPPY w/ ((\$10 × 5) + (\$5 × 10)) | \$100 | 150 | 83,200 |
| \$50 × 2 | \$100 | 600 | 20,800 |
| (\$10 w/ FLYING MONKEY) × 10 | \$100 | 600 | 20,800 |
| \$10 w/ RED MATCH | \$100 | 200 | 62,400 |
| \$100 | \$100 | 600 | 20,800 |
| POPPY w/ ((\$20 × 5) + (\$10 × 10)) | \$200 | 2,182 | 5,720 |
| \$50 × 4 | \$200 | 6,000 | 2,080 |
| \$100 × 2 | \$200 | 4,000 | 3,120 |
| (\$20 w/ FLYING MONKEY) × 10 | \$200 | 6,000 | 2,080 |
| \$20 w/ RED MATCH | \$200 | 3,429 | 3,640 |
| \$200 | \$200 | 12,000 | 1,040 |
| POPPY w/ ((\$40 × 10) + (\$20 × 5)) | \$500 | 3,429 | 3,640 |
| \$100 × 5 | \$500 | 12,000 | 1,040 |
| (((\$50 w/ FLYING MONKEY) × 8) + (\$20 w/ FLYING MONKEY) × 5) | \$500 | 12,000 | 1,040 |
| \$50 w/ RED MATCH | \$500 | 2,182 | 5,720 |
| \$500 | \$500 | 12,000 | 1,040 |
| POPPY w/ ((\$100 × 5) + (\$50 × 10)) | \$1,000 | 17,143 | 728 |
| \$500 × 2 | \$1,000 | 60,000 | 208 |
| (\$200 × 4) + (\$100 × 2) | \$1,000 | 60,000 | 208 |
| (\$100 w/ FLYING MONKEY) × 10 | \$1,000 | 17,143 | 728 |
| \$100 w/ RED MATCH | \$1,000 | 40,000 | 312 |
| \$1,000 | \$1,000 | 40,000 | 312 |
| (\$1,000 w/ FLYING MONKEY) × 10 | \$10,000 | 320,000 | 39 |
| \$10,000 | \$10,000 | 320,000 | 39 |
| \$20,000 | \$20,000 | 320,000 | 39 |
| \$300,000 | \$300,000 | 960,000 | 13 |

* * * * *

10. *Second-chance drawing:* Pennsylvania Lottery’s Second-Chance Game for The Wizard of Oz (hereafter, the “Game”).

* * * * *

(b) *Participation and Entry:*

* * * * *

(3) The entry period for the Game begins after 11:59:59 p.m. March 22, 2015 and ends at 11:59:59 p.m. August 27, 2015. All time references are Eastern Prevailing Time.

* * * * *

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

* * * * *

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Grand Prize drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

| Qualifying Ticket | Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets: | | | |
|-------------------|---|------------|-------------|-------------|
| | \$25 Prize | \$50 Prize | \$100 Prize | \$250 Prize |
| The Wizard of Oz™ | 17,989 | 8,994 | 3,598 | 1,799 |

| Qualifying Ticket | Approximate Odds of Winning An Instant Prize are 1 in: | | | |
|-------------------|--|------------|-------------|-------------|
| | \$25 Prize | \$50 Prize | \$100 Prize | \$250 Prize |
| The Wizard of Oz | 500 | 1,000 | 2,500 | 5,000 |

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry Doubler, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries equal to the purchase price of the Qualifying Ticket entered for the Grand Prize drawing. The following table sets forth the approximate number of Entry Doublers and the approximate odds of winning an Entry-doubler Prize:

| <i>Qualifying Ticket</i> | <i>Approximate Number of Entry Doubler Winners</i> | <i>Approximate Odds Are 1 in:</i> |
|--------------------------|--|-----------------------------------|
| The Wizard of Oz | 2,248,604 | 4 |

(4) The Lottery will conduct two Grand Prize Drawings from among all the entries received during the entry period. All The Wizard of Oz™ Grand Prize Drawings entries received after 11:59:59 p.m. March 22, 2015, through 11:59:59 p.m. June 11, 2015, will be entered into The Wizard of Oz™ Grand Prize Drawing #1. The first entry selected in the Grand Prize Drawing #1 will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between June 12, 2015 and June 16, 2015. All The Wizard of Oz™ Grand Prize Drawings entries received after 11:59:59 p.m. June 11, 2015, through 11:59:59 p.m. August 27, 2015, will be entered into The Wizard of Oz™ Grand Prize Drawing #2. The first entry selected in the Grand Prize Drawing #2 will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between August 28, 2015 and September 1, 2015.

(e) *Grand Prize Drawings.*

(1) The odds of winning the Grand Prize Drawings depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Grand Prize Drawing winners.

(3) To be eligible to participate in the Game and Grand Prize Drawings, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Grand Prize Drawings, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Grand Prize Drawings.

* * * * *

(13) The winners of the Grand Prize Drawings must claim their prize within 1 year of the drawing date in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if

any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

* * * * *

EILEEN H. McNULTY,
Acting Secretary

[Pa.B. Doc. No. 15-1081. Filed for public inspection June 5, 2015, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding

The Department of Transportation recently updated the Americans with Disabilities Act Transition Plan (Transition Plan). The Transition Plan is available online at <http://www.dot.state.pa.us/Internet/Bureaus/pdDesign.nsf/DesignHomepage?OpenFrameset&frame=main&src=HQADPedAccommod?OpenForm>.

Interested persons are invited to submit within 30 days from the publication of this notice in the *Pennsylvania Bulletin* written comments regarding the Transition Plan to Ryan VanKirk, ADA Coordinator, Department of Transportation, Bureau of Project Delivery, Highway Delivery Division, Highway Design and Technology Section, P. O. Box 3161, Harrisburg, PA 17101-3161.

MELISSA J. BATULA, PE,
*Chief
Highway Delivery Division
Bureau of Project Delivery*

[Pa.B. Doc. No. 15-1082. Filed for public inspection June 5, 2015, 9:00 a.m.]

FISH AND BOAT COMMISSION

Approved Courses of Instruction in Boating Safety Education

Section 91.6(a)(1) of 58 Pa. Code (relating to Boating Safety Education Certificates) defines a Boating Safety Education Certificate for residents of this Commonwealth as a document issued by the Fish and Boat Commission (Commission) certifying that the person named on the

certificate has established proof of competency through the successful completion of a course approved in accordance with 58 Pa. Code § 91.7 (relating to criteria for courses of instruction in boating safety education). Under 58 Pa. Code § 91.7, the Executive Director of the Commission may approve, by notice, boating safety education courses that meet the course criteria established under that section and will publish a list of approved boating safety education courses in the *Pennsylvania Bulletin* on an annual basis or more frequently as required. The Executive Director has approved the following courses in boating safety education for Commonwealth residents, effective July 1, 2015:

- Pennsylvania Fish and Boat Commission (classroom course)
- United States Coast Guard Auxiliary (classroom course)
- United States Power Squadrons (classroom course)

- United States Sailing Association (classroom course)
- Kalkomey Enterprises, Inc. d/b/a Boat Ed (correspondence course)
- BoaterExam America, Inc. (Internet course)
- Kalkomey Enterprises, Inc. d/b/a Boat Ed (Internet course)

For nonresidents, a Boating Safety Education Certificate is a certificate, card or other official document that indicates on the certificate, card or other document successful completion of a course approved by the National Association of State Boating Law Administrators.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 15-1083. Filed for public inspection June 5, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

| <i>Reg No.</i> | <i>Agency/Title</i> | <i>Close of the Public Comment Period</i> | <i>IRRC Comments Issued</i> |
|----------------|---|---|-------------------------------------|
| #125-187 | Pennsylvania Gaming Control Board Fortune Asia Poker; Table Game Rules of Play 45 Pa.B. 1383 (March 21, 2015) | 4/20/15 | 5/20/15 |

**Pennsylvania Gaming Control Board
Regulation #125-187 (IRRC #3092)**

**Fortune Asia Poker; Table Game Rules of Play
May 20, 2015**

We submit for your consideration the following comments on the proposed rulemaking published in the March 21, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

1. Whether the regulation is in the public interest; Adverse effects on prices, productivity of competition; and the Economic and social impact of the regulation on individuals.

Section 12 of the Regulatory Analysis Form (RAF) asks how this regulation compares with those of other states and how it will affect Pennsylvania's ability to compete with other states. The Board's response to these questions is that the regulation will expand the complement of table

games and side wagers available for patron play and should not negatively impact Pennsylvania's ability to compete.

We seek more information on the house advantage for each of the new wagers contained in this rulemaking. We ask the Board to provide this information and to compare it to other gaming jurisdictions.

Section 17 of the RAF requests that the Board provide the financial, economic and social impact of the regulation on individuals, small business, business and labor communities and other public and private organizations, and to evaluate the benefits expected as a result of this regulation. The Board responds that it does not anticipate the regulation to have a negative financial or economic impact on the regulated community and that slot machine licensees will have a greater number of side wagers to offer at their facilities. The Board, however, does not address the economic or social impact of the rulemaking on individuals, particularly with respect to how the house advantage on each of the new wagers will impact players. The Board should provide this information in the RAF of the final-form regulation.

2. Miscellaneous clarity.

- In section 659a.6(d)(1), the word “a” should be inserted after the phrase “which is.”
- In section 659a.11(h)(1)(i)(B), we believe the same language that appears in (A), i.e. “or three pair of higher, depending on the payout table selected by the certificate holder,” should be added after the words “a straight or higher”; and
- In section 659a.12(d)(2), the word “reset” should be “reset.”

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-1084. Filed for public inspection June 5, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

Bankers Life and Casualty Company (BNLB-130073720); Proposed Rate Increase for Several LTC Forms

Bankers Life and Casualty Company is requesting approval to increase the premium 35% on 498 policyholders of the following individual LTC forms: GR-N050 and GR-N055.

Unless formal administrative action is taken prior to August 20, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. Under the tab “How to Find . . .” click on the link “PA Bulletin.”

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-1085. Filed for public inspection June 5, 2015, 9:00 a.m.]

Bankers Life and Casualty Company (BNLB-130073764); Proposed Rate Increase for Several LTC Forms

Bankers Life and Casualty Company is requesting approval to increase the premium 35% on 635 policyholders of the following individual LTC forms: GR-N160 and GR-N165.

Unless formal administrative action is taken prior to August 20, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. Under the tab “How to Find . . .” click on the link “PA Bulletin.”

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-1086. Filed for public inspection June 5, 2015, 9:00 a.m.]

Bankers Life and Casualty Company (BNLB-130073790); Proposed Rate Increase for Several LTC Forms

Bankers Life and Casualty Company is requesting approval to increase the premium 35% on 996 policyholders of the following individual LTC forms: GR-N100 and GR-N105.

Unless formal administrative action is taken prior to August 20, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. Under the tab “How to Find . . .” click on the link “PA Bulletin.”

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-1087. Filed for public inspection June 5, 2015, 9:00 a.m.]

Bankers Life and Casualty Company (BNLB-130073791); Proposed Rate Increase for Several LTC Forms

Bankers Life and Casualty Company is requesting approval to increase the premium 35% on 1,205 policyholders of the following individual LTC form: GR-N250.

Unless formal administrative action is taken prior to August 20, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. Under the tab “How to Find . . .” click on the link “PA Bulletin.”

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-1088. Filed for public inspection June 5, 2015, 9:00 a.m.]

State Farm Mutual Automobile Insurance Company (STLH-130015603); Proposed Rate Increase for Several LTC Forms

State Farm Mutual Automobile Insurance Company is requesting approval to increase the premium an aggregate 36.5% on 1,264 policyholders of the following individual LTC form: 97045PA.1.

Unless formal administrative action is taken prior to August 20, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-1089. Filed for public inspection June 5, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 22, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2015-2481532. Gan Eden Transportation Solutions, LLC (603 Chess Street, Pittsburgh, Allegheny County, PA 15211) for the right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Indiana, Lawrence, Washington and Westmoreland, to Allegheny County Airport, Arnold Palmer Airport and Philadelphia International Airport, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Gusty Sunseri, Esquire, Gusty AE Sunseri & Associates, PC, 1290 Freeport Road, Pittsburgh, PA 15238.

A-2015-2481929. Vantastic Limo, LLC (626 Crane Avenue, Pittsburgh, Allegheny County, PA 15216) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Washington and Westmoreland, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2015-2483062. Ali Baba Limo, Inc. t/a Ali Baba Limo Services (435 South Pacific Avenue, Pittsburgh, Allegheny County, PA 15224) for the right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Allegheny, Beaver, Butler and Westmoreland, to the Pittsburgh International Airport, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Frederick A. Sproull, Esquire, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219.

A-2015-2483071. Ali Baba Limo, Inc. t/a Ali Baba Limo Services (435 South Pacific Avenue, Pittsburgh, Allegheny County, PA 15224) for the right to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Allegheny, Beaver, Butler and Westmoreland, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Frederick A. Sproull, Esquire, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219.

A-2015-2483274. Baughman Transport and Hauling, LLC (1000 Georgetown Road, Paradise, PA 17562) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2015-2482376. Kadamema, LLC (10944 State Route 6, Laceyville, PA 18623) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-1090. Filed for public inspection June 5, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 22, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Brock Hite t/a Hite Trucking; Docket No. C-2013-2378603

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Brock Hite, t/a Hite Trucking, (respondent) is under suspension effective July 26, 2013 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 19 Glory Barn Road, Canton, PA 17724.
3. That respondent was issued a Certificate of Public Convenience by this Commission on January 11, 2011, at A-8911924.
4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8911924 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/21/13

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Dembros, Inc.;
Docket No. C-2015-2424809

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Dembros, Inc., Respondent, maintains its principal place of business at 2 Fawn Lane, Boothwyn, Pennsylvania, 19061.

2. That Respondent was issued a certificate of public convenience by this Commission on August 25, 1994 for taxi authority at Application Docket No. A-00111074.

3. That PUC Enforcement Officer Freda Culver contacted owner Damien Dembros in order to perform a 2015 annual inspection. Mr. Dembros informed Officer Culver that he only operates in Philadelphia and does not do any work in the surrounding counties.

4. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

5. That Respondent, by failing to furnish adequate, efficient, and safe service and facilities within 30 days after receipt of a certificate and by not reporting an interruption of service for more than 48 hours with a cause of interruption, violated 52 Pa. Code § 29.61 and § 29.62.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at Docket No. A-00111074.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/20/2015

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
 Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. PS Trans, Inc.;
Docket No. C-2015-2425668

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That PS Trans, Inc., Respondent, maintains its principal place of business at 810 Pulinski Road, Ivyland, Pennsylvania, 19061.

2. That Respondent was issued a certificate of public convenience by this Commission on March 22, 2004 for taxi authority at Application Docket No. A-00120364.

3. That PUC Enforcement Officer Ralph Kane, in order to perform a 2015 annual inspection, attempted to contact Respondent at the physical address of 810 Pulinski Road, Ivyland, PA, because there was no phone number on file. The resident at 810 Pulinski Rd., Ivyland, stated no taxi company was located at that residence.

4. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

5. That Respondent, by failing to furnish adequate, efficient, and safe service and facilities within 30 days after receipt of a certificate and by not reporting an interruption of service for more than 48 hours with a cause of interruption, violated 52 Pa. Code § 29.61 and § 29.62.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at Docket No. A-00120364.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/22/2015

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
 Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
 Bureau of Investigation and Enforcement
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

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Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Limousine Services Transportation; Docket No. C-2015-2436278

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Limousine Services Transportation, Respondent, maintains its principal place of business at 215 Noble Street, Souderton, Pennsylvania, 18964.

2. That Respondent was issued a certificate of public convenience by this Commission on August 9, 1992 for limousine authority at Application Docket No. A-00110190.

3. That PUC Enforcement Officer Russell Harrison met with owner Dave Lawdes regarding the 2014 Annual Limousine Inspection. Mr. Lawdes stated he had sold his authority and is no longer in business.

4. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

5. That Respondent, by failing to furnish adequate, efficient, and safe service and facilities within 30 days after receipt of a certificate and by not reporting an interruption of service for more than 48 hours with a cause of interruption, violated 52 Pa. Code § 29.61 and § 29.62.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at Docket No. A-00110190.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/27/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

—

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Michael Maier
d/b/a Eastern Connection Movers;
Docket No. C-2015-2473817**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Michael Maier d/b/a Eastern Connection Movers, Respondent, maintains a principal place of business at 2107 North Rockhill Road, Sellersville, Pennsylvania, 18960.

2. That on January 28—29, 2015, Respondent was hired to provide household goods moving services for Brad Elrod from 2102 Rittenhouse Road, Harleysville, PA, to the ECM Warehouse at 2107 North Rockhill Road, Sellersville, PA, 18960. Respondent does not hold a certificate of public convenience from this Commission.

3. That Respondent, by holding out to provide household goods transportation between points in Pennsylvania while not having operating authority with this Commission, violated the Public Utility Code, 66 Pa.C.S. § 1101. The penalty for this violation is \$1,000 and suspension of Respondent's vehicle registration by the Pennsylvania Department of Transportation.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Michael Maier d/b/a Eastern Connection Movers, the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint. In addition, Respondent's vehicle registration will be suspended by the Pennsylvania Department of Transportation.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the

Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/20/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-1091. Filed for public inspection June 5, 2015, 9:00 a.m.]

Transfer of Control

A-2015-2475973. Fibertech Holdings Corporation, Fiber Technologies Networks, LLC and Sidera Networks, Inc. Joint application of Fibertech Holdings Corporation, Fiber Technologies Networks, LLC and Sidera Networks, Inc. for approval to transfer control of Fiber Technologies Networks, LLC to Sidera Networks, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 22, 2015. 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 and at the applicant's business address.

Applicant: Fibertech Holdings Corporation; Fiber Technologies Networks, LLC; Sidera Networks, Inc.

Through and By Counsel: Michael Gruin, Esquire, Stevens & Lee, PC, Harrisburg Market Square, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-1092. Filed for public inspection June 5, 2015, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by June 22, 2015. The nonrefundable protest filing fee is \$2,500 payable to the PPA by certified check or money order. The application is available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m.,

Monday through Friday (contact Christine Kirlin, Esq. to make an appointment) or may be inspected at the business address of the respective applicant.

Doc. No. A-15-04-03. GMJ Transportation, Inc. (2301 Church Street, Philadelphia, PA 19124): An application for a medallion taxicab certificate of public convenience (CPC) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-15-04-05. Chametz Taxi, LLC (2351 South Swanson Street, Philadelphia, PA 19148): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney:* David R. Alperstein, Esquire, 1080 North Delaware Avenue, Philadelphia, PA 19125.

Doc. No. A-15-04-06. RIC Trans, Inc. (44 Shelley Road, Holland, PA 18966): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-15-04-07. Ren Trans, Inc. (268 South 11th Street, Philadelphia, PA 19107): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-15-04-09. Matzah Taxi, LLC (2351 South Swanson Street, Philadelphia, PA 19148): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney:* David R. Alperstein, Esquire, 1080 North Delaware Avenue, Philadelphia, PA 19125.

Doc. No. A-15-04-11. Upload Taxi, LLC (2351 South Swanson Street, Philadelphia, PA 19148): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney:* David R. Alperstein, Esquire, 1080 North Delaware Avenue, Philadelphia, PA 19125.

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 15-1093. Filed for public inspection June 5, 2015, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Dirt and Gravel Roads Pollution Prevention Maintenance Program

As required by 25 Pa. Code § 83.604(f) (relating to apportionment criteria), the State Conservation Commission (Commission) is providing notice of the apportionment of Fiscal Year 2015-2016 Dirt, Gravel and Low Volume Road Pollution Prevention Maintenance Program

(program) funds to participating County Conservation Districts. This apportionment is authorized under 75 Pa.C.S. § 9106 (relating to dirt, gravel and low-volume road maintenance).

A. Effective Date

This apportionment is effective upon publication in the *Pennsylvania Bulletin*. Allocations will be disbursed when funds are released from the Treasury after July 1, 2015.

B. Background

The Commission approved the following allocations at their public meetings on May 12, 2015: \$26.068 million of Fiscal Year 2015-2016 funds were apportioned according to stipulations in 75 Pa.C.S. § 9106(c).

Copies of the referenced statement of policy in 25 Pa. Code § 83.604, as published at 28 Pa.B. 4634 (September 12, 1998), and 75 Pa.C.S. § 9106 are available from Roy Richardson, Dirt, Gravel and Low Volume Roads Program Coordinator, Room 311, 2301 North Cameron Street, Harrisburg, PA 17110, (717) 787-2103.

The following allocations are being made to the County Conservation Districts participating in the program. Not all counties receive an allocation as provided for in 25 Pa. Code § 83.613(a) (relating to performance standards). Listed in alphabetical order, the allocations are:

Proposed Dirt and Gravel, Low Volume Road Allocations for Fiscal Year 2015-2016 for Commission approval May 12, 2015

| <i>County</i> | <i>Low Volume Road</i> | <i>Dirt and Gravel</i> | <i>Total</i> |
|---------------|------------------------|------------------------|--------------|
| Adams | \$121,803 | \$100,000 | \$221,803 |
| Allegheny | \$267,932 | \$100,000 | \$367,932 |
| Armstrong | \$131,689 | \$898,741 | \$1,030,430 |
| Beaver | \$101,664 | \$100,000 | \$201,664 |
| Bedford | \$178,081 | \$279,629 | \$457,710 |
| Berks | \$262,545 | \$100,000 | \$362,545 |
| Blair | \$80,817 | \$100,000 | \$180,817 |
| Bradford | \$103,138 | \$1,375,000 | \$1,478,138 |
| Bucks | \$182,980 | \$100,000 | \$282,980 |
| Butler | \$181,592 | \$161,514 | \$343,106 |
| Cambria | \$112,453 | \$104,761 | \$217,214 |
| Cameron | \$40,000 | \$126,139 | \$166,139 |
| Carbon | \$50,523 | \$100,000 | \$150,523 |
| Centre | \$102,926 | \$139,223 | \$242,149 |
| Chester | \$201,534 | \$100,000 | \$301,534 |
| Clarion | \$96,669 | \$385,263 | \$481,932 |
| Clearfield | \$122,597 | \$429,155 | \$551,752 |
| Clinton | \$55,175 | \$184,478 | \$239,653 |
| Columbia | \$86,206 | \$400,152 | \$486,358 |
| Crawford | \$106,118 | \$802,411 | \$908,529 |
| Cumberland | \$128,225 | \$100,000 | \$228,225 |
| Dauphin | \$120,963 | \$100,000 | \$220,963 |
| Elk | \$40,000 | \$155,076 | \$195,076 |

| <i>County</i> | <i>Low Volume Road</i> | <i>Dirt and Gravel</i> | <i>Total</i> |
|-----------------------|------------------------|------------------------|---------------------|
| Erie | \$128,752 | \$326,179 | \$454,931 |
| Fayette | \$146,934 | \$216,827 | \$363,761 |
| Forest | \$40,000 | \$119,134 | \$159,134 |
| Franklin | \$124,156 | \$100,000 | \$224,156 |
| Fulton | \$62,167 | \$142,462 | \$204,629 |
| Greene | \$108,893 | \$417,444 | \$526,337 |
| Huntingdon | \$109,624 | \$296,933 | \$406,557 |
| Indiana | \$164,917 | \$493,635 | \$658,552 |
| Jefferson | \$94,901 | \$313,443 | \$408,344 |
| Juniata | \$72,467 | \$104,412 | \$176,879 |
| Lackawanna | \$74,655 | \$135,441 | \$210,096 |
| Lancaster | \$285,720 | \$100,000 | \$385,720 |
| Lawrence | \$103,945 | \$100,000 | \$203,945 |
| Lebanon | \$83,995 | \$100,000 | \$183,995 |
| Lehigh | \$105,039 | \$— | \$105,039 |
| Luzerne | \$152,061 | \$198,265 | \$350,326 |
| Lycoming | \$117,870 | \$425,014 | \$542,884 |
| McKean | \$62,374 | \$184,197 | \$246,571 |
| Mercer | \$136,377 | \$218,633 | \$355,010 |
| Mifflin | \$53,824 | \$100,000 | \$153,824 |
| Monroe | \$113,572 | \$100,000 | \$213,572 |
| Montgomery | \$164,832 | \$100,000 | \$264,832 |
| Montour | \$40,000 | \$100,000 | \$140,000 |
| Northampton | \$117,091 | \$100,000 | \$217,091 |
| Northumberland | \$104,981 | \$199,211 | \$304,192 |
| Perry | \$107,320 | \$147,480 | \$254,800 |
| Pike | \$40,000 | \$123,239 | \$163,239 |
| Potter | \$55,657 | \$828,445 | \$884,102 |
| Schuylkill | \$157,026 | \$180,338 | \$337,364 |
| Snyder | \$68,808 | \$123,168 | \$191,976 |
| Somerset | \$180,054 | \$294,043 | \$474,097 |
| Sullivan | \$40,000 | \$389,195 | \$429,195 |
| Susquehanna | \$64,407 | \$1,375,000 | \$1,439,407 |
| Tioga | \$56,888 | \$1,090,503 | \$1,147,391 |
| Union | \$44,714 | \$100,000 | \$144,714 |
| Venango | \$76,012 | \$508,269 | \$584,281 |
| Warren | \$55,029 | \$619,047 | \$674,076 |
| Washington | \$203,097 | \$360,554 | \$563,651 |
| Wayne | \$85,655 | \$514,887 | \$600,542 |
| Westmoreland | \$266,215 | \$160,772 | \$426,987 |
| Wyoming | \$41,230 | \$298,536 | \$339,766 |
| York | \$261,111 | \$373,752 | \$634,863 |
| District Total | \$7,448,000 | \$18,620,000 | \$26,068,000 |

JOHN QUIGLEY,
Chairperson

[Pa.B. Doc. No. 15-1094. Filed for public inspection June 5, 2015, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

| | | |
|---------------|---|--------|
| June 30, 2015 | Frank Yale (D) | 1 p.m. |
| | Continuation of Spousal Retirement Benefits | |

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. 15-1095. Filed for public inspection June 5, 2015, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects from March 1, 2015, through March 31, 2015.

For further information contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period specified previously:

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, LLC, Pad ID: Duane, ABR-20100601.R1, Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

2. Chesapeake Appalachia, LLC, Pad ID: Finnerty, ABR-20100602.R1, West Burlington Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

3. Chesapeake Appalachia, LLC, Pad ID: Allen, ABR-20100606.R1, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

4. Chesapeake Appalachia, LLC, Pad ID: Rylee, ABR-20100610.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

5. Chesapeake Appalachia, LLC, Pad ID: Stalford, ABR-20100617.R1, Wyalusing Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

6. Chesapeake Appalachia, LLC, Pad ID: Shaw, ABR-20100634.R1, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

7. Chesapeake Appalachia, LLC, Pad ID: Cannella, ABR-20100637.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

8. Chesapeake Appalachia, LLC, Pad ID: BDF, ABR-20100640.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

9. Chesapeake Appalachia, LLC, Pad ID: Akita NEW, ABR-20100689.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

10. Chesapeake Appalachia, LLC, Pad ID: Hilltop NEW, ABR-201006102.R1, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

11. Chesapeake Appalachia, LLC, Pad ID: Kipar NEW, ABR-201006107.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

12. Chesapeake Appalachia, LLC, Pad ID: Curtain NEW, ABR-201006110.R1, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 2, 2015.

13. Carrizo (Marcellus), LLC, Pad ID: Baker 2H, ABR-201008137.R1, Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 1.400 mgd; Approval Date: March 10, 2015.

14. SWEPI, LP, Pad ID: Cascarino 443, ABR-20100222.R1, Shippen Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 10, 2015.

15. Chesapeake Appalachia, LLC, Pad ID: Bonin, ABR-20100639.R1, Orwell Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 13, 2015.

16. Chesapeake Appalachia, LLC, Pad ID: Alderfer NEW, ABR-20100671.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 13, 2015.

17. Chesapeake Appalachia, LLC, Pad ID: Cranrun, ABR-20100680.R1, Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 13, 2015.

18. Chesapeake Appalachia, LLC, Pad ID: Black Creek, ABR-20100686.R1, Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 13, 2015.

19. Chesapeake Appalachia, LLC, Pad ID: Beebe, ABR-20100687.R1, Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 13, 2015.

20. Chesapeake Appalachia, LLC, Pad ID: Linski, ABR-20100662.R1, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 16, 2015.

21. Chesapeake Appalachia, LLC, Pad ID: Lillie-NEW, ABR-201006104.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 16, 2015.

22. Chesapeake Appalachia, LLC, Pad ID: Jacobs, ABR-201007028.R1, Rome Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 16, 2015.

23. Chesapeake Appalachia, LLC, Pad ID: Dewees, ABR-201007063.R1, Rome Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 16, 2015.

24. Chesapeake Appalachia, LLC, Pad ID: Towner, ABR-20100638.R1, Rome Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 17, 2015.

25. Chesapeake Appalachia, LLC, Pad ID: Them, ABR-20100642.R1, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 17, 2015.

26. Chesapeake Appalachia, LLC, Pad ID: Rowe, ABR-201007101.R1, Rome Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 17, 2015.

27. Range Resources—Appalachia, LLC, Pad ID: Shohocken Hunt Club Unit #1H—#6H, ABR-20100646.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: March 17, 2015.

28. SWEPI, LP, Pad ID: Sharretts 805, ABR-20100229.R1, Clymer Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 17, 2015.

29. SWEPI, LP, Pad ID: Parthemer 284, ABR-20100311.R1, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 17, 2015.

30. XTO Energy Incorporated, Pad ID: Hazlak 8504, ABR-20100211.R1, Shrewsbury Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 17, 2015.

31. Chesapeake Appalachia, LLC, Pad ID: Henderson, ABR-201006103.R1, Fox Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2015.

32. Chesapeake Appalachia, LLC, Pad ID: Coveytown, ABR-201007014.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2015.

33. Chesapeake Appalachia, LLC, Pad ID: Insinger, ABR-201007023.R1, Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 20, 2015.

34. Range Resources—Appalachia, LLC, Pad ID: Ogontz 41H—43H, ABR-201503001, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: March 20, 2015.

35. Range Resources—Appalachia, LLC, Pad ID: Laurel Hill 17H—22H, ABR-201503002, Jackson Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: March 20, 2015.

36. Range Resources—Appalachia, LLC, Pad ID: Laurel Hill D Pad, ABR-201503003, Cogan House and Jackson Townships, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: March 23, 2015.

37. SWN Production Company, LLC, Pad ID: NR-24 BUCKHORN-PAD, ABR-201503004, Oakland Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: March 27, 2015.

38. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 231 C, ABR-20100304.R1, Boggs Township, Centre County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 30, 2015.

39. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 342 D, ABR-20100349.R1, Beech Creek Township, Clinton County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 30, 2015.

40. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 231 D, ABR-20100530.R1, Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 30, 2015.

41. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 289 C, ABR-20100636.R1, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 30, 2015.

42. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 342 A, ABR-20100695.R1, Beech Creek Township, Clinton County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 30, 2015.

43. Cabot Oil & Gas Corporation, Pad ID: DavisG P1, ABR-201007120.R1, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 30, 2015.

44. Cabot Oil & Gas Corporation, Pad ID: AdamsJ P1, ABR-201007121.R1, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 30, 2015.

45. Cabot Oil & Gas Corporation, Pad ID: PlonskiJ P1, ABR-201008009.R1, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 30, 2015.

46. Cabot Oil & Gas Corporation, Pad ID: Maiolini P3, ABR-201008114.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 30, 2015.

47. Cabot Oil & Gas Corporation, Pad ID: StockholmK P2, ABR-201008134.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: March 30, 2015.

48. Cabot Oil & Gas Corporation, Pad ID: HallidayA P1, ABR-201503005, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: March 30, 2015.

49. Cabot Oil & Gas Corporation, Pad ID: BolcatoG P1, ABR-201503006, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: March 30, 2015.

50. Chesapeake Appalachia, LLC, Pad ID: Lopatofsky NEW, ABR-201007100.R1, Washington Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 30, 2015.

51. Chesapeake Appalachia, LLC, Pad ID: Slumber Valley, ABR-201008015.R1, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: March 30, 2015.

52. Chief Oil & Gas, LLC, Pad ID: Allen Drilling Pad #1, ABR-201009002.R1, Asylum Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: March 30, 2015.

53. Chief Oil & Gas, LLC, Pad ID: Hemlock Hunting Club Drilling Pad #1, ABR-201009070.R1, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: March 30, 2015.

54. EXCO Resources (PA), LLC, Pad ID: Confer (Pad 32), ABR-20100669.R1, Burnside Township, Centre County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: March 30, 2015.

55. SWEPI, LP, Pad ID: Paul 906, ABR-20100314.R1, West Branch Township, Potter County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: March 30, 2015.

56. SWEPI, LP, Pad ID: Waskiewicz 445, ABR-20100330.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 1.000 mgd; Approval Date: March 30, 2015.

57. SWEPI, LP, Pad ID: Webster 549, ABR-20100335.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 1.000 mgd; Approval Date: March 30, 2015.

58. XTO Energy Incorporated, Pad ID: Dietterick, ABR-20100315.R1, Jordan Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: March 30, 2015.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: May 19, 2015.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 15-1096. Filed for public inspection June 5, 2015, 9:00 a.m.]

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects from April 1, 2015, through April 30, 2015.

For further information contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period specified previously:

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, LLC, Pad ID: Redmond, ABR-201007005.R1, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

2. Chesapeake Appalachia, LLC, Pad ID: EDF NEW, ABR-201007125.R1, Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

3. Chesapeake Appalachia, LLC, Pad ID: Warren, ABR-201008010.R1, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

4. Chesapeake Appalachia, LLC, Pad ID: Lambert Farms, ABR-201008011.R1, Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

5. Chesapeake Appalachia, LLC, Pad ID: Joanclark, ABR-201008025.R1, Fox Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

6. Chesapeake Appalachia, LLC, Pad ID: Roundtop, ABR-201008067.R1, Colley Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

7. Chesapeake Appalachia, LLC, Pad ID: George, ABR-201008101.R1, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

8. Chesapeake Appalachia, LLC, Pad ID: Bedford, ABR-201008139.R1, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

9. Chesapeake Appalachia, LLC, Pad ID: Benspond, ABR-201008146.R1, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

10. Chesapeake Appalachia, LLC, Pad ID: Fremar, ABR-201008147.R1, Fox Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

11. Chesapeake Appalachia, LLC, Pad ID: Hottenstein, ABR-201008148.R1, Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 3, 2015.

12. EXCO Resources (PA), LLC Pad ID: Litke (14H, 15H, 16H), ABR-20090431.R1, Burnside Township, Centre County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: April 3, 2015.

13. EXCO Resources (PA), LLC Pad ID: COP Tract 706 (Pad 8) ABR-201008059.R1, Burnside Township, Centre County, PA; Consumptive Use of Up to 8.000 mgd; Approval Date: April 3, 2015.

14. XTO Energy Inc., Pad ID: MARQUARDT UNIT 8517H, ABR-20100417.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 3, 2015.

15. XTO Energy Inc., Pad ID: Everbe Farms 8518H, ABR-20100533.R1, Franklin Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 3, 2015.

16. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 685 A, ABR-20100541.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 8, 2015.

17. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 728 Pad A, ABR-20100631.R1, Watson Township, Lycoming

County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 8, 2015.

18. Anadarko E&P Onshore, LLC, Pad ID: David C Duncan Pad A, ABR-20100635.R1, Cascade Township, Lycoming County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 8, 2015.

19. Chesapeake Appalachia, LLC, Pad ID: Barnes, ABR-201007048.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

20. Chesapeake Appalachia, LLC, Pad ID: Scheffler, ABR-201007102.R1, Standing Stone Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

21. Chesapeake Appalachia, LLC, Pad ID: Champ-luvier, ABR-201007105.R1, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

22. Chesapeake Appalachia, LLC, Pad ID: Covington, ABR-201007123.R1, Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

23. Chesapeake Appalachia, LLC, Pad ID: Felter-NEW, ABR-201008026.R1, Wyalusing Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

24. Chesapeake Appalachia, LLC, Pad ID: Atgas, ABR-201008066.R1, Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

25. Chesapeake Appalachia, LLC, Pad ID: Ammerman, ABR-201008099.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

26. Chesapeake Appalachia, LLC, Pad ID: Dave, ABR-201008107.R1, Albany Stone Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 8, 2015.

27. Seneca Resources, Pad ID: CRV Pad C09-D, ABR-201504001, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 8, 2015.

28. Range Resources—Appalachia, LLC, Pad ID: Cornwall South Unit, ABR-201504002, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: April 8, 2015.

29. Range Resources—Appalachia, LLC, Pad ID: Cornhill A Well Pad, ABR-201504003, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: April 8, 2015.

30. SWEPI, LP, Pad ID: 808 Thomas, ABR-20100344.R1, Elkland Township, Tioga County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: April 8, 2015.

31. SWEPI, LP, Pad ID: Cummings 823, ABR-20100350.R1, Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 8, 2015.

32. SWEPI, LP, Pad ID: Bartlett 531, ABR-20100351.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 8, 2015.

33. Cabot Oil & Gas Corporation, Pad ID: ChambersO P1, ABR-201504004, Harford Township, Susquehanna

County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: April 13, 2015.

34. Cabot Oil & Gas Corporation, Pad ID: DeckerT P1, ABR-201504005, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: April 13, 2015.

35. Chesapeake Appalachia, LLC, Pad ID: Lattimer, ABR-201008038.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 13, 2015.

36. Chesapeake Appalachia, LLC, Pad ID: Moore Farm, ABR-201008050.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 13, 2015.

37. Chesapeake Appalachia, LLC, Pad ID: Thall, ABR-201008140.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 13, 2015.

38. EQT Production Company, Pad ID: Phoenix C, ABR-201006114.R1, Duncan Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 14, 2015.

39. EQT Production Company, Pad ID: Phoenix E, ABR-201008130.R1, Duncan Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 14, 2015.

40. EQT Production Company, Pad ID: Phoenix H, ABR-201010058.R1, Morris Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 14, 2015.

41. EQT Production Company, Pad ID: Phoenix R, ABR-201011057.R1, Duncan Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 14, 2015.

42. EQT Production Company, Pad ID: Longhorn C-1 (WDV1), ABR-201011061.R1, Jay Township, Elk County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 14, 2015.

43. EQT Production Company, Pad ID: Phoenix S, ABR-201012009.R1, Duncan Township, Tioga County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: April 14, 2015.

44. SWEPI, LP, Pad ID: Kjelgaard, ABR-20090902.R1, Gaines Township, Tioga County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: April 16, 2015.

45. Seneca Resources Corporation, Pad ID: Wilcox Pad F, ABR-20090505.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 17, 2015.

46. Seneca Resources Corporation, Pad ID: J. Pino Pad G, ABR-20090717.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 17, 2015.

47. Seneca Resources Corporation, Pad ID: D.M. Pino Pad H, ABR-20090933.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 17, 2015.

48. Seneca Resources Corporation, Pad ID: Marvin 1V Pad, ABR-20090934.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: April 17, 2015.

49. Seneca Resources Corporation, Pad ID: Rich Valley 1V Pad, ABR-20091227.R1, Shippen Township, Cameron

County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: April 17, 2015.

50. Cabot Oil & Gas Corporation, Pad ID: WarrinerR P4, ABR-201008123.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: April 20, 2015.

51. Chesapeake Appalachia, LLC, Pad ID: Aikens, ABR-201008068.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 20, 2015.

52. Chesapeake Appalachia, LLC, Pad ID: Donna, ABR-201008096.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 20, 2015.

53. Chesapeake Appalachia, LLC, Pad ID: Clarke, ABR-201008145.R1, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 20, 2015.

54. Chesapeake Appalachia, LLC, Pad ID: Balent NEW, ABR-201008149.R1, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 20, 2015.

55. Chesapeake Appalachia, LLC, Pad ID: McCabe, ABR-201008157.R1, Towanda Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 20, 2015.

56. Chesapeake Appalachia, LLC, Pad ID: Wolf, ABR-201008158.R1, Athens Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 20, 2015.

57. EOG Resources, Inc., Pad ID: GUINAN 2H, ABR-20091117.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.999 mgd; Approval Date: April 22, 2015.

58. EOG Resources, Inc., Pad ID: HOPPAUGH 3H, ABR-20091121.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.999 mgd; Approval Date: April 22, 2015.

59. EOG Resources, Inc., Pad ID: HARKNESS 3H, ABR-20091221.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.999 mgd; Approval Date: April 22, 2015.

60. EOG Resources, Inc., Pad ID: BEARDSLEE 2H Pad, ABR-201008085.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 22, 2015.

61. EOG Resources, Inc., Pad ID: GROSS 1H Pad, ABR-201008098.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 22, 2015.

62. Seneca Resources Corporation, Pad ID: Wolfinger, ABR-20091229.R1, Shippen Township, Cameron County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: April 27, 2015.

63. SWN Production Company, LLC, Pad ID: NR-25 NOWICKI, ABR-201504006, Oakland Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 27, 2015.

64. SWN Production Company, LLC, Pad ID: NR-05 BAC Realty, ABR-201504007, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: April 27, 2015.

65. Chesapeake Appalachia, LLC, Pad ID: Strope, ABR-201007035.R1, Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 27, 2015.

66. Chesapeake Appalachia, LLC, Pad ID: Burleigh, ABR-201009067.R1, Wyalusing Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 27, 2015.

67. Chesapeake Appalachia, LLC, Pad ID: Foster, ABR-201009093.R1, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 27, 2015.

68. Chesapeake Appalachia, LLC, Pad ID: Curtis New, ABR-201009100.R1, Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 27, 2015.

69. Seneca Resources Corporation, Pad ID: DCNR 595 Pad E, ABR-20100307.R1, Blossburg Borough, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

70. Seneca Resources Corporation, Pad ID: Wivell Pad 1, ABR-20100607.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

71. Seneca Resources Corporation, Pad ID: Valldes Pad C, ABR-20100620.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

72. Seneca Resources Corporation, Pad ID: Warren Pad B, ABR-20100621.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

73. Seneca Resources Corporation, Pad ID: Lehmann Pad K, ABR-201007115.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

74. Seneca Resources Corporation, Pad ID: DCNR Tract 595 Pad I, ABR-201008043.R1, Bloss Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

75. Seneca Resources Corporation, Pad ID: DCNR Tract 595 Pad F, ABR-201008044.R1, Bloss Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

76. Seneca Resources Corporation, Pad ID: Covington Pad L, ABR-201008065.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: April 29, 2015.

77. Chesapeake Appalachia, LLC, Pad ID: Wygrala, ABR-201009072.R1, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: April 29, 2015.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: May 21, 2015.

ANDREW D. DEHOFF,
Executive Director

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