

# PENNSYLVANIA BULLETIN

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for the Subject Index for  
January—March 2016

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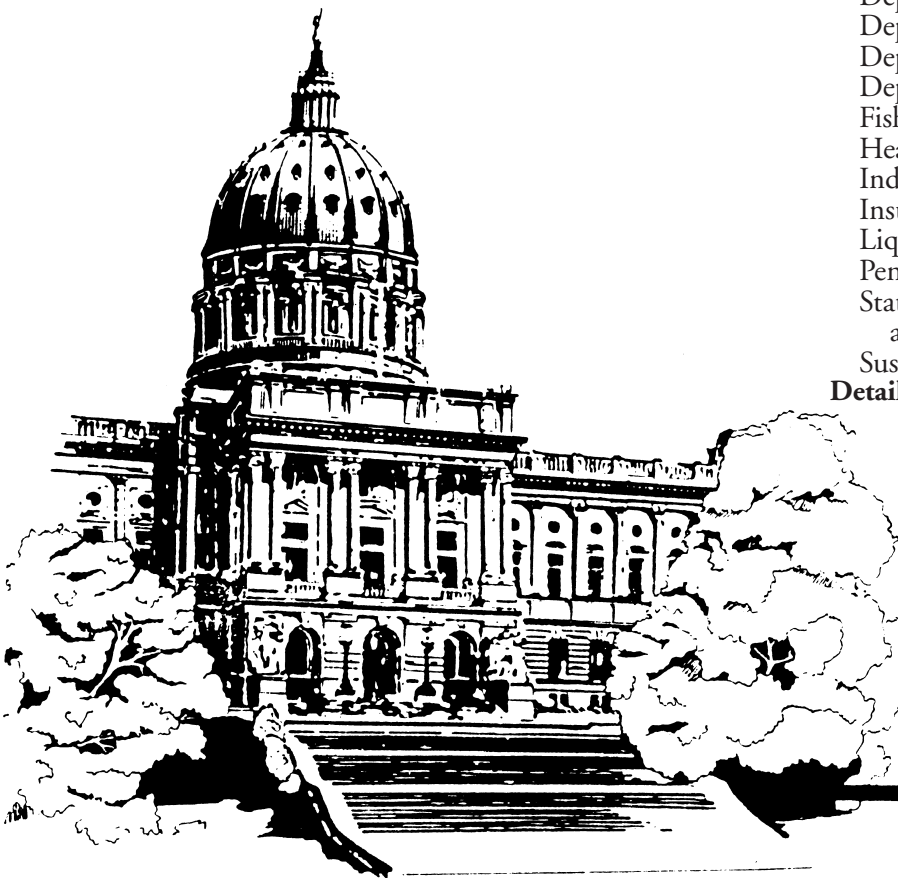
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**Latest Pennsylvania Code Reporter  
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**No. 497, April 2016**

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

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

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

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

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

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

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

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

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

### ***Pennsylvania Code***

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

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

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

### **How to Find Documents**

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

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

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

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

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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 2016.

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# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation Terminating the State of Disaster Emergency

March 23, 2016

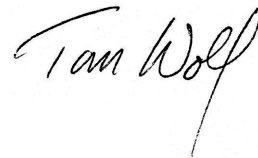
*Whereas*, on January 21, 2016, I proclaimed the existence of a disaster emergency in the Commonwealth due to a severe winter event that was expected to impact the Commonwealth of Pennsylvania, causing dangerous winter weather conditions including snow and ice accumulation; and

*Whereas*, this winter event caused severe adverse effects to multiple political subdivisions in the Commonwealth resulting in impacts that were both immediate and long term, and required a comprehensive partnership between the Commonwealth and its political subdivisions for effective recovery; and

*Whereas*, immediate steps were taken to stabilize the affected areas and recovery operations continue, and ongoing monitoring of conditions and investigations made at my direction have disclosed that the adverse impacts of this event have been mitigated such that emergency conditions no longer exist.

*Now Therefore*, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code (35 Pa.C.S. § 7101 et seq.), I do hereby proclaim the termination of the state of disaster emergency in the Commonwealth.

*Given* under my hand and the Seal of the Governor, at the City of Harrisburg, on this twenty-third day of March in the Year of our Lord two thousand and sixteen, and of the Commonwealth the two hundred and fortieth.



Governor

[Pa.B. Doc. No. 16-549. Filed for public inspection April 1, 2016, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

#### Amendment of Rule 219 of the Rules of Disciplinary Enforcement; No. 139 Disciplinary Rules Doc.

##### Order

*Per Curiam*

And Now, this 17th day of March, 2016, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been submitted without publication in the interests of justice pursuant to Pa.R.J.A. No. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 219 of the Pennsylvania Rules of Disciplinary Enforcement is amended in the following form.

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

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart B. DISCIPLINARY ENFORCEMENT

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

##### Subchapter B. MISCONDUCT

#### Rule 219. Annual registration of attorneys.

\* \* \* \* \*

(d) On or before July 1 of each year, all attorneys required by this rule to pay an annual fee shall file with the Attorney Registration Office a signed or electronically endorsed form prescribed by the Attorney Registration Office in accordance with the following procedures:

(1) The form shall set forth:

\* \* \* \* \*

(iii) The name of each Financial Institution, as defined in Pa.R.P.C. 1.15(a)(4), within or outside this Commonwealth in which the attorney [ **on May 1 of the current year or at any time during the preceding 12 months** ], from May 1 of the previous year to the date of the filing of the annual fee form, held funds of a client or a third person subject to Rule 1.15 of the Pennsylvania Rules of Professional Conduct. The form shall include the name and account number for each account in which the attorney held such funds, and each IOLTA Account shall be identified as such. The form provided to a person holding a Limited In-House Corporate Counsel License or a Foreign Legal Consultant License need not request the information required by this subparagraph.

For purposes of this subparagraph, the phrase “funds of a client or a third person subject to Rule 1.15 of the Pennsylvania Rules of Professional Conduct” means funds that belong to a client or third person and that an attorney receives:

(A) in connection with a client-lawyer relationship;

(B) as an escrow agent, settlement agent, representative payee, personal representative, guardian, conservator, receiver, trustee, agent under a durable power of attorney, or other similar fiduciary position;

(C) as an agent, having been designated as such by a client or having been so selected as a result of a client-lawyer relationship or the lawyer’s status as such;

(D) in connection with nonlegal services that are not distinct from legal services;

(E) in connection with nonlegal services that are distinct from legal services, and the attorney knows or reasonably should know that the recipient of the service might believe that the recipient is receiving the protection of a client-lawyer relationship; or

(F) as an owner, controlling party, employee, agent, or as one who is otherwise affiliated with an entity providing nonlegal services and the attorney knows or reasonably should know that the recipient of the service might believe that the recipient is receiving the protection of a client-lawyer relationship.

*Official Note:* For purposes of subparagraph (iii), “funds of a third person” shall not include funds held in: 1) an attorney’s personal account held jointly; or 2) a custodial account for a minor or dependent relative unless the source of any account funds is other than the attorney and his or her spouse.

If an attorney employed by a law firm receives fiduciary funds from or on behalf of a client and deposits or causes the funds to be deposited into a law firm account, the attorney must report the account of deposit under this subparagraph (iii).

(iv) Every account not reported under subparagraph (iii), that held funds of a client or [ **third party** ] a **third person**, and over which the attorney had sole or shared signature authority or authorization to transfer funds to or from the account, during the same time period specified in subparagraph (iii). For each account, the attorney shall provide the name of the financial institution (whether or not the entity qualifies as a “Financial Institution” under Pa.R.P.C. 1.15(a)(4)), location, and account number.

*Official Note:* Regarding “funds of a third person,” see Note to Rule 219(d)(1)(iii).

(v) Every business operating account maintained or utilized by the attorney in the practice of law during the same time period specified in subparagraph (iii). For each account, the attorney shall provide the name of the financial institution, location and account number.

\* \* \* \* \*

(3) Every attorney who has filed the form or elects to file the form electronically shall notify the Attorney Registration Office **in writing** of any change in the information previously submitted, including e-mail address, within 30 days after such change, **which notice shall be sent by mail or facsimile transmission, provided, however, that any change in the information required by subsections (d)(1)(iii), (iv) and (v) (collectively relating to financial account information) that occurs after the filing of the form required by subdivisions (a) and (d)(1) of this rule need only be reported on the next regular annual fee form due July 1. Failure to timely register and file the next annual fee form shall not excuse this subsection's requirement of reporting changes in financial account information on an annual basis on or before July 1, and failure to make such a report shall constitute a violation of this rule.**

\* \* \* \* \*

[Pa.B. Doc. No. 16-550. Filed for public inspection April 1, 2016, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 1 AND 5 ]

### Proposed New Pa.R.Crim.P. 576.1 and Proposed Amendments of Pa.Rs.Crim.P. 113, 114 and 576

The Criminal Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of new Rule 576.1 (Electronic Filing and Service of Legal Papers) and the amendment of Rules 113 (Criminal Case File and Docket Entries), 114 (Orders and Court Notices: Filing; Service; and Docket Entries), and 576 (Filing and Service by Parties) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

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

All communications in reference to the proposal should be received by no later than Friday, May 6, 2016. E-mail is the preferred method for submitting comments, sugges-

tions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural Rules Committee*

JEFFREY A. MANNING,  
*Chair*

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

#### PART A. Business of the Courts

#### Rule 113. Criminal Case File and Docket Entries.

\* \* \* \* \*

(C) The docket entries shall include at a minimum the following information:

\* \* \* \* \*

(8) all other information required by Rules 114 and 576.

**(D) If a judicial district has provided for electronic filing pursuant to Rule 576.1, the criminal case file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the criminal case file may be produced in a physical paper format.**

#### Comment

This rule sets forth the mandatory contents of the list of docket entries and the criminal case files. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information be recorded in a case or in all cases.

\* \* \* \* \*

**Official Note:** Former Rule 9024 adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; renumbered Rule 9025 June 2, 1994, effective September 1, 1994. New Rule 9024 adopted June 2, 1994, effective September 1, 1994; renumbered Rule 113 and amended March 1, 2000, effective April 1, 2001; rescinded March 3, 2004 and replaced by Rule 114(C), effective July 1, 2004. New Rule 113 adopted March 3, 2004, effective July 1, 2004; amended July 31, 2012, effective November 1, 2012; Comment revised October 22, 2013; effective January 1, 2014; **amended** , **2016, effective** , **2016.**

#### *Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 34 Pa.B. 1561 (March 20, 2004).

Final Report explaining the July 31, 2012 amendment adding new paragraph (6) concerning defendants under the age of 18 published with the Court's Order at 42 Pa.B. 5340 (August 18, 2012).

Final Report explaining the October 22, 2013 revisions to the Comment regarding the unexecuted search warrants published with the Court's Order at 43 Pa.B. 6652 (November 9, 2013).

Report explaining proposed amendment providing for maintenance of electronically filed documents published for comment at 46 Pa.B. 1647 (April 2, 2016).

Rule 114. Orders and Court Notices: Filing; Service; and Docket Entries.

\* \* \* \* \*

(B) Service

\* \* \* \* \*

(3) Methods of Service

\* \* \* \* \*

(c) A party's attorney, or the party if unrepresented, may request to receive service of court orders or notices pursuant to this rule by facsimile transmission or other electronic means by

(i) filing a written request for this method of service in the case or including a facsimile number or an electronic address on a prior legal paper filed in the case; or

(ii) filing a written request for this method of service to be performed in all cases, specifying a facsimile number or an electronic address to which these orders and notices may be sent.

The request for electronic service in all cases filed pursuant to paragraph (ii) may be rescinded at any time by the party's attorney, or the party if unrepresented, by filing a written notice that service of orders and notices shall be accomplished as otherwise provided in this rule.

(d) In a judicial district that permits electronic filing pursuant to Rule 576.1, service of court orders or notices shall be made as provided in Rule 576.1(D)(2) and (H)(1).

(C) Docket Entries

\* \* \* \* \*

Official Note: Formerly Rule 9024, adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; renumbered Rule 9025 and Comment revised June 2, 1994, effective September 1, 1994; renumbered Rule 114 and Comment revised March 1, 2000, effective April 1, 2001; amended March 3, 2004, effective July 1, 2004; amended August 24, 2004, effective August 1, 2005; amended July 20, 2006, effective September 1, 2006; Comment revised September 18, 2008, effective February 1, 2009; amended December 6, 2010, effective February 1, 2011; amended , 2016, effective , 2016.

Committee Explanatory Reports:

\* \* \* \* \*

Final Report explaining the December 6, 2010 amendment concerning consent to electronic service published with the Court's Order at 40 Pa.B. 7336 (December 25, 2010).

Report explaining proposed amendments for service where a court has adopted electronic filing published for comment at 46 Pa.B. 1647 (April 2, 2016).

CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART G(1). Motion Procedures

Rule 576. Filing and Service by Parties.

(A) FILING

(1) All written motions and any written answers, and any notices or documents for which filing is required, shall be filed with the clerk of courts.

(2) Filing shall be [ by ]:

(a) by personal delivery to the clerk of courts; [ or ]

(b) by mail addressed to the clerk of courts. Except as provided by law, filing by mail shall be timely only when actually received by the clerk of courts within the time fixed for filing[ . ] ; or,

(c) in a judicial district that permits electronic filing pursuant to Rule 576.1, as provided in Rule 576.1(E).

(3) The clerk of courts shall accept all written motions, answers, notices, or documents presented for filing. When a document, which is filed pursuant to paragraph (A)(1), is received by the clerk of courts, the clerk shall time stamp it with the date of receipt and make a docket entry reflecting the date of receipt, and promptly shall place the document in the criminal case file.

\* \* \* \* \*

(B) SERVICE

\* \* \* \* \*

(4) Certificate of Service

(a) All documents that are filed and served pursuant to this rule shall include a certificate of service.

(b) The certificate of service shall be in substantially the form set forth in the Comment, signed by the party's attorney, or the party if unrepresented, and shall include the date and manner of service, and the names, addresses, and phone numbers of the persons served.

(5) In a judicial district that permits electronic filing pursuant to Rule 576.1, service shall be made as provided in Rule 576.1(D)(2) and (H)(1).

(C) Any non-party requesting relief from the court in a case shall file the motion with the clerk of courts as provided in paragraph (A), and serve the defendant's attorney, or the defendant if unrepresented, the attorney for the Commonwealth, and the court administrator as provided in paragraph (B).

Comment

For the procedures for electronic filing and service as a local option, see Rule 576.1.

Paragraph (A)(1) requires the filing of all written motions and answers. The provision also applies to notices and other documents only if filing is required by some other rule or provision of law. See, e.g., the notice of withdrawal of charges provisions in Rule 561 (Withdrawal of Charges by Attorney for the Commonwealth), the notice of alibi defense and notice of insanity defense or mental infirmity defense provisions in Rule 573 (Pretrial Discovery and Inspection), the notice that offenses or

defendants will be tried together provisions in Rule 582 (Joinder—Trial of Separate Indictments or Informations), the notice of aggravating circumstances provisions in Rule 802 (Notice of Aggravating Circumstances), and the notice of challenge to a guilty plea provisions in Municipal Court cases in Rule 1007 (Challenge to Guilty Plea).

\* \* \* \* \*

**Official Note:** Former Rule 9022 adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective January 1, 1994; amended July 9, 1996, effective September 1, 1996; renumbered Rule 576 and amended March 1, 2000, effective April 1, 2001. Former Rule 9023 adopted October 21, 1983, effective January 1, 1984; amended June 2, 1994, effective September 1, 1994; renumbered Rule 577 and amended March 1, 2000, effective April 1, 2001; rescinded March 3, 2004, effective July 1, 2004. Rules 576 and 577 combined and amended March 3, 2004, effective July 1, 2004, Comment revised June 4, 2004, effective November 1, 2004; Comment revised September 18, 2008, effective February 1, 2009; Comment revised September 21, 2012, effective November 1, 2012; **amended** , **2016, effective** , **2016.**

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the September 21, 2012 revision of the Comment correcting a typographical error in the thirteenth paragraph published with the Court's Order at 42 Pa.B. 6251 (October 6, 2012).

**Report explaining the proposed amendment regarding electronic filing and service pursuant to Rule 576.1 published for comment at 46 Pa.B. 1647 (April 2, 2016).**

*(Editor's Note:* The following rule is new and printed in regular type to enhance readability.)

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

(A) The president judge of a judicial district by local rule promulgated pursuant to Rule 105 may authorize electronic filing of legal papers with the clerk of courts in cases in the courts of common pleas and in the Philadelphia Municipal Court through the statewide electronic filing system as provided in this rule.

(B) The local rule required under this rule shall include the following provisions:

(1) state that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

(2) provide for the procedures to ensure that any party who declines to participate in the system, or who is unable to file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed; and

(3) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district.

(C) As used in this rule, the following words shall have the following meanings:

“electronic filing,” the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

“filing party,” an attorney, defendant, or other person who files a legal paper by means of electronic filing;

“legal paper,” a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, exhibits, and attachments, but excluding

- (1) applications for search warrants,
- (2) applications for arrest warrants,
- (3) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,
- (4) submissions filed *ex parte* as authorized by law, and
- (5) submissions filed or authorized to be filed under seal;

“original document,” a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

“the system,” the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

(D) Participation

(1) The system shall permit attorneys and defendants proceeding without counsel to file electronically.

(a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

(b) A defendant who is proceeding without counsel shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

(2) Establishment of an account by an attorney or authorization by a defendant proceeding without counsel in the system shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

(3) An attorney or defendant participating in the system is permitted to file legal paper papers in either an electronic format or in a physical paper format. Service upon an attorney or defendant participating in the system shall be done electronically.

(E) Filing

(1) When a legal paper is to be electronically filed, it shall be submitted to the system at the UJS web portal at <http://ujportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

(2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

(3) The time and date on which a legal paper is submitted to the system shall be recorded by the system. The system shall provide an acknowledgement to the filing party and shall permit the filing party to select other parties to the case who are participating in electronic filing to receive notice that the legal paper has been submitted, including the date and time of submission, in a form that can be printed. Parties who are not participating in the system shall be served with a copy of the acknowledgement by mail.

(4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party and other parties to the case who are participating in electronic filing to receive notice that the legal paper has been accepted for filing, including the date and time of acceptance, in a form that can be printed. Parties who are not participating in the system shall be served with a copy of the acknowledgement by mail.

(5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

(6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

(7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

(8) Legal papers shall be presented for filing in portable document format (".pdf").

(9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

(10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and added to the system. However those submissions which are excluded from the definition of "legal paper" under paragraph (C) shall not be converted and added to the system.

(11) No legal paper that complies with the Pennsylvania Rules of Criminal Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

(F) Signature

(1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: *John L. Doe*.

(2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification

pursuant to Pa.R.Crim.P. 575 that the filing party or attorney has read the legal paper, that to the best of the filing party's or attorney's knowledge, information and belief there is good ground to support the motion or answer, and that it is not interposed for delay.

(3) Any motion that avers facts not of record and requiring a sworn affidavit must be created in a physical paper form, a physical signature placed on it, and then converted into a .pdf before it may be electronically filed.

(4) The original of a sworn or verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer and made available upon direction of the court or reasonable request of the signatory or opposing party.

(G) The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

(H) Service

(1) The notification of acceptance of an electronic filing to the system as provided in paragraph (E)(4) shall satisfy the service requirements of Rules 114(B) and 576(B) on any attorney or party who has established a system account.

(2) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 114(B) and 576(B).

**Comment**

This rule, adopted in 2016, permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile electronic filing system. This is the only authorized system for electronic filing of legal documents in criminal court cases in the courts of common pleas and Philadelphia Municipal Court.

This rule is applicable to cases in courts of record. See Rule 103 for the definition of a "court."

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal may have an established account that would be usable for PACFile. Any question about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a district attorney or public defender would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account.

The local rule required by this rule must conform to the requirements of Rule 105.

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases listed for trial or scheduled for argument while maintaining only electronic files for all other cases.

Upon the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission or whose e-mail address is included on an appearance or prior legal paper filed in connection with the case. If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An electronic mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

Nothing in this rule is intended to prohibit the use of advanced communication technology to submit an application for search warrant as provided in Rule 203(A) or to submit an application for an arrest warrant using advanced communications technology as provided in Rule 513(B)(1).

In addition to the filing fees now applicable, an online payment convenience fee for use of the PACFile system may be imposed. *See* 204 Pa. Code § 207.3.

*See* Rule 114(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

Legal papers filed electronically should be consistent with the formatting requirements of Rule 575(C).

*See* Rule 576(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

*See* Rule 1002, for the applicability of this rule to summary cases filed in the Philadelphia Municipal Court.

**Official Note:** New Rule 576.1 adopted , 2016, effective , 2016.

*Committee Explanatory Reports:*

Report explaining proposed new Rule 576.1 providing for electronic filing published for comment at 46 Pa.B. 1647 (April 2, 2016).

## REPORT

### ***Proposed new Pa.R.Crim.P. 576.1 and Proposed amendment of Pa.Rs.Crim.P. 113, 114, and 576***

#### **Electronic Filing and Service of Legal Papers**

##### *Background*

For the past several years, the Committee has been investigating the issue of electronic filing. This began in 2012 when the First Judicial District (FJD) approached the Committee requesting rule changes that would permit the electronic filing of pleadings in criminal cases as a local option. This was part of an initiative to implement an electronic filing system in criminal cases similar to the e-filing system already in place in Philadelphia for civil and orphans' court cases. The Committee believes that the goal of implementing electronic filing is a good one. The Committee concluded that the best approach would be to have practical experience in how such a system

would work in practice before recommending statewide rule changes to the Court. This led to the establishment of an electronic filing pilot project in Philadelphia that has been ongoing since February 2013.

Given the success of that program, the Committee agreed to develop rule changes that would permit electronic filing, as a local option, throughout the Commonwealth. The Committee formed a subcommittee to develop the details of these rule changes. In addition to members of the Criminal Rules Committee, the subcommittee included representatives of the FJD and of the IT and Legal departments of the Administrative Office of Pennsylvania Courts (AOPC). During the subcommittee's discussion, it was learned that AOPC was working on a statewide electronic filing system based on the e-filing system used in the Appellate Courts, the PACFile system. The tentative time frame for the roll-out of the system to criminal cases in the courts of common pleas is the end of 2016.<sup>1</sup> It was therefore decided that any proposed electronic filing rule should be based on this statewide system rather than any locally-developed systems.

##### *Proposed New Rule 576.1*

As an initial matter, the Committee agreed that electronic filing should not be required in every judicial district but rather available as a local option. The Committee also concluded that those judicial districts that wish to participate in electronic filing should be required to create a local rule permitting electronic filing within the judicial district as was done in the Philadelphia pilot project.<sup>2</sup> This latter provision would permit the Committee to retain some oversight of the process by the local rule review process contained in Rule 105.

The main provisions for e-filing would be contained in new Criminal Rule 576.1. The basic statement of authority for establishing local e-filing is contained in paragraph (A). Paragraph (B) would list the contents of this required local rule. Paragraph (C) is a definitional section. Paragraph (D) provides the procedures for establishing participation in the system. Paragraph (E) discusses the filing and receipt of documents. Paragraph (F) contains provisions regarding electronic signatures. Paragraph (G) would permit, with some exceptions, paperless files and paragraph (H) contains service provisions.

Paragraph (A) of proposed new Rule 576.1 provides the general scope of the procedures, including the statements that use of the system is voluntary and that cases in the Philadelphia Municipal Court would be included in the electronic filing system.

One of the issues that the Committee had examined at great length was the question of whether the statewide rules should provide that use of the system was strictly voluntary or should permit a local court to make it mandatory if desired. There was a concern about exactly how the "mandatoriness" could be enforced. Making e-filing mandatory could result in an otherwise appropriate filing being refused because it was not presented in electronic form. After considerable debate, the Committee agreed that the proposed rule initially should not permit a local court to make electronic filing mandatory but to recommend inclusion of a "sunset provision" that would enable revisiting the issue after more information and experience has been obtained.

<sup>1</sup> AOPC also indicated that the e-filing capability soon would be available for juvenile cases.

<sup>2</sup> This local rule, Philadelphia Criminal Rule 576, may be found at: <http://www.pacourts.us/assets/opinions/Supreme/out/424crim-attach.pdf>

### *Legal Papers*

Paragraph (C) of Rule 576.1 contains definitions of various terms used in the rule. One of these is a definition of "original document" that would include the electronically filed version of the document as the original. However, the definition would make it clear that electronic copies of exhibits would not be considered originals.

Also included in paragraph (C) is a definition of "legal paper" that broadly defines the types of documents that may be filed electronically. There was the discussion of how to handle those documents that are physically filed because the party does not have the ability or willingness to file electronically even though the documents are permitted to be filed electronically and other parties to the case may have agreed to e-filing. As is practiced in the Philadelphia pilot project, such physical documents are accepted and then scanned into the system by the Clerk of Courts Office. Even after uploading these converted documents into the system, the physical documents are retained. The Committee agreed that this same process should be retained, at least for the present. These provisions are contained in paragraph (E)(10). The rule provides that any physically filed document also must be converted to an electronic form and added to the electronic case file.

The definition of "legal paper" also lists the types of documents that are excluded from electronic filing. If a document is excluded from being filed electronically, it would have to be physically filed and the physical document maintained in the case file. While the new rule does contemplate that most legal papers that are filed in a physical paper format may be scanned into the system for the convenience of the user, those documents excluded from the definition of legal papers may not be scanned into the system. This is because many of these excluded documents involve confidentiality issues and placement of them onto the system might result in them becoming public records.

### *Participation*

Paragraph (D) describes how participation in e-filing is to be initiated. Participation would require that a user establish an account in the PACFile system. The establishment of an account would constitute consent to participate in e-filing including receipt of service of filed documents. This would be a blanket consent for all cases in which that party was participating, including cases in any jurisdiction in which electronic filing is permitted. For *pro se* defendants, there is a requirement for an authorization process based on a similar provision contained in the Court Order for electronic filing in the appellate courts.<sup>3</sup>

There was a question of whether the rules should allow that participation can be accepted for an office, such as the district attorney's office or public defender, as a whole. The concern was that there may be turn-over or reassignment and, if only the individual attorney was listed on the case, it could fall through the cracks. It was noted that the PACFile system currently permits in appellate cases filing by a named office with specific individuals associated with the office listed as the main filer as well as others being able to be listed as proxies. The Committee believes that this capability should be

utilized in trial court cases, especially since it permitted an office to have multiple proxies listed who all would receive notice of a filing and could serve as back-up. However, the Committee concluded that this was more of an administrative matter and rather than a rule change a reference to this capability should be added to the Comment.

While the rules provide that participation in electronic filing is voluntary, the Committee also discussed whether a party who has agreed to participate in electronic filing should be permitted to file legal papers in a physical paper format. The Committee concluded that, at least initially, this should be permitted since this is a new practice and a filing should not be refused solely because it is not done electronically. However, any party that agrees to participate in electronic filing must accept service electronically.

### *Filing and Receipt*

Paragraph (E) contains the provisions related to the filing and receipt of legal papers. The Committee struggled with the question of what constitutes the actual "filing" of a document submitted electronically. This arose in the context of how a filing that is incorrect for some reason, such as improper docket number, would be handled. The main problem arises from the way documents are placed into the PACFile system. A user will submit a document by uploading it onto the system website. The filing office will receive notice that this has occurred. The filing office must then affirmatively accept the document to be considered filed on the PACFile system. Depending on how busy the filing office is, there may be some delay between having the document uploaded onto the system and then accepted as filed. Also, there may be occasions when a filing might be rejected or sent back to the filer for correction, for example, when it is uploaded to an incorrect docket or the required filing fees have not been paid by a non-indigent defendant.

It was noted that even in traditional paper filings, there may be occasions when a document is not accepted immediately for filing for similar reasons. In current practice, this is not a large problem because the document is date-stamped upon presentation at the clerk of courts' office, problems can be corrected quickly or, if not, the time and date of presentation can be used as the time of filing once any dispute regarding the document has been resolved.

The Committee concluded that a similar process could be applied to electronic filing. The electronic filing system will record the time that a document was submitted as well as the time when the document is accepted by the filing office. Notice may be sent to parties selected by the filer when the document is submitted. Notice also may be served on selected parties when the document has been accepted. Therefore, the definition for "filing," contained in paragraph (E)(5), states that filing occurs when the acceptance is made but that once accepted, the time and date of filing shall relate back to the time of submission. However, if the legal paper does not meet the requirements for filing, such as not having the correct docket number or not having paid the applicable filing fee, the filing may be rejected in the same manner in which a physical paper filing may be rejected. In this situation, the time and date of original submission still would be recorded in case there is a dispute regarding whether the document should have been accepted upon submission.

<sup>3</sup> Although PACFile currently is in use by the appellate courts, the Appellate Court Procedural Rules have not been amended to reflect that usage. Instead a Supreme Court Order provides the procedures.



*Signatures*

Included in paragraph (F)(2) is a provision for motions and answers that specifically states that an electronic filing containing an electronic signature constitutes the certification required under Rule 576 that the filer “has read the document and to the best of their knowledge, information and belief, there is good ground to support the motion or answer, and that it is not interposed for delay.”

The Committee generally agreed with the allowance of electronic signatures as being sufficient for the filing of most legal papers. However, a concern was raised regarding motions filed pursuant to 575(A)(1)(g) that aver facts not of record. These motions must be supported by a sworn affidavit averring the facts presented. Given potential consequences for the fraudulent filing of such documents, the Committee concluded that the best way for them to be handled would be by requiring the physical document to be prepared and signed and then scanned into the system for filing. Language to this effect is included in a paragraph (F)(3).

*Philadelphia Municipal Court*

The PACFile system will include Philadelphia Municipal Court non-summary and summary cases. Therefore, cases in the Municipal Court are included in paragraph (A) of new Rule 576.1.<sup>4</sup>

*Other Rule Changes*

Finally, the proposal contains correlative changes to several other criminal rules. Rule 113 (Criminal Case File and Docket Entries) would be amended to permit a “paperless” case file in those counties that permit electronic filing. Additionally, Rule 114 (Orders and Court Notices: Filing; Service; and Docket Entries) would be amended to recognize electronic service of court orders and notices for those parties who are participating in the e-filing system. Rule 576 (Filing and Service by Parties) would recognize e-filing pursuant to Rule 576.1.

[Pa.B. Doc. No. 16-551. Filed for public inspection April 1, 2016, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated March 18, 2016, LeRoy Nathaniel Strickland (# 29498) whose registered address is 849 NW 3rd Street, Webster, FL, is Suspended from the Bar of this Commonwealth for a period of one year retroactive to November 6, 2014. 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*.

MARCEE D. SLOAN,  
Assistant Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 16-552. Filed for public inspection April 1, 2016, 9:00 a.m.]

<sup>4</sup> Electronic filing capabilities for magisterial district judge offices currently are not intended to be part of the extension of the PACFile system but may be incorporated into the Magisterial District Judge System at a later date.

## SUPREME COURT

### Extension of Temporary Assignment of Judges of Philadelphia Municipal Court to the Court of Common Pleas of the First Judicial District of Pennsylvania; No. 336 Common Pleas Judicial Classification Doc.

#### Order

*Per Curiam:*

*And Now*, this 4th day of March, 2016, the Petitions of Sheila Woods-Skipper, President Judge of the Court of Common Pleas of the First Judicial District of Pennsylvania, for the extension of temporary assignment of Judges of Philadelphia Municipal Court to the Court of Common Pleas of the First Judicial District of Pennsylvania are hereby granted, as follows:

Hon. Frank T. Brady  
Hon. Martin S. Coleman  
Hon. James M. DeLeon  
Hon. Teresa Carr Deni  
Hon. Patrick F. Dugan  
Hon. Joyce O. Eubanks  
Hon. Jacquelyn Frazier-Lyde  
Hon. Thomas F. Gehret  
Hon. Barbara S. Gilbert  
Hon. Charles Hayden  
Hon. Nazario Jimenez, Jr.  
Hon. Lydia Y. Kirkland  
Hon. Gerard A. Kosinski  
Hon. Henry Lewandowski III  
Hon. William A. Meehan, Jr.  
Hon. Bradley K. Moss  
Hon. Marsha H. Neifield  
Hon. Wendy L. Pew  
Hon. Harvey W. Robbins  
Hon. T. Francis Shields  
Hon. David C. Shuter  
Hon. Karen Y. Simmons  
Hon. Craig M. Washington  
Hon. Marvin L. Williams

[Pa.B. Doc. No. 16-553. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Temporary Assignment of Judges of Philadelphia Municipal Court to the Court of Common Pleas of the First Judicial District of Pennsylvania; No. 335 Common Pleas Judicial Classification Doc.

#### Order

*Per Curiam:*

*And Now*, this 4th day of March, 2016, the Petitions of Sheila Woods-Skipper, President Judge of the Court of Common Pleas of the First Judicial District of Pennsylvania, for the temporary assignment of Judges of Philadelphia Municipal Court to the Court of Common Pleas of the First Judicial District of Pennsylvania are hereby granted, as follows:

Hon. Christine M. Hope  
Hon. Sharon Williams Losier  
Hon. Joffie C. Pittman

[Pa.B. Doc. No. 16-554. Filed for public inspection April 1, 2016, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 65 ]

#### Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

##### A. *Effective Date*

The final-form rulemaking will go into effect on June 19, 2016.

##### B. *Contact Person*

For further information on the final-form rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at [www.fish.state.pa.us](http://www.fish.state.pa.us).

##### C. *Statutory Authority*

The amendments to § 65.24 (relating to miscellaneous special regulations) are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

##### D. *Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the amendments is described in more detail under the summary of changes.

##### E. *Summary of Changes*

(1) Opossum Lake, a 47-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Lower Frankford Township, Cumberland County, approximately 6 miles west-northwest of the Borough of Carlisle. The dam impounds Opossum Creek at river mile 0.5. This lake was completely dewatered in October 2008 to make dam and spillway repairs and modifications per dam safety standards of the Department of Environmental Protection (Department). Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment was refilled and the Commission resumed annual adult trout stocking during spring 2013 to provide angling opportunities for stocked trout. Additionally, the Commission began to re-establish a high quality warmwater and coolwater fishery through fingerling plants of select fish species beginning in summer 2013. This process was completed during fall 2015. However, additional fingerlings may be stocked as deemed necessary.

Immediately upon refilling of the lake, the Commission opened the lake to fishing under a miscellaneous special regulation that allows for the harvest of trout under Commonwealth inland seasons, sizes and creel limits but allows catch and release fishing only for all other fish species. The Commission took this approach to allow a balanced fishery to develop under protective regulations while offering acceptable levels of recreational angling opportunities. This regulation will remain in effect until June 18, 2016.

Based on a recent assessment of the fish community, the fishery continues to develop. However, the fishery has not progressed to levels where the Commission believes that regulations should be relaxed at this time. Therefore, the Commission amends the current miscellaneous special regulation to extend it until the Commission deems it appropriate for removal. Commission staff plan to monitor the fishery biennially. Once the warmwater fishery has been re-established, Commission staff will recommend that the lake be removed from the miscellaneous special regulation and included in one of the Commission's existing warmwater regulation programs.

The Commission amends § 65.24 to read as set forth in the proposed rulemaking published at 45 Pa.B. 6695 (November 21, 2015).

(2) Leaser Lake, a 117-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Lynn Township, Lehigh County, approximately 20 miles west-northwest of Allentown. The dam impounds an unnamed tributary to Ontelaunee Creek. This lake was completely dewatered in 2008-2009 to make dam and spillway repairs and modifications per Department dam safety standards. Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment was nearly refilled by spring 2013, then partially drained by 20 feet in late summer 2014 for additional repairs and fully refilled in 2015. The Commission resumed annual adult trout stocking during spring 2013 to provide angling opportunities for stocked trout. Additionally, the Commission began to re-establish a high quality warmwater and coolwater fishery through fingerling plants of select fish species beginning in 2013. This process remains on-going albeit with some cancellations, such as walleye fingerlings, required in 2014 due to the partial drawdown.

Immediately upon refilling of the lake, the Commission opened the lake to fishing under a miscellaneous special regulation that allowed for the harvest of trout under Commonwealth inland seasons, sizes and creel limits but allowed catch and release fishing only for all other fish species. The Commission took this approach to permit balanced fish populations to develop under protective regulations while offering acceptable levels of recreational angling opportunities. This regulation will remain in effect until June 18, 2016.

Based on the stocking delay that occurred, a recent fisheries management assessment of the fish community and information from Commission staff and anglers regarding their catches, the growth and abundances of warmwater/coolwater fish populations have not progressed to levels where staff believe that regulations should be relaxed at this time. Therefore, the Commission amends the current miscellaneous special regulation to extend it until the Commission deems it appropriate for removal. Commission staff plan to monitor the fishery biennially. Once the warmwater/coolwater fish populations have been re-established, Commission staff will recommend that the lake be removed from the miscellaneous special regulation and included in one of the Commission's existing warmwater regulation programs.

The Commission amends § 65.24 to read as set forth at 45 Pa.B. 6695.

*F. Paperwork*

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

*G. Fiscal Impact*

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will not impose new costs on the private sector or the general public.

*H. Public Involvement*

Notice of proposed rulemaking was published at 45 Pa.B. 6695. The Commission received one public comment opposing the proposed amendments. Copies of the public comment were provided to the Commissioners.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the amendments adopted by this order has been given under 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, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided, and the public comment was considered.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

*Order*

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 45 Pa.B. 6695.

(b) The Executive Director will submit this order and 45 Pa.B. 6695 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 45 Pa.B. 6695 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect June 19, 2016.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-269 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 16-555. Filed for public inspection April 1, 2016, 9:00 a.m.]

# PROPOSED RULEMAKING

## LIQUOR CONTROL BOARD

[ 40 PA. CODE CHS. 9 AND 11 ]

### Distributors Accepting Credit Cards from Licensees

The Liquor Control Board (Board), under the authority of sections 207(i) and 493(2) of the Liquor Code (47 P.S. §§ 2-207(i) and 4-493(2)), proposes to amend § 9.95 (relating to sales) and add § 11.152 (relating to sales by importing distributors and distributors).

#### Summary

The Board proposes to amend its regulations pertaining to the types of payment importing distributors and distributors are allowed to accept from other Board licensees. Section 493(2) of the Liquor Code prohibits importing distributors and distributors from accepting cash from anyone possessing a license as payment for malt or brewed beverages. Section 493(2) of the Liquor Code further provides that money orders and cashier's checks are permissible in these situations, as well as "any other type of payment authorized by the board. . . ." In exercise of this authority, the Board is proposing to authorize an additional form of payment.

The proposed rulemaking expressly permits importing distributors and distributors to accept credit cards as payment from other licensees of the Board. It will thus allow distributors to use credit cards as payment for malt or brewed beverages when purchasing from importing distributors, as well as allowing importing distributors and distributors to accept credit cards as payment from retail licensees. The credit cards shall be issued by institutions other than licensees to avoid one licensee extending credit to another licensee.

Credit cards are widely used by both businesses and consumers, and importing distributors and distributors are already permitted to accept credit cards as payment from nonlicensee purchasers. By authorizing importing distributors and distributors to accept credit cards from licensees, the Board aims to make transactions between importing distributors and distributors, as well as other licensees, easier and more reliable. Since in credit card transactions the payee instantly receives the funds, while the payor creates a debt obligation to the third-party card issuer, the transaction is instantly complete. This ensures prompt payment and reduces the likelihood of disputes between licensees compared to transactions involving business checks, which can later "bounce" or be denied for processing by the financial institution due to insufficient funds.

#### Affected Parties

The affected parties include importing distributor and distributor licensees as well as licensees that purchase malt or brewed beverages from importing distributors and distributors.

#### Paperwork Requirements

This proposed rulemaking will not require additional paperwork to be filed. It will, however, require importing distributors and distributors to maintain as business records all written agreements with credit card issuers.

#### Fiscal Impact

There is no anticipated fiscal impact of the proposed rulemaking since the acceptance of credit cards as a form of payment is voluntary.

#### Effective Date

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

#### Public Comments

Interested persons are invited to submit written comments about the proposed rulemaking to Rodrigo Diaz, Chief Counsel, or Justin Blake, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001 within 30 days after publication in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Public comments will be posted on the Independent Regulatory Review Commission's (IRRC) web site. Personal information will not be redacted from public comments.

#### Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 8, 2016, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. 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 in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

TIM HOLDEN,  
*Chairperson*

**Fiscal Note:** 54-89. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 40. LIQUOR

#### PART I. LIQUOR CONTROL BOARD

#### CHAPTER 9. TRANSPORTATION, IMPORTATION, DISPOSITION AND STORAGE

#### Subchapter E. IMPORTATION AND DISTRIBUTION OF MALT OR BREWED BEVERAGES

#### GENERAL PROVISIONS

#### § 9.95. Sales.

\* \* \* \* \*

(c) Distributors and importing distributors may accept from purchasers debit card payments which provide for instant electronic transfer of funds from payor to payee. Debit card transactions which provide for instant elec-

tronic funds transfer shall be considered a cash equivalent which complies with the Liquor Code.

**(d) Distributors and importing distributors may accept credit cards as payment from licensees as set forth in § 11.152 (relating to sales by importing distributors and distributors).**

## CHAPTER 11. PURCHASES AND SALES

### Subchapter G. CREDIT CARDS

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

#### **§ 11.152. Sales by importing distributors and distributors.**

Importing distributors and distributors may accept credit cards as payment from other licensees of the Board for any purchases, including malt or brewed beverages. For purposes of this section, the term "credit cards" refers only to credit cards issued by companies other than licensees which guarantee payment of the credit, provided the importing distributor or distributor has entered into a written agreement to honor the credit cards of the particular company and the agreement is retained in the records of the importing distributor or distributor.

[Pa.B. Doc. No. 16-556. Filed for public inspection April 1, 2016, 9:00 a.m.]

# NOTICES

## 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 March 22, 2016.

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

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-18-2016	Emclaire Financial Corporation Emlenton Venango County  Application for approval to acquire 100% of United-American Savings Bank, Pittsburgh.	Approved

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-18-2016	United-American Savings Bank Pittsburgh Allegheny County  Application for approval to merge U-A Interim National Association, Emlenton, with and into United-American Savings Bank, Pittsburgh.	Approved

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-3-2016	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	4275 County Line Road Chalfont Bucks County	Opened

### CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 16-557. Filed for public inspection April 1, 2016, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Weatherization Assistance Program's Proposed State Plan; Public Hearing

The Department of Community and Economic Development (Department) will hold a public hearing at 3 p.m. on Monday, April 11, 2016, in PUC Hearing Room 3, Plaza

Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the proposed Pennsylvania 2016-2017 annually appropriated United States Department of Energy (DOE) Weatherization Assistance Program Plan (regular plan).

The 2016-2017 regular plan will authorize the current 2016-2017 formula-based distribution for each county. Specific performance goals emphasize production, quality of the work product, prompt, accurate and complete reporting, and compliance with program standards and regulations.

The State Plan includes some changes:

- The Weather Assistance Program will use the DOE-approved Energy Audit called HEAT. This replaces a specialized Priority List of Measures used to audit single family homes. In addition, the Commonwealth will continue its use of the Manufactured Home Energy Audit as the standard audit process for manufactured housing/mobile homes.
- The Weather Assistance Program Field Guide and National Standard Work Specifications (SWS) have been streamlined into the Pennsylvania Standard Work Specifications Field Manual.
- A final Quality Control Inspection (QCI) checklist has been developed.
- The Weather Assistance Program Performance Assessment tool has been restructured to include weighted criterion when determining the final risk level/score.

These changes are part of a Quality Work Plan requirement per the DOE's implementation of the SWS for the weatherization workforce and QCI. There is a continued National focus on coordination of efforts when other health and safety, lead-abatement, utility weatherization and housing rehab services are coordinated locally with weatherization services.

Copies of the 2016-2017 regular plan may be obtained beginning April 1, 2016, by contacting the Department of Community and Economic Development, Center for Community Services, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 425-7597 or it can be downloaded from the Department's web site at [www.newpa.com](http://www.newpa.com).

Written comments may be submitted to Lynette Praster, Director, Center for Community Services, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120 until 5 p.m. on April 11, 2016.

Persons with a disability who wish to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings should contact Yvonne Adams at (717) 425-7597 to discuss how the Department may accommodate their needs.

DENNIS M. DAVIN,  
*Secretary*

[Pa.B. Doc. No. 16-558. Filed for public inspection April 1, 2016, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application by Southern Illinois University to Operate a Location in this Commonwealth

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval for Southern Illinois University to open a location in Beaver Falls, PA. Southern Illinois University has applied to offer a Bachelor of Science degree in Aviation Management at the Community College of Beaver County.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodations to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,  
*Secretary*

[Pa.B. Doc. No. 16-559. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Application by Summit University of Pennsylvania to Amend Articles of Incorporation

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Summit University of Pennsylvania to amend its Articles of Incorporation to change the name of the institution to Clarks Summit University.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,  
*Secretary*

[Pa.B. Doc. No. 16-560. Filed for public inspection April 1, 2016, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080080 SEW	Conewago Valley Mobile Home Park, Inc. 800 York Road Dover, PA 17315	York County/ Dover Borough	Conewago Creek/7-F	Y



<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0038385 SEW	DLA Installation Support at Susquehanna DS-FS 5750 3rd Street, Building 750 New Cumberland, PA 17070-5076	York County/ Fairview Township	Susquehanna River/7-E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114979 (Sewage)	Knoxville Borough STP PO Box 191 Knoxville, PA 16928	Tioga County Knoxville Borough	Cowanesque River (4-A)	Yes
PA0114766 (Sewage)	BSI/Former Nisbet Elementary School 184 E Village Drive Williamsport, PA 17702-8023	Lycoming County Susquehanna Township	Bender Run (10-A)	Yes
PA0113956 (Sewage)	Numidia Wastewater Treatment Plant E Lake Glory Road Catawissa, PA 17820	Columbia County Locust Township	Unnamed Tributary of Roaring Creek (5-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0216160 (Sewage)	Livingston Portal STP 46226 National Road Saint Clairsville, OH 43950-8742	Washington County South Strabane Township	Pigeon Creek (19-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0264245 (Sewage)	Howard Carlson SRSTP 1523 Valentine Run Road Russell, PA 16345	Warren County Farmington Township	Rhine Run (16-B)	Yes
PA0209929 (Sewage)	Dennis Stefanak SFTF 69 Romain Road Pulaski, PA 16143-1215	Mercer County Shenango Township	Unnamed Tributary of Shenango River (20-A)	Yes
PA0032913 (Sewage)	Scenic MHP 24 Bogel Avenue North Arlington, NJ 07031-4726	Mercer County Pymatuning Township	Brush Run (20-A)	Yes

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

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

**PA0035009**, Sewage, SIC Code 4952, 8211, **Lake Lehman School District**, P. O. Box 38, Market Street, Lehman, PA 18627-0038. Facility Name: Lake Lehman High School WWTP. This existing facility is located in Lehman Township, **Luzerne 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 East Fork Harvey Creek, is located in State Water Plan watershed 5-B 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 0.018 MGD. The limits are in effect from the Permit Effective Date through the Permit Expiration Date.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 MGD. The limits are in effect from the Permit Effective Date through One Year After Permit Effective Date.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2	XXX	2.8

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 MGD. The limits are in effect from One Year After Permit Effective Date through the Permit Expiration Date.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.1

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

- TRC Effluent Limits Compliance Schedule and Solids Management.

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

The EPA Waiver is in effect.

**PA0275689**, Industrial, SIC Code, **Future Power PA LLC**, 7500 College Boulevard, Overland Park, KS 66210. Facility Name: Good Spring NGCC Facility. This proposed facility is located in Porter Township, **Schuylkill County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Industrial Waste and stormwater.

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.06	XXX	0.14
Temperature (°F)						
Jan 1-31	XXX	XXX	XXX	XXX	43.4	XXX
Feb 1-29	XXX	XXX	XXX	XXX	42.4	XXX
Mar 1-31	XXX	XXX	XXX	XXX	50.9	XXX
Apr 1-15	XXX	XXX	XXX	XXX	55.9	XXX
Apr 16-30	XXX	XXX	XXX	XXX	56.9	XXX
May 1-15	XXX	XXX	XXX	XXX	58.2	XXX
May 16-31	XXX	XXX	XXX	XXX	62.2	XXX
Jun 1-15	XXX	XXX	XXX	XXX	65.3	XXX
Jun 16-30	XXX	XXX	XXX	XXX	69.3	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Jul 1-31	XXX	XXX	XXX	XXX	72.7	XXX
Aug 1-31	XXX	XXX	XXX	XXX	71.6	XXX
Sep 1-15	XXX	XXX	XXX	XXX	67.5	XXX
Sep 16-30	XXX	XXX	XXX	XXX	61.5	XXX
Oct 1-15	XXX	XXX	XXX	XXX	56.5	XXX
Oct 16-31	XXX	XXX	XXX	XXX	52.5	XXX
Nov 1-15	XXX	XXX	XXX	XXX	47.7	XXX
Nov 16-30	XXX	XXX	XXX	XXX	43.4	XXX
Dec 1-31	XXX	XXX	XXX	XXX	45.1	XXX
Total Suspended Solids	112.6	375.3	XXX	30.0	100.0	XXX
Total Dissolved Solids	7,506	15,012	XXX	2,000.0	4,000.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	2.81	3.83	XXX	0.75	1.02	XXX
Boron, Total	8.22	12.76	XXX	2.19	3.40	XXX
Chromium, Total	0.75	0.75	XXX	0.2	0.2	XXX
Cobalt, Total	0.10	0.15	XXX	0.026	0.040	XXX
Copper, Total	3.75	3.75	XXX	1.0	1.0	XXX
Iron, Dissolved	1.13	2.40	XXX	0.30	0.64	XXX
Iron, Total	3.75	3.75	XXX	1.0	1.0	XXX
Manganese, Total	3.75	7.99	XXX	1.00	2.13	XXX
Sulfate, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	3.75	3.75	XXX	1.0	1.0	XXX
Chloride	Report	XXX	XXX	Report	XXX	XXX
Bromide	Report	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	50.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of Stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	50.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 301 are based on a design flow of 0.001 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Geometric Mean	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25 Avg Mo	XXX	50
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000

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

- Chemical additives
- Chesapeake Bay monitoring
- Stormwater
- Watershed flow rates

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

The EPA Waiver is not in effect.

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

**PA0082392**, Sewage, SIC Code 4952, **Derry Township Municipal Authority Dauphin County**, 670 Clearwater Road, Hershey, PA 17033-2453. Facility Name: Derry Township Southwest STP. This existing facility is located in Londonderry Township, **Dauphin 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), Swatara Creek, is located in State Water Plan watershed 7-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
DO	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	125	200	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
TSS						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
TSS	150	225	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	10	XXX	XXX	2.0	XXX	4

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 Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	10,959	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	1,461	XXX	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:

- Stormwater requirements
- Restrictions on accepting hauled in waste under certain conditions
- Solids Management
- Requirement for Chlorine minimization

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.

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

**PA0037966**, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority**, 829 N 9th Street, Philipsburg, PA 16866-2327. Facility Name: Moshannon Valley Joint Sewer Authority Wastewater Treatment Plant. This existing facility is located in Rush Township, **Centre 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), Moshannon Creek, is located in State Water Plan watershed 8-D 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 2.037 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (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	9.0	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	Max XXX	XXX
Total Residual Chlorine (TRC)						
(Interim)	XXX	XXX	XXX	1.0	XXX	2.3
(Final)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	420	675	XXX	25.0	40.0	50
		Wkly Avg			Wkly Avg	
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	505	760	XXX	30.0	45.0	60
		Wkly Avg			Wkly Avg	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
Aluminum, Total	9.40	9.40	XXX	0.75	0.75	0.75
Iron, Total	18.80	37.53	XXX	1.50	3.00	3.75
Manganese, Total	12.50	25.02	XXX	1.00	2.00	2.5

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 Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	37,205	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	4,960	XXX	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 570-327-3693.

The EPA Waiver is not in effect.

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

**PA0264393**, Sewage, SIC Code 8800, **Joseph Jackman**, 9725 Wattsburg Road, Erie, PA 16509. Facility Name: Joseph Jackman SRSTP. This proposed facility is located in Greene Township, **Erie County**.

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

The receiving stream, unnamed tributary to Fourmile Creek, is located in State Water Plan watershed 15 and is classified for warm water fishes, 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 Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- Prohibition of Stormwater Discharges
- Right of Way
- Department Revocation of Permit
- Aerobic Tank Pumping Requirement
- Abandonment of the Treatment System
- Requirement to submit Annual Maintenance & Discharge Monitoring Reports
- Solids Handling

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.

**PA0264261**, Sewage, SIC Code 4952, 8800, **Mcclain Robert K**, 1310 Thompson Hill Road, Russell, PA 16345. Facility Name: Mcclain SRSTP. This proposed facility is located in Farmington Township, **Warren County**.

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

The receiving stream(s), Unnamed Tributary to Rhine Run, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies. The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

**PA0264423**, Sewage, SIC Code 8800, **Dennis Herrit**, 201 Walker Avenue, Butler, PA 16001. Facility Name: Dennis Herrit SRSTP. This proposed facility is located in Center Township, **Butler County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 2306402**, Sewage, Amendment, **Concord Township**, 43 Thornton Road, Glen Mills, PA 19342.

This proposed facility is Concord Township, **Delaware County**.

Description of Action/Activity: Conversion of equalization tank to a sludge digester and existing aerobic treatment tank to equalization tank and grit separator.

**WQM Permit No. 1500201**, Industrial, Amendment, **Herr Foods, Inc.**, P. O. Box 300, Nottingham, PA 19362-0300.

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

Description of Action/Activity: Modifications to add an equalization tank, oil & grease removal system, and a new final clarifier.

**WQM Permit No. 1503401**, Sewage, Amendment, **Easttown Municipal Authority**, 566 Beaumont Road, Devon, PA 19333.

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

Description of Action/Activity: Replacement of approximately 2,385 feet of 8-inch diameter gravity main with a new 10-inch diameter gravity main, 890 feet of 10-inch gravity main with 12-inch gravity main, and 3,350 feet of 8-inch diameter force main.

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

**WQM Permit No. 3516201**, Industrial, **Lackawanna Energy Center LLC**, 1 S Wacker Drive Suite 1800, Chicago, IL 60606-4630.

This proposed facility is located in Jessup Borough, **Lackawanna County**.

Description of Proposed Action/Activity: An industrial waste application for Lackawanna Energy Center LLC to construct, own and operate a Natural Gas-Fired Combined-Cycle Electric Generating Facility in Jessup.

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

**WQM Permit No. 1116400**, Sewage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers in the 8th Ward Area of the City of Johnstown.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

**WQM Permit No. 1116401**, 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 sanitary sewer rehabilitation project to replace existing defective sewers in the Phase II Area of Lower Yoder Township.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

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

**WQM Permit No. 1616403**, Sewage, **Pinebloom Corp**, 308 Timberwolf Run, Knox, PA 16232-4072.

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

Description of Proposed Action/Activity: Sand filter treatment system to replace existing lagoon system.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011515033	The Cutler Group, Inc. 5 Apollo Road, Suite 1 Plymouth Meeting, PA 19462	Chester	East Pikeland Township	Unnamed Tributary to French Creek TSF-MF Stony Run HQ-TSF
PAI010916004	Gorski Engineering, Inc. 1 Iron Bridge Drive Collegeville, PA 19426	Bucks	Milford Township	Unnamed Tributary to Molasses Creek HQ-TSF-MF

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

*Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg, PA 18360-0917*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024508002R	Pocono Manor Investors, LP P. O. Box 38 Pocono Manor, PA 18349	Monroe	Pocono Township	UNT to Scot Run (HQ-CWF, MF) Transue Run (HQ-CWF, MF)

*Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth, PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024814005(1)	Kerry A. Wrobel Lehigh Valley Industrial Park 1720 Spillman Drive, Suite 150 Bethlehem, PA 18015-2164	Northampton	Lower Saucon Township City of Bethlehem	Saucon Creek (CWF, MF) East Branch Saucon Creek (CWF, MF) Lehigh River (WWF, MF)



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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030115003	Donald Holman 20 Pennsylvania Avenue Avon, NY 14414	Adams	Franklin & Menallen Townships	West Conewago Creek (HQ-CWF) Pond (HQ-CWF) EV Wetlands

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI050316001	Sugar Creek Rest, LP, 120 Lakeside Drive Worthington, PA 16262-5102  Quality Life Services 612 North Main Street Butler, PA 16001-4363	Armstrong County	Sugarcreek Township	Patterson Run (HQ-TSF)

## 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

**Application No. PA0275859**, Concentrated Animal Feeding Operation (CAFO), **Snyder Leon E (Leon E. Snyder Poultry Operation)**, 230 Poplar Road, Fleetwood, PA 19522.

Snyder Leon E has submitted an application for an Individual NPDES permit for a new CAFO known as Leon E Snyder Poultry Operation, located in Weisenberg Township, **Lehigh County**.

The CAFO is situated near Schaefer Run in Watershed 2-C, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO will be designed to maintain an animal population of approximately 930 animal equivalent units (AEUs) consisting of 300,000 layers (chickens). Manure will be automatically scraped to attached storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

<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>
Mike Buckwalter 350 Rock Point Road Marietta, PA 17547	Lancaster	254.7	478.34	Swine/Beef	NA	Renewal
Dwayne Nolt 58 East Strack Drive Myerstown, PA 17067	Lebanon	52	554.34	Swine & Beef	NA	New
Dennis Ulrich 9291/9251 Old Route 22 Bethel, PA 19507	Berks	16.4	258.4	Poultry: Layers	None	Renewal
Derrick Weaver 204 Farmers Lane Myerstown, PA 17067	Lebanon	24	321.68	Poultry	NA	Renewal
Walnut Run Farms 292 Elm Road Lititz, PA 17543	Lancaster	1,112.8	1,901.38	Dairy	NA	Renewal
Roaring Creek Egg Farms LLC 297 Middle Road Catawissa, PA 17820	Columbia	0	919.6	Poultry Layers	UNT Mugser Run—HQ-CWF	New

## 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

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

**Permit No. 2116504 MA, Minor Amendment, Public  
Water Supply.**

Applicant	<b>Shippensburg Borough Authority PA</b>
Municipality	Shippensburg Borough
County	<b>Cumberland</b>
Responsible Official	Louis Larson, Water Foreman PO Box 129 111 N Fayette Street Shippensburg, PA 17257-0129
Type of Facility	Public Water Supply
Consulting Engineer	Donnell Duncan, P.E. Utility Service Company Inc 1230 Peachtree Street NE 111 N Fayette Street Atlanta, GA 30309
Application Received:	2/29/2016
Description of Action	Rehabilitation of the Mainsville 250,000 gallon finished water storage tank.

**Permit No. 3616502, Minor Amendment, Public  
Water Supply.**

Applicant	<b>Barnsley Academy</b>
Municipality	East Drumore Township
County	<b>Lancaster</b>
Responsible Official	Clinton Frank, Owner 550 Solanco Road Quarryville, PA 17566

Type of Facility Public Water Supply  
 Consulting Engineer Thomas J. Whitehill, P.E.  
 Whitehill Consulting Engineers  
 763 Conowingo Rd.  
 Quarryville, PA 17566

Application Received: 3/3/2016  
 Description of Action Installation of anion exchange  
 nitrate treatment system

**Permit No. 0516501 MA, Minor Amendment**, Public  
 Water Supply.

Applicant **Defiance Water Association**  
 Municipality Broad Top Township  
 County **Bedford**  
 Responsible Official Jason Perry, President  
 PO Box 122  
 Defiance, PA 16633

Type of Facility Public Water Supply  
 Consulting Engineer Eric S. Lundy, P.E.  
 Nittany Engineering &  
 Associates, LLC  
 2836 Earlstown Road  
 Centre Hall, PA 16828-9162

Application Received: 3/7/2016  
 Description of Action Rehabilitation and improvement  
 of containment/catchment  
 facilities for four surface water  
 influenced springs.

**Permit No. 2216503**, Public Water Supply.

Applicant **Steelton Borough Authority**  
 Municipality Steelton Borough  
 County **Dauphin**  
 Responsible Official Douglas E. Brown, Authority  
 Secretary/Treasurer  
 123 N Front Street  
 Steelton, PA 17113

Type of Facility Public Water Supply  
 Consulting Engineer Joshua T. Fox, P.E.  
 Herbert, Rowland & Grubic, Inc.  
 369 East Park Drive  
 Harrisburg, PA 17111

Application Received: 3/9/2016  
 Description of Action Modifications to the Authority's  
 existing clearwell and  
 installation of a new  
 260,000-gallon storage tank to  
 act as additional clearwell  
 volume. An associated booster  
 pumping station will also be  
 installed.

**Permit No. 3616503**, Public Water Supply.

Applicant **Kitchen Kettle Foods, Inc.**  
 Municipality Leacock Township  
 County **Lancaster**  
 Responsible Official Michelle Rondinelli, President  
 PO Box 380  
 Intercourse, PA 17534-0380

Type of Facility Public Water Supply

Consulting Engineer Charles A. Kehew II, P.E.  
 James R. Holley & Associates,  
 Inc.  
 18 South George Street  
 York, PA 17401

Application Received: 3/16/2016  
 Description of Action Installation of Well No. 2

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

**Permit No. 0413507-A1**, Public Water Supply.

Applicant **Municipal Authority of the  
 Borough of Midland**  
 946 Railroad Avenue  
 Midland, PA 15059

[Township or Borough] Midland Borough  
 Responsible Official Raymond Presutti, Authority  
 Board Chairman  
 Municipal Authority of the  
 Borough of Midland  
 946 Railroad Avenue  
 Midland, PA 15059

Type of Facility Water system  
 Consulting Engineer Widmer Engineering, Inc.  
 806 Lincoln Place  
 Beaver Falls, PA 15010

Application Received Date March 22, 2016

Description of Action Amendments to the intake and  
 waterline project.

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

**Permit No. 1616501**, Public Water Supply

Applicant **Samuel & Michael Buzard**  
 Township or Borough Limestone Township  
 County **Clarion**  
 Responsible Official Samuel & Michael Buzard  
 Type of Facility Public Water Supply  
 Consulting Engineer Michael A. Basista, P.E.  
 Bankson Engineers Inc.  
 267 Blue Run Road, Suite 200  
 Cheswick, PA 15024

Application Received Date March 2, 2016

Description of Action Installation of a water meter,  
 pump control module, and  
 baffling tank to provide 4-log  
 inactivation of viruses.

#### WATER ALLOCATIONS

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

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

**WA 22-303J**, Water Allocations. **SUEZ Water Penn-  
 sylvania, Inc. (formally United Water PA Inc.) (PWS  
 ID No. 7220015), Dauphin County.** The applicant is

requesting the right to purchase up to 1.0 million gallons per day (mgd) from the Steelton Borough Authority through an existing interconnection. Applicant Address: John D. Hollenbach, Vice President, United Water Pennsylvania, Inc., 4211 East Park Circle, Harrisburg, PA 17111-0151. Consulting Engineer: Jennifer Miller, P.E. Herbert Rowland & Grubic Inc, 369 East Park Drive, Harrisburg, PA 17111. Application Received: 1/27/2016.

**WA 22-866A, Water Allocations. Pillow Borough Authority (PWS ID No. 7220046), Dauphin County.** The applicant is requesting the right to withdraw 6,500 gallons per day (gpd) from Cold Spring. Applicant Address: Walter Tweitmann, Chairman, Pillow Borough Authority, PO Box 206, Pillow, PA 17080. Consulting Engineer: Raelene M. Gabriel, P.E. Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011. Application Received: 8/7/2015.

**WA 36-366B, Water Allocations. Borough of Denver (PWS ID No. 7360017), Lancaster County.** The applicant was granted the right to withdraw a maximum of 0.180 million gallon per day (mgd) from the Cocalico Creek at an existing intake in West Cocalico Township. Applicant Address: Michael Hession, Borough Manager, 501 Main Street, Denver, PA 17517. Consulting Engineer: Farley F. Fry, P.E. Hanover Engineering Associates, Inc., 20-C Snyder Lane, Ephrata, PA 17522-9101. Application Received: 3/10/2016.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific

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

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

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

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

**Max-Mile Car Care Center, 145 Guy Street, Hallam, PA 17406, Hallam Borough, York County.** Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Jump Start Garage, 2739 Black Bear Road, Needmore, PA 17238, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil from a LUST. The site will be remediated to the Residential Statewide Health Standard. Future use of the site will continue to be used as residential/commercial. The Notice of Intent to Remediate was published in *The York Dispatch/York Sunday News* and *York Daily Record* on March 2, 2016.

**Safety-Kleen Systems, Inc., 10 Eleanor Drive, New Kingstown, PA 17072, Silver Spring Township, Cumberland County.** CB&I Environmental & Infrastructure, Inc., 13 British American Boulevard, Latham, NY 12110, on behalf of Safety-Kleen Systems, Inc., 4120 Thunderbird Lane, Fairfield, OH 45014, submitted a Notice of Intent to Remediate groundwater contaminated with VOCs and mineral spirits. The site will be remediated to the Site Specific Standard and remain commercial. The Notice of Intent to Remediate was published in *The Sentinel* on March 3, 2016.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Jamestown Coating Technologies, 108 Main Street, Borough of Jamestown, Mercer County.** Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Jamestown Coating Technologies, 108 Main Street, Jamestown, PA 16134, submitted a Notice of Intent to Remediate. Historically, the site has been used for industrial use. Site soil and groundwater have been found to be contaminated with paint and solvents. The Site-Specific Standard has been selected for remediation. Intended future use of the property will continue to be industrial. The Notice of Intent to Remediate was published in the *Record-Argus* on March 4, 2016.

**United Brass Works, Inc.**, 944 West 12th Street, City of Erie, **Erie County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of United Brass Works, Inc., 611-A Industrial Avenue, Greensboro, NC 27406, submitted a Notice of Intent to Remediate. The site has been used historically as a brass foundry. Site soil and groundwater has been found to be contaminated with volatile organic compounds, semi-volatile organic compounds, and/or priority pollutant metals. The intended future use of the site is industrial. The standard selected for remediation is Site-Specific. The Notice of Intent to Remediate was published in *The Erie Times-News* on January 9, 2016.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

##### Applications Received under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

**PAD987367216. AERC.com, Inc.**, 2591 Mitchell Avenue, Allentown, PA 18103. This application is for the 10-year renewal of the existing Hazardous Waste Treatment, Storage and Disposal permit for AERC.com, Inc.'s facility located in the City of Allentown, **Lehigh County**. The application was received by the Northeast Regional Office on February 22, 2016 and accepted as complete on March 18, 2016.

#### RESIDUAL WASTE GENERAL PERMITS

##### Application Received for Determination of Applicability under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904) and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

*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. WMGR082D005. NJ Zinc Brownfield, LLC**, 1120 Mauch Chuck Road, Palmerton, PA 18071-1110

General Permit No. WMGR082D005. The Determination of Applicability (DOA) is under Residual Waste General Permit WMGR082 for NJ Zinc Brownfield, LLC, located in the Boro of Palmerton, **Carbon County**. This General Permit is for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag ("slag") as a construction material. The authorized processing is limited to magnetic separation of metallics and mechanical sizing and separation. Uses of slag as a construction material under this permit are limited to the following: as an ingredient in bituminous concrete; as aggregate; as base course; as subbase; and as antiskid material. The DOA application was determined administratively complete by Central Office on March 22, 2016.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department

through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR082D005" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

#### REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

##### Application(s) for Renewal of a Registration Received 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/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

**General Permit Application No. WMGR109SC007. Keystone Holdings, LLC**, 2850 Appleton Street, Camp Hill, PA 17011-8039. The Department of Environmental Protection has received an application for renewal of a registration under General Permit WMGR109 to Keystone Holdings, LLC for the processing and beneficial use of used restaurant oil, yellow grease, grease trap waste, oil and animal fats from food processing or rendering plants, waste from ethanol production, soy bean soap stock, float grease (from wastewater treatment plants), and off-specification vegetable oil for use as a biofuel or biodiesel. This Registration is for their location at 2850 Appleton Street, Camp Hill, PA 17011-8039 in Lower Allen Township, **Cumberland County**. The renewal for the registration was received by the Department on February 29, 2016.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Permits Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

##### Application(s) received for Determination of Applicability 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 a Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

**General Permit No. WMGR082SW002. Tube City IMS, LLC**, 1155 Business Center Drive, Horsham, PA 19044. The General Permit is for the processing and beneficial use of steel and iron slag and refractory bricks mined from an existing slag pile at Park Hill Slag Bank, 240 Parkhill Drive, East Taylor Township, **Cambria County** for use in mine reclamation. The application for determination of applicability was administratively complete by the Southwest Regional Office on March 21, 2016.

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

**Application(s) for Renewal of a Determination of Applicability Received 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/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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

**General Permit Application No. WMGR038SC007. Edge Pennsylvania, LLC dba Edge Rubber, 1711 Opportunity Avenue, Chambersburg, PA 17201.**

The Southcentral Regional Office, Waste Management Program received an application on March 7, 2016 for a renewal of Edge Pennsylvania, LLC's determination of applicability (DOA) under Residual Waste General Permit No. WMGR038 for the Edge Rubber facility located at 1711 Opportunity Avenue, Chambersburg, PA in Greene Township, **Franklin County**. This general permit is for processing waste tires and tire-derived material for fuel and consumer products.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Permits Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Application No. WMGR038SC004. Ecore International, 76 Acco Drive, York, PA 17402-4668.**

The Southcentral Regional Office, Waste Management Program received an application on March 7, 2016 for a renewal of Ecore International's determination of applicability (DOA) under Residual Waste General Permit No. WMGR038 for the Ecore International facility located at 76 Acco Drive, York, PA in York Township, **York County**. This general permit is for processing waste tires and tire-derived material for fuel and consumer products.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Permits Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

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

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

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

**06-05069Z: East Penn Manufacturing Co., Inc.** (PO Box 147, Lyon Station, PA 19536) for the installation of formation (battery charging) systems controlled by mist eliminators and installation of battery finishing lines at their Lyon Station Plant in Richmond Township, **Berks County**. The potential increases in facility emissions as a result of the changes proposed are 5.93 tpy of VOC and 16.74 tpy of H<sub>2</sub>SO<sub>4</sub>. 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. 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.

**36-05140F: Valley Proteins Inc.** (693 Wide Hollow Road, East Earl, PA 17519) for the authorization to combust by-product oil (animal fat) in the facility's No. 3 boiler at the Terre Hill facility located in East Earl Township, **Lancaster County**. The Terre Hill facility is a major facility that is subject to the operating permit requirements of Title V of the Federal Clean Air Act, and 25 Pa. Code Chapter 127, Subchapters F and G. The expected annual emissions based on an allowable use of 2,175,000 gallons of by-product oil is 39.8 tons of NO<sub>x</sub>, 2.5 tons of SO<sub>x</sub>, 6.8 tons of PM<sub>10</sub>, 2.3 tons of CO, and 0.14 ton of VOCs. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60, Subpart Dc, and 40 CFR Part 63, Subpart JJJJJ. Based on these findings, the Department proposes to issue a plan approval for the proposed modification. If, after the project has been implemented, the Department determines that the source has been modified 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.

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

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

**43-252A: Grove City College** (100 Campus Drive, Grove City, PA 16127) for proposed construction of a new natural gas fired boiler rated at 21 mmbtus/hr; change the primary fuel on existing boilers to natural gas; elimination of fuel oil as a fuel for all boilers except Boiler 032 & 033; elimination of coal as a fuel for Boiler 032; making coal the backup fuel for Boiler 031; and upgrading the burners for the existing boilers for efficiency in Grove City Borough, **Mercer County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance

with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 43-252A is for the proposed construction of a new natural gas fired boiler rated at 21 mmbtus/hr; change the primary fuel on existing boilers to natural gas; elimination of fuel oil as a fuel for all boilers except Boiler 032 & 033; elimination of coal as a fuel for Boiler 032; making coal the backup fuel for Boiler 031; and upgrading the burners for the existing boilers for efficiency. The potential emissions for the boilers and miscellaneous natural gas combustion sources after the project will be 7.6 tpy for PM<sub>10</sub>, 5.83 tpy for PM<sub>2.5</sub>, 49.8 tpy for NO<sub>x</sub>, 27.36 tpy for SO<sub>x</sub>, 42.63 tpy for CO, and 3.24 tpy for VOC. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- The following elective restriction from facility operating permit dated February 20, 2015, has been deleted:

- The permittee shall not exceed the following for the boilers:

- Coal usage of 5,850 tpy based on a consecutive 12-month period.

- Average Sulfur content in coal of 1.0% by weight based on a consecutive 12-month period.

- #2 Fuel Oil usage of 210,000 gallons per year based on a consecutive 12-month period.

- Natural gas usage of 650 mmcf/yr based on a consecutive 12-month period.

- [The throughput limits are based on not exceeding the following emission factors:

- $144 * S = 144 * 0.5 = 72$  lbs SO<sub>x</sub> per 1,000 gallons #2 Fuel Oil burned

- $31 * S = 31 * 0.9 = 27.9$  lbs SO<sub>x</sub> per ton coal burned

- If stack testing shows the permittee is exceeding these emission factors, the throughput limits will be revised using the stack test results.]

- The permittee shall, at a minimum, obtain one of the following:

- A fuel oil analysis of the btu value and sulfur content (% by weight), conducted on each shipment received.

- Written certification from the fuel oil supplier, signed by a responsible official, which certifies the aforesaid fuel characteristics for each shipment delivered to the facility.

- The permittee shall record the fuel characteristics, data source and analysis date of each coal and/or fuel oil shipment and shall maintain all of the testing results and/or certifications for at least five years from the testing or certification date.

- The permittee shall compile and submit a semi-annual compliance certification report to the Department within thirty (30) days of the end of each semi-annual period for all coal and fuel oil shipments received during the preceding six (6) months. This report shall clearly identify all excursions and deviations of the defined fuel characteristics.

- Source 031
  - Subject to 25 Pa. Code §§ 123.11 and 123.22
  - The permittee shall perform a stack test for SO<sub>x</sub> & FPM within 6 to 12 months of the effective date of the facility operating permit. The permittee shall perform the stack test at rated capacity and when burning only coal.
  - The permittee shall maintain the following:
    - Operating log of steam flow (lbs/hr)
    - Natural gas usage (cf/hr)
    - Coal consumption (lbs/hr)
    - Coal analysis
  - The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
  - For purposes of 40 CFR 63 Subpart JJJJJJ, this boiler is considered an existing coal subcategory boiler and is subject to this subpart.
- Source 032 & 033
  - Subject to 25 Pa. Code §§ 123.11 and 123.22
  - The source shall burn gaseous fuels not combined with any solid fuels and burn liquid fuel only during periods of gas curtailment, gas supply interruption, start-ups, or periodic testing on liquid fuel. Periodic testing of liquid fuel shall not exceed a combined total of 48 hours during any calendar year.
  - Boilers 032 & 033 combined shall not exceed #2 Fuel Oil usage of 210,000 gallons per year based on a consecutive 12-month period.
  - The permittee shall conduct a tuneup of the boiler within 2 years of plan approval issuance and biennially thereafter.
  - The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
  - For purposes of 40 CFR 63 Subpart JJJJJJ, this boiler will be considered a gas-fired boiler and is not subject to this subpart and to any requirements in this subpart.
- Source 032
  - The following conditions from facility operating permit dated February 20, 2015, have been deleted:
    - The permittee shall perform a stack test for SO<sub>x</sub> in accordance with 25 Pa. Code Chapter 139 and US EPA Reference Method 8 or equivalent test procedure on this Boiler (Source 032) within 6 to 12 months prior to the expiration date of this permit.
    - The permittee shall perform the stack test at rated capacity and when burning only coal. The permittee shall report the results (as SO<sub>2</sub>) of this test in units consistent with the emission limitation (lb/mmBtu) and the emission factor used for compliance (lb SO<sub>x</sub> times %S per ton coal burned).
    - The permittee shall perform a stack test for Filterable Particulate in accordance with 25 Pa. Code Chapter 139 and US EPA Reference Method 5 or equivalent. This test shall be performed within 6 to 12 months prior to the expiration date of the permit.
    - The permittee shall perform the stack test at rated capacity and when burning only coal. The permittee shall report the results of this test in units consistent with the emission limitation (lb/mmBtu).

- Within 45 to 60 days prior to conducting the stack tests, a test procedure and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples of SO<sub>x</sub> and PM emissions from the affected source shall be submitted to the Department.
- At least two weeks prior to the test, the Department shall be informed of the date and time of the test.
- Within 60 days after completion of the test, three copies of the complete test report, including all operating conditions, shall be submitted to the Department for approval.
- If the results of a stack test, performed as required by this approval, exceed the level specified in any condition of this approval, the Permittee shall take appropriate corrective actions. Within 30 days of the Permittee receiving the stack test results, a written description of the corrective actions shall be submitted to the Department. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the Permittee within 30 days, if the corrective actions taken are deficient. Within 30 days of receipt of the notice of deficiency, the Permittee shall submit a description of additional corrective actions to the Department. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.
- If the results of the required stack test exceed any limit defined in this operating permit, the test was not performed in accordance with the stack test protocol or the source and/or air cleaning device was not operated in accordance with the operating permit, then another stack test shall be performed to determine compliance. Within 120 days of the Permittee receiving the original stack test results, a retest shall be performed. The Department may extend the retesting deadline if the Permittee demonstrates, to the Department's satisfaction, that retesting within 120 days is not practicable. Failure of the second test to demonstrate compliance with the limits in the operating permit, not performing the test in accordance with the stack test protocol or not operating the source and/or air cleaning device in accordance with the operating permit may involve additional enforcement action.

- The permittee shall maintain the following:
  - Operating log of steam flow (lbs/hr)
  - Natural gas usage (cf/hr)
  - Fuel oil usage (gal/hr)

- Source 033

- The permittee shall perform a stack test for SO<sub>x</sub> in accordance with 25 Pa. Code Chapter 139 and US EPA Reference Method 8 or equivalent test procedure within 6 to 12 months prior to the expiration date of the facility operating permit with the source at rated capacity and burning only #2 Fuel Oil. If the boiler does not burn #2 Fuel Oil prior to the expiration date of the facility operating permit, the permittee shall conduct the test within 90 days of burning #2 Fuel Oil for greater than a combined total of 48 hours after expiration of the facility operating permit (June 30, 2017). The permittee shall report the results (as SO<sub>2</sub>) of this test in units consistent with the emission limitation (lb/mmBtu) and the emission factor used for compliance (lb SO<sub>x</sub> per 1,000 gallons #2 Fuel Oil burned).



- Source 034
  - Subject to 25 Pa. Code §§ 123.11 and 123.22
  - The source shall be capable of reducing NO<sub>x</sub> and CO emissions to or below:
    - NO<sub>x</sub>: 30 ppmdv @ 3% O<sub>2</sub>
    - CO: 300 ppmdv @ 3% O<sub>2</sub>
  - The source shall only burn natural gas as a fuel.
  - No later than 180 days after initial start-up, the permittee shall demonstrate compliance with the emission limitations for NO<sub>x</sub> and CO. The demonstration may include either of the following methods:
    - Performance stack testing in accordance with applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing).
      - Portable analyzers approved by the Department.
      - Recent test data approved by the Department for identical boilers
    - The permittee shall maintain the following:
      - Operating log of steam flow (lbs/hr)
      - Natural gas usage (cf/hr)
  - Subject to 40 CFR 60 Subpart Dc
  - The permittee shall install and maintain the necessary meter(s) to determine and to record amount of fuel usage.
    - The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
    - The permittee shall conduct a tuneup of the boiler within 2 years of plan approval issuance and biennially thereafter.
    - For purposes of 40 CFR 63 Subpart JJJJJ, this boiler is considered a gas-fired boiler and is not subject to this subpart and to any requirements in this subpart.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-252A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

#### OPERATING PERMITS

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

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

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

**48-00057: Steel Management Systems LLC/Upper Nazareth** (3045 Bath Pike, Nazareth, PA 18064-8946). The Department intends to issue a renewal of the Title V Operating Permit for metal coating and allied service manufacturing in Upper Nazareth Township, **Northampton County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The sources consist of Liquid Building Shot Machine, Liquid Coating Line, and Custom Shot Machine. The sources are controlled by Baghouses. The proposed Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**54-00073: Ingenco Wholesale Power, LLC** (811 Main Street, Suite 3500, Houston, Texas 77002). The Department intends to issue a renewal of the Title V Operating Permit for electric power services in Pine Grove Township, **Schuylkill County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The sources consist of Eighteen (18) Engines. The proposed Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**36-05156: L&S Sweeteners, Inc.** (388 East Main Street, Leola, PA 17540) to issue a Title V Operating Permit for the facility's liquid and dry bulk receiving and transfer operations and gas (landfill)-to-energy plant located in Upper Leacock Township, **Lancaster County**. The actual emissions associated with the facility in the

year 2014 were 111.4 tons of CO, 19.6 tons of NO<sub>x</sub>, 5.7 tons of PM<sub>10</sub>, 4.9 tons of SO<sub>x</sub>, 19.6 tons of VOCs, and 17.9 tons of Formaldehyde. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart JJJJ; 40 CFR Part 60, Subpart Dc; 40 CFR Part 63, Subpart ZZZZ; and 40 CFR Part 63, Subpart DDDDD.

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

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

**08-00004: Rynone Manufacturing Corporation** (P. O. Box 128, Sayre, PA 18840-0128) a Title V operating permit renewal for the Sayre Plant located in Sayre Borough, **Bradford County**. In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 1.65 TPY of CO; 1.98 TPY of NO<sub>x</sub>; 0.06 TPY of SO<sub>x</sub>; 1.46 TPY of PM/PM<sub>10</sub>; 49.70 TPY of VOCs; 51.60 TPY of total HAPs; and 2,619 TPY of CO<sub>2</sub>e. The facility's sources include four (4) vanity/countertop manufacturing lines for mixing, molding, casting and gel coating; various cleanup operations and miscellaneous combustions sources, which have the potential to emit major quantities of hazardous air pollutants (HAPs) including styrene. The facility has the potential to emit nitrogen oxides (NO<sub>x</sub>) and carbon monoxide (CO), sulfur oxides (SO<sub>x</sub>), particulate matter (PM/PM<sub>10</sub>), and volatile organic compounds (VOCs) emissions below the major emission thresholds. 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 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

*Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-4336*

**TV-63-00550:** (3100 Hill Road, South Park Township, PA 15129) 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 **USA South Hills Landfill, Inc.** for their facility located in Union Township, **Washington County** and South Park Township, **Allegheny County**, Pennsylvania.

USA South Hills Landfill, a municipal solid waste landfill has been in operation since 1940s. Sources and the control devices at this facility include Landfill Gas Collection System, Paved and Unpaved Roads, Landfill Leachate Storage, Soil Processing (portable), Degreasing

Operation, Landfill Fugitive emissions, Diesel Air Compressor, LFG Ground Flare (Enclosed Flare) and Water Spray.

This facility has the potential emissions per year of the following type and quantity of air contaminants: 13.50 tons of carbon monoxide, 38.97 tons of nitrogen oxides, 38.97 tons of particulate matter, 8.59 tons of sulfur oxides, 14.22 tons of volatile organic compounds and 13.34 tons of HAPs. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 40 CFR Parts 63 and 25 Pa. Code Chapters 121—145.

A person may oppose the proposed Title V Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to nnaharr@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Title V Operating Permit (TV-63-00550) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

USA South Hills Landfill's Title V Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the USA South Hills Landfill's Title V Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

For additional information you may contact Noor Nahar at 412.442.5225.

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

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

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

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

**23-0119F: Sunoco Partners Marketing & Terminals, L.P. (SPMT)** (2nd and Green Streets, Marcus Hook, PA 19061-0426) to increase the VOC emission limits for five (5) previously permitted internal floating roof storage tanks and the removal of two (2) internal floating roof storage tanks at an existing Title V facility in Marcus Hook Borough, **Delaware County**. The project does not trigger applicability toward the federal PSD program or PADEP's NSR regulation. VOC emissions from this project will be fugitive and the potential emissions increase will be limited as follows: Source 132—7.25 tons; Source 188—6.75 tons; Source 190—5.40; Source 192—6.05 tons; and Source 221—1.47 ton for a total VOC increase of 19.33 tons. The plan approval will include monitoring,

recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**07-05039: Chicago Rivet & Machine Company** (2728 Adams Ave., Tyrone, PA 16686) to issue a State Only Operating Permit for the metal fastener manufacturing facility in Tyrone Borough, **Blair County**. The facility had actual annual emissions in 2014 of about 2 tons of volatile organic compounds. 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. The facility is subject to 40 CFR Part 63 Subpart WWWW—National Emission Standards for Hazardous Air Pollutants: Area Sources Standards for Plating and Polishing Operations.

**01-03026: Growmark FS, LLC** (3150 Stoney Point Road, East Berlin, PA 17316) to issue a State Only Operating Permit for their chemical fertilizer manufacturing facility in Latimore Township, **Adams County**. Annual potential emissions from the facility are estimated at 2.6 tons for nitrogen oxides (NO<sub>x</sub>), 1.5 ton for carbon monoxide (CO) and 10.1 tons for particulate matter (PM). The Operating Permit includes emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**36-03070: Mark Line Industries of PA** (502 Alexander Drive, Ephrata, PA 17522-9652) to issue a renewal of a State Only Operating Permit for their mobile homes manufacturing facility located in Ephrata Township, **Lancaster County**. Actual VOC emissions from the facility are estimated to be 2.5 tpy. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

**42-00216: Catalyst Energy Kane Stripping Plant** (424 S. 27th Street, Suite 304, Pittsburgh, PA 15203-2380) to issue a renewal State Only Operating Permit for the natural gas stripping plant located in Wetmore Township, **McKean County**. The facility is a Natural Minor. The primary sources at the facility include an inlet compressor (400 HP), storage tanks, an ethylene glycol dehydration unit with reboiler, and a refrigeration system. The facility is subject to 40 CFR Part 60 Subparts KKK and VV pertaining to Onshore Natural Gas Processing Plants and Leak Detection and Repair. The facility processes less than 10 mmcf/day of natural gas. Actual NO<sub>x</sub> emissions from the facility for 2015 were approximately 2.5 TPY. Other criteria pollutants and HAPs were much less. In 2014, the facility reported emissions as follows: NO<sub>x</sub>—10.94 TPY; CO 1.99 TPY; PM<sub>10</sub>—0.22 TPY; SO<sub>x</sub> 0.003 TPY; VOC 3.55 TPY and, HAPs—less than 1.0 TPY. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit.

**43-00360: Cronimet Specialty Metals USA, Inc.** (40 Council Avenue, Wheatland, PA 16161) for the issuance of a new State Only Operating Permit for their melting and foundry operations in the Borough of Wheatland, **Mercer County**. The primary emission sources at the facility include 2 Electric Induction Furnaces, a 1.5 million Btu/hr natural gas fueled shot dryer, shakeout operations, shot blasting, a Ball Mill, a Next Gen2 Mixer, and other natural gas combustion sources with ratings of less than 1 million Btus/hr. The facility is a natural minor. Estimated potential emissions for the facility are as follows: NO<sub>x</sub>, 1.3 tpy; SO<sub>x</sub>, 0.008 tpy; CO, 1.09 tpy; PM, 3.36 tpy; VOC, 0.07 tpy.

#### PLAN APPROVALS

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **The Hershey Company** (6 Scotch Pine Drive, Hazle Twp., PA 18202) for their facility located in Hazle Twp., **Luzerne County**. This Plan Approval No. 40-00003A will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 40-00003A is for the addition of new inks and flavors along with additional solvents containing VOCs. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. The facility is subject to 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00003A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments

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

**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 suffi-

cient 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*

**30141302 and NPDES No. PA0236357. AMD Reclamation Inc. and Dana Mining Company of PA, LLC**, (308 Dents Run Road, Morgantown, WV 26501). To operate the Steele Shaft Water Treatment Facility in Dunkard and Perry Townships, **Greene County** and related NPDES permit for mine drainage treatment facility and associated pipelines and boreholes, includes one new NPDES discharge point. Surface Acres Proposed 59.8. Receiving Stream: Dunkard Creek, classified for the following use: WWF. The application was considered administratively complete on March 17, 2016. Application received June 18, 2015.

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

**Permit No. 56100102 and NPDES Permit No. PA00263010, PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, renewal of a bituminous surface and auger mine in Stonycreek Township, **Somerset County**, affecting 448.0 acres. Receiving streams: Unnamed tributaries to Stonycreek and Wells Creek, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Water Authority. Application received: March 11, 2016.

*Noncoal Applications Received*

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

Table 2

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

\* The parameter is applicable at all times.

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

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

**43060302. Doren, Inc**, (2313 State Route 18, Wampum, PA 16157) Transfer of an existing large industrial minerals mine from Terra Resources, LLC in Jefferson Township, **Mercer County**, affecting 73.2 acres. Receiving streams: Lackawannock Creek, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 11, 2016.

**43100302. Doren, Inc.** (2313 State Route 18, Wampum, PA 16157) Transfer of an existing large industrial minerals mine from Terra Resources, LLC in Jefferson Township, **Mercer County**, affecting 52.1 acres. Receiving streams: Lackawannock Creek, classified for the following uses: TSF; and unnamed tributary to Shenango River, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 11, 2016.

**37080303. Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) Revision to an existing bituminous surface mine to add 4.0 acres in Plain Grove & Scott Townships, **Lawrence County**, affecting a total of 75.6 acres. Receiving streams: Taylor Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 14, 2016.

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

**6075SM3 and NPDES PA0069744. New Enterprise Stone & Lime Company, Inc. DBA Eastern Industries, Inc.** (3724 Crescent Ct. West, Suite 200, Whitehall, PA 18052). Permit revision to add reclamation fill to a large noncoal mining permit in Union Township, **Union County** affecting 414.7 acres. Receiving stream(s): Unnamed Tributary to Winfield Creek classified for the following use(s): WWF. Application received: March 7, 2016.

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

**Permit No. 54950301T. Schell Building & Landscaping Stone, Inc.**, (1403B State Road, Zion Grove, PA 17985), transfer of an existing quarry operation from Caln Building Stone Corporation in North Union, Beaver and Roaring Creek Townships, **Schuylkill and Columbia Counties** affecting 802.0 acres, receiving stream: Catawissa Creek, classified for the following use: cold water fishes. Application received: March 7, 2016.

**Permit No. 5176SM7T2. Natstone, LLC dba Rock Ridge Stone**, (631 SR 1039, Montrose, PA 18801), transfer of an existing quarry operation from Rock Ridge Stone, Inc. in Bridgewater Township, **Susquehanna County** affecting 31.0 acres, receiving stream: Snake Creek, classified for the following uses: cold water and migratory fishes. Application received: March 7, 2016.

**Permit No. 58110303T. Natstone, LLC dba Rock Ridge Stone**, (631 SR 1039, Montrose, PA 18801), transfer of an existing quarry operation from Rock Ridge Stone, Inc. in Forest Lake Township, **Susquehanna County** affecting 102.87 acres, receiving stream: Middle Branch Wyalusing Creek, classified for the following uses: cold water and migratory fishes. Application received: March 7, 2016.

#### 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*

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

**NPDES No. PA0269506 (Mining permit no. 56140105), Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, for a new NPDES permit for surface mining activities in Brothersvalley Township, **Somerset County**, affecting 41.5 acres. Receiving streams: Unnamed tributaries to/and Tubs Run, classified for the following use: Cold water fishes. This receiving stream is included in the Buffalo Creek TMDL. Application received: October 6, 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 treatment outfall listed below discharges to unnamed tributaries to Tubs Run:

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

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

<i>Outfall: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to unnamed tributaries to Tubs Run:

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

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

<i>Outfalls: 002 and 003 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)			7.0
Total Suspended Solids			0.5 ml/l
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0259667 (GFCC No. 33-13-17). P. and N. Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767) New NPDES permit for a Government Financed Construction Contract in Clover & Rose Townships, **Jefferson County**, affecting 20.3 acres. Receiving streams: Rattlesnake Run, classified for the following uses: CWF. TMDL: Redbank Creek. Application received: February 11, 2016.

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 Rattlesnake Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB1	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 <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0258997 (Permit No. 25100303). McDonald Sand & Gravel, Inc.** (11425 Neiger Road, Girard, PA 16417) Renewal of an existing NPDES permit for a large industrial minerals surface mine in Springfield Township, **Erie County**, affecting 43.0 acres. Receiving streams: Unnamed tributaries to Crooked Creek, classified for the following uses: HQ-CWF. TMDL: None. Application received: January 19, 2016.

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.

There is no discharge from this site.

**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**

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

**E38-196: Prayers Hospitality, LLC**, 265 N. Hershey Road, Harrisburg, PA 17112, in North Lebanon Township, **Lebanon County**, U. S. Army Corps of Engineers Baltimore District.

To place and maintain approximately 450 cubic yards of fill in the floodway of an unnamed tributary to Quitapahilla Creek (TSF, MF) for the purpose of constructing a hotel and its associated parking lot. The project is located at the intersection of East Cumberland Street and North 16th Street (Latitude: 40° 21' 10.4"N; Longitude 76° 23' 8.5"W) in North Lebanon Township, Lebanon County.

**E36-952: Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh,

PA 15275 in West Cocalico Township, **Lancaster County**, U. S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to construct and maintain a 40.0-foot long by 31.0-foot wide pre-stressed concrete box beam bridge having an underclearance of 5.83 feet over Cocalico Creek (WWF, MF), for the purpose of improving traffic safety. The project is located at the intersection of Greenville Road and Poplar Street (Ephrata, PA Quadrangle; Latitude 40°14'29"N, Longitude 76°08'28"W) in West Cocalico Township, Lancaster County. No wetlands will be impacted by this project.

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

**E12-190. Pennsylvania Department of Transportation, Engineering District 2-0**, 70 PennDOT Drive, Clearfield, PA 16830. SR 0120, Section 404 Stream Enclosure Replacement over an Unnamed Tributary to Sinnemahoning Creek in Driftwood Borough, **Cameron County**, ACOE Baltimore District (Driftwood, PA Quadrangle; Latitude: 41° 20' 22"; Longitude 78° 08' 05").

PA DOT is proposing to resurface SR 0120 within the Borough of Driftwood in Cameron County. The project includes drainage improvements and the replacement of a stream enclosure along Chestnut Street. The applicant proposes to remove the stream enclosure, construct, operate and maintain a new stream enclosure. The existing 462 L.F. of 36 inch stream enclosure is located in an Unnamed Tributary to Sinnemahoning Creek. The existing enclosure will be replaced with 433 L.F. of 48 inch pipe and 67 L.F. of 60 inch pipe, for a total of 500 L.F. Although the proposed enclosure is approximately 40 L.F. longer, the inlet and outlet are located in approximately the same location. The proposed stream enclosure will include approximately 20 L.F. of R-7 Rip Rap outlet protection. The proposed stream enclosure has been designed for the 25 year storm and analyzed for the 100 year storm. PA DoT has prepared a risk assessment for the stream enclosure. The project will not impact any jurisdictional wetlands and does not require mitigation. The Unnamed Tributary to Sinnemahoning Creek is classified as an Exceptional Value Stream.

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

**E02-1727, Buckeye Partners**, 5 TEK Park, 9999 Hamilton Blvd, Breinigsville, PA 18031, Moon Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

1.) Operate and maintain an existing 335' x 36' 9" dock consisting of submerged barges along the right descending bank of Ohio River near mile marker 11;

2.) Construct and maintain a 335 linear foot steel sheet pile bulkhead system in front of the aforementioned dock and to place and maintain fill as needed to restore the dock surface to its original grade;

For the purpose of repairing and rehabilitating the existing dock, which is located on the Ohio River, near mile marker 11 (Quadrangle: Ambridge, Latitude: 40° 31' 41.7"; Longitude: -80° 10' 46.4") near the intersection of S.R. 51 and Thorn Street, in Moon Township, Allegheny County.

**E30-245-A1, Pennsylvania Game Commission**, 4820 Route 711; Bolivar, PA 15923, Whiteley Township, **Greene County**, Pittsburgh ACOE District.

The applicant is proposing to:

Re-grade the stream banks, and to install and maintain stream bank toe rock stabilization along the stream banks, at multiple locations along an approximately 1,540' long reach of Whiteley Creek (TSF) and to install and maintain rock vane deflectors, within this same reach, for the purpose of improving fish habitat. In addition, to grade the floodplain along approximately 234 LF of an Unnamed Tributary of Whiteley Creek and excavate approximately 0.02 acre of wetland, to create a 0.21 acre wetland. The project is to compensate for impacts to aquatic resources that were approved under Permit E30-233. The project is located within State Game Land #223, approximately 0.6 mile east of the intersection of Kirby-Garards Fort Road and McCoy Road (Garards Fort, PA USGS Quadrangle, N: 11.0 inches; W: 9.3 inches; Latitude: 39°48'39"; Longitude: -80°3'54"), in Whiteley Township and Greene Township, Greene County.

**E56-381, Columbia Gas Transmission, LLC**, 1700 MacCorkle Avenue, S.E.; Charleston, WV 25314, Addison Township and Elk Lick Township, **Somerset County**, ACOE Pittsburgh District.

The applicant is proposing to:

The proposed project starts approximately 2.25 miles south of the US Route 40 bridge over the Youghiogheny River in Addison Township, Somerset County (Friendsville, MD, PA, WV Quadrangle N: 39°, 43', 18"; W: -79°, 23', 32") and ends approximately 0.7 mile southwest of the intersection of State Route 669 and Ash Hill Road in Elk Lick Township, Somerset County (Grantsville, MD, PA Quadrangle N: 39°, 43', 22"; W: -79°, 10', 18").

In Somerset County, the project consists of the construction and maintenance of an approximately 425 LF temporary road crossing of wetland W74A (EV) and an approximately 480 LF temporary road crossing of wetland W72 (EV), Subbasin 19F; Zehner Run Watershed (HQ-CWF).

In addition, the proposed project impacts in Somerset County also include a total of ten (10) pipeline crossings through the construction of a 0.65 mile long 2-inch lateral pipeline, the removal of nine (9) pipeline crossings, grouting of five (5) pipeline crossings, the removal of one (1) valve within a wetland, the removal of one (1) tap within a wetland, and the operation of maintenance of some segments of the existing line 138 within an existing Right-of-Way where service will be abandoned in Addison and Elk Lick Townships, which will be constructed in accordance with the terms and conditions of General Permit No. 11 (GP-11) regarding maintenance of existing water obstructions and General Permit No. 8 (GP-8) regarding temporary road crossings. These structures and activities will cumulatively affect approximately 1,898 LF of watercourses (including Collier Run (WWF) and Zehner Run (HQ-CWF), and unnamed tributaries of Chub Run (WWF), Mill Run (WWF), Zehner Run (HQ-CWF), Big Shade Run (CWF), and Youghiogheny Lake (WWF)) and 0.89 acre of wetlands (including the aforementioned wetland).

The aforementioned, proposed, project impacts in this permit application are associated with a larger, proposed, approximately 33 mile transmission pipeline service abandonment project, with portions extending into Somerset and Fayette Counties, in Pennsylvania. For more detailed information regarding the Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact the



Waterways and Wetlands Program Manager, Rita Coleman at 412-442-4149 to request a file review.

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

**E25-776, VCG Properties, LLC**, 926 West Erie Plaza Drive, Erie, PA 16505. West Erie Plaza Stream Enclosure, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42°, 6', 18.43"; W: -80°, 7', 55.64").

To construct and maintain an approximately 4 feet high, 12 feet wide, 282 feet long enclosure of West Branch Cascade Creek (WWF, MF) to provide parking for the West Erie Plaza at a point directly northwest of the West 12th Street and Pittsburgh Avenue intersection. The Applicant proposes to mitigate for the resource impacts by converting an approximately 30 feet by 680 feet area from paved parking lot to vegetated riparian zone adjacent to West Branch Cascade Creek immediately downstream of the proposed enclosure.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5829-106: Dimock and Springville Townships, Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Dimock and Springville Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary timber mat crossing impacting 22 square feet (<0.01 acre) of floodway to an unnamed tributary to West Branch Meshoppen Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 57' 40"),

2) a 12 inch diameter permanent steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,184 square feet (0.05 acre) of a palustrine forested wetlands (PFO) (Springville, PA Quadrangle; Latitude: 41° 42' 00", Longitude: -75° 57' 10"),

3) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 3,367 square feet (0.08 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 57' 07"),

4) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 71 linear feet of an unnamed tributary to West Branch Meshoppen Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 06", Longitude: -75° 56' 58"),

5) a temporary timber mat crossing impacting 887 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 56' 50"),

6) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 1,735 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 11", Longitude: -75° 56' 49"),

7) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 6,317 square feet (0.15 acre) of a palustrine emergent wetlands (PEM) and permanently impacting 725 square feet (0.02 acre) of palustrine forested wetland (PFO) (Springville, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 56' 48"),

8) a temporary timber mat crossing impacting 5,219 square feet (0.12 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 13", Longitude: -75° 56' 47"),

9) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 13,127 square feet (0.30 acre) of a palustrine emergent wetlands (PEM), temporarily impacting 1,002 square feet (0.02 acre) of a palustrine scrub shrub wetland (PSS), and permanently impacting 3,611 square feet (0.08 acre) of palustrine forested wetland (PFO) (Springville, PA Quadrangle; Latitude: 41° 42' 18", Longitude: -75° 56' 46"),

10) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 54 linear feet of an White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 45"),

11) a temporary bridge crossing impacting 26 linear feet of an White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 30", Longitude: -75° 56' 44"),

12) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 53 linear feet of an White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 30", Longitude: -75° 56' 46"),

13) a temporary timber mat crossing impacting 638 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 31", Longitude: -75° 56' 46"),

14) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 1,965 square feet (0.05 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 32", Longitude: -75° 56' 47"),

15) a temporary timber mat crossing impacting 1,232 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 48", Longitude: -75° 56' 48"),

16) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 1,456 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 53", Longitude: -75° 56' 46"),

17) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 53 linear feet of an White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 55", Longitude: -75° 56' 26"),

18) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 213 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) and permanently impacting 457 square feet (0.01 acre) of palustrine forested wetland (PFO) (Springville, PA Quadrangle; Latitude: 41° 42' 55", Longitude: -75° 56' 24"),

19) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 852 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) and permanently impacting 372 square feet (0.01 acre) of palustrine forested wetland (PFO) (Springville, PA Quadrangle; Latitude: 41° 42' 55", Longitude: -75° 56' 23"),

20) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing permanently impacting 719 square feet (0.02 acre) of palustrine forested wetland (PFO) (Springville, PA Quadrangle; Latitude: 41° 42' 54", Longitude: -75° 56' 20"),

21) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 54 linear feet of an White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 57", Longitude: -75° 56' 12"),

22) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 54 linear feet of an White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 57", Longitude: -75° 56' 12"),

23) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 4,126 square feet (0.10 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 57", Longitude: -75° 56' 11"),

24) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 5,166 square feet (0.12 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 48", Longitude: -75° 55' 30"),

25) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 18,534 square feet (0.43 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 49", Longitude: -75° 55' 26"),

26) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 2,421 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 49", Longitude: -75° 55' 22"),

27) a 12 inch diameter permanent steel natural gas gathering pipelines and temporary timber mat crossing impacting 1,177 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 50", Longitude: -75° 55' 18"),

28) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 50 linear feet of an unnamed tributary to Thomas Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 49", Longitude: -75° 55' 20"),

29) a 12 inch diameter permanent steel natural gas gathering pipelines and a temporary bridge crossing impacting 93 linear feet of an unnamed tributary to Thomas Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 49", Longitude: -75° 55' 17").

The project consists of approximately 3.52 miles (18,597 feet) of single 12" steel natural gas gathering pipeline located in Dimock and Springville Townships, Susquehanna County, Pennsylvania. The project will result in 509 lineal feet of temporary stream impacts, 68,432 square feet (1.57 acre) of temporary PEM wetland impacts, 1,002 square feet (0.02 acre) of temporary PSS wetland impacts, and 8,068 square feet (0.19 acre) of permanent wetland impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

**ENVIRONMENTAL ASSESSMENTS**

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D18-037EA. Matthew R. Beaver**, Chief, Division of Operations and Recreation, Bureau of Forestry, Department of Conservation and Natural Resources, P. O. Box 8552, Harrisburg, PA 17105-8522, Greene Township, **Clinton County**, USACOE Baltimore District.

Project proposes to remove the Long Run Dam for the purpose of eliminating a threat to public safety and restoring approximately 150 feet of stream channel to a free-flowing condition. The proposed restoration project includes construction of habitat enhancement structures in the stream channel throughout the former reservoir and dam location. The project is located across Long Run (HQ-CWF, MF) (Loganton, PA Quadrangle, Latitude: 41.0648; Longitude: -77.3551).

**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 AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

### I. NPDES Renewal Permit Actions

*Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0115088 (Sewage)	Benton Municipal Water & Sewer Authority Sewer System PO Box 516 1A South 3rd Street Benton, PA 17814-0516	Columbia County Benton Borough	Fishing Creek (5-C)	Yes
PA0036773 (Sewage)	Shinglehouse Borough PO Box 156 Shinglehouse, PA 16748-0156	Potter County Shinglehouse Borough	Honeoye Creek (16-C)	Yes
PA0028282 (Sewage)	Eagles Mere Borough Authority Wastewater Treatment Plants PO Box 393 Eagles Mere, PA 17731-0393	Sullivan County Eagles Mere Borough	The Outlet, Unnamed Tributary to The Outlet, Unnamed Tributary to Mackeys Run, Unnamed Tributary to Double Run (10-B, 10-D)	Yes

### 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. 4615410**, Sewage, **New Hanover Township Authority**, 2990 Fagleysville Road, Gilbertsville, PA 19525.

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

Description of Action/Activity: Replacement of 8, 10 and 12 inch interceptor and manholes with 12 and 16 inch interceptors.

**WQM Permit No. 0992417**, Sewage, Transfer, **Mr. William Piorun**, 231 Park Drive West, Kintnersville, PA 18930.

This proposed facility is located in Nockamixon Township, **Bucks County**.

Description of Action/Activity: Permit transferred from Charles Hoffman to William Piorun.

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

**WQM Permit No. WQG02061602**, Sewerage, **Bethel Township Municipal Authority**, PO Box 274, 60 Klahr Road, Bethel, PA 19507.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Camp Swatara Road Sewer Extension and Force Main.

**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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025815002	Susquehanna County Housing Development Corp. 33 Public Avenue Montrose, PA 18801	Susquehanna	Forest City Borough	Lackawanna River (HQ-CWF, MF)
PAI024516002	Pocono Mountain School District PO Box 200 Swiftwater, PA 18370	Monroe	Tobyhanna Township	Upper Tunkhannock Creek (HQ-CWF, MF)

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Chester Heights Borough Delaware County	PAG02002315009	446 Lenni Developers, L.P. 1 Raymond Drive Havertown, PA 19083	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Delaware County	PAG02002315030	BT Granite Run LP 200 Witner Road, Suite 200 Horsham, PA 19044	Chrome Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAG02002314028	Pennsylvania Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Cobbs Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

**NOTICES**

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Whiteland Township Chester County	PAG02001515047	PR Exton Square Property, LP 200 South Broad Street Philadelphia, PA 19102	Valley Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township Chester County	PAG02001515053	Kennett Square Specialties, LLC 609 Cope Road Kennett Square, PA 19348	Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAG02001515055	Boyle Energy, Inc. 40 West Manoa Road Havertown, PA 19083	Unnamed Tributary to East Branch White Clay Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Salem Township Luzerne County	PAG02004015032(1)	Don E. Bower, Inc. 208 W. 11th St. Berwick, PA 18603	UNT To Susquehanna River (CWF, MF)	Luzerne Conservation District 570-674-7991
Wright Township Luzerne County	PAG02004015033	Roman Catholic Diocese of Scranton Bishop Joseph Bambera 300 Wyoming Avenue Scranton, PA 18503	Wapwallopen Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Courtdale Borough Luzerne County	PAG02004015039	Courtdale Borough c/o Carl Hodorowski 5 Blackman Street Courtdale, PA 18704	Susquehanna River (WWF, MF) Toby Creek (WWF, MF)	Luzerne Conservation District 570-674-7991

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Athens Township Bradford County	PAG02000815012(1)	Dennis Phelps Trehab P O Box 366 36 Public Avenue Montrose, PA 18801	Murray Creek (WWF)	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd, Ste E Towanda, PA 18848 (570) 265-5539, X 6
Monroe Twp Snyder County	PAG02005515017	Penn Valley Airport 100 Airport Road Selinsgrove, PA 17870	Penns Creek WWF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Rochester Borough Beaver County	PAG02000416007	Castlebrook Development Group 428 Boulevard of the Allies Suite 100 Pittsburgh, PA 15209	Ohio River (WWF-N)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Cecil Township Washington County	PAG02006315040	R & M Investment Group, LLC 125 Technology Drive Canonsburg, PA 15317	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Carroll Township Washington County	PAG02006315042	Ringgold Area School District 400 Main Street New Eagle, PA 15067	Dry Run (WWF); Mingo Creek (TSF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Middlesex Township Butler County	PAG02001009005R(1)	Gigliotti Holdings LP 11279 Perry Hwy, Suite 509 Wexford, PA 15090	UNT Glade Run WWF	Butler County Conservation District 724-284-5270
Jackson Township Butler County	PAG02001015025	Jackson Township 140 Magill Road Zelienople, PA 16063	UNT GLad Run & Likens Run WWF	Butler County Conservation District 724-284-5270
Cranberry Township Butler County	PAG02001016001	Forest Edge LP PO Box 97 Mars, PA 16046	UNT Wolfe Run WWF and UNT Kaufman Run WWF	Butler County Conservation District 724-284-5270
Ridgway Township Elk County	PAG02002416001	Advantage Sales & Supply Co Inc 99 Servidea Drive Ridgway, PA 15853	Gallagher Run WF Mohan Run CWF	Elk County Conservation District 814-776-5373
Summit Township Erie County	PAG02002515025	Erie (Perry) DPP LLC 9010 Overlook Blvd Brentwood, TN 37027	Walnut Creek CWF	Erie County Conservation District 814-825-6403
Millcreek Township Erie County	PAG02002516004	PA DCNR State Parks Presque Isle State Park & Erie Bluffs 301 Peninsula Drive, Suite 1 Erie, PA 16505	Lake Erie CWF	Erie County Conservation District 814-825-6403
City of New Castle Taylor Township Lawrence County	PAG02003716001	Columbia Gas of PA 2021 West State Street Erie, PA 16101	Shenango River WWF	Lawrence County Conservation District 724-652-4512
Fairview Township Mercer County	PAG02004316003	The Oak Grove Church 16 Oak Grove Road Mercer, PA 16137	UNT Coolspring Creek TSF	Mercer County Conservation District 724-662-2242
Pine Township Mercer County	PAG02004316004	Grove City Mini Storage LLC 107 Breckenridge Street Grove City, PA 16127	Wolf Creek CWF	Mercer County Conservation District 724-662-2242
Pine Township Mercer County	PAG02004316005	GE Transportation 660 Barkeyville Road Grove City, PA 16127	Wolf Creek CWF	Mercer County Conservation District 724-662-2242

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Plains Township Luzerne County	PAR802265	Wyman-Gordon PA, LLC 701 Crestwood Drive Mountaintop, PA 18707	Unnamed Tributary to Laurel Run—05B	DEP North East Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Milton Borough Northumberland County (Industrial Stormwater)	PAR804801	ACF Industries LLC 417 N. Arch Street Milton, PA 17847-1320	Milton Storm Sewer to West Branch Susquehanna River— 10-D	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3636

*General Permit Type—PAG-07*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Schuylkill Township Chester County	PAG070005	Valley Forge Sewer Authority Wastewater Treatment Plant 333 Pawling Road Phoenixville, PA 19460	Valley Forge Sewer Authority 333 Pawling Road Phoenixville, PA 19460	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Sellersville Bucks County	PAG070003	Pennridge Wastewater Treatment Authority 180 Maple Avenue Sellersville, PA 18960	Pennridge Wastewater Treatment Authority 180 Maple Avenue Sellersville, PA 18960	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Upper Hanover Township Montgomery County	PAG070010	Upper Montgomery Joint Authority P. O. Box 6 Pennsburg, PA 18073	Upper Montgomery Joint Authority 1100 Mensch Dam Rd Pennsburg, PA 18073	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**CAFO NMP  
PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval/Disapproval)**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
Denis Zimmerman 55 Zimmerman Lane Beaver Springs, PA 17812	Snyder	25.8 0 for manure	7.97	Poultry	NA	Approved

## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

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

**Operations Permit #0916504** issued to: **Buckingham Valley Rehabilitation and Nursing Center**, 820 Durham Road, Newtown, PA 18904, [(PWSID)] Buckingham Township, **Bucks County** on March 17, 2016 for the Operation of Well 5, Well 6 and Chlorine Disinfection Facilities Prior to Entry Point 100.

**Operations Permit #0915525** issued to: North Wales Water Authority, 200 West Walnut Street, P. O. Box 1339, North Wales, PA 19445-0339, [(PWSID)] Solebury Township, **Bucks County** on for the operation of Ingham Mews Water System.

**Operations Permit #1515527** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, [(PWSID)] West Brandywine Township, **Chester County** on March 18, 2016 for the operation of Aqua PA Friendship Well No. 4 and Certification of 4-log Treatment of Viruses at Entry Points 101, 102, 103, 104, 105 and 106 for the Aqua PA Friendship Water System.

**Operations Permit #0914508** issued to: **Morrisville Municipal Authority**, 35 Unionville Street, Morrisville, PA 19607, [(PWSID)] Falls Township, **Bucks County** on March 15, 2016 for the Operation of 2.5 MGs Water Storage Tank, Mixer and THM Removal System, Pump Station, Disinfection Treatment System, and Transmission Main approved under construction permit #0914508.

**Permit No. 0916503, Minor Amendment.** Public Water Supply.

Applicant	<b>Trumbauersville Borough</b> 1 Evergreen Drive P. O. Box 100 Trumbauersville, PA 18970
Borough	Trumbauersville
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Mr. Larry Smock Borough Administrator Trumbauersville Borough Trumbauersville, PA 18970
Permit to Construct Issued	March 16, 2016

**Permit No. 1516506, Minor Amendment.** Public Water Supply.

Applicant	<b>Phillips Mushroom Farms</b> 1011 Kaolin Road Kennett Square, PA 19348
Township	Kennett
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Brickhouse Environmental 515 S. Franklin Street West Chester, PA 19382
Permit to Operate Issued	March 16, 2016

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

**Permit No. 3516502MA, Minor Amendment,** Public Water Supply.

Applicant	<b>Pennsylvania-American Water Company</b> (Abington/Lake Scranton Water System) 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Scott Township
County	<b>Lackawanna</b>
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania-American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	March 17, 2016

**Permit No. 4016505MA, Minor Amendment,** Public Water Supply.

Applicant	<b>Pennsylvania-American Water Company</b> (Ceasetown Water System) 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Jackson Township
County	<b>Luzerne</b>
Type of Facility	PWS



Consulting Engineer Scott M. Thomas, P.E.  
 Pennsylvania-American Water  
 Company  
 852 Wesley Drive  
 Mechanicsburg, PA 17055

Permit to Construct March 17, 2016  
 Issued

**Permit No. 4015508**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010-3402

Municipality Kingston Township

County **Luzerne**

Type of Facility PWS

Consulting Engineer W. Jeffery Nagorny, P.E.  
 Advantage Engineers, LLC  
 435 Independence Avenue,  
 Suite C  
 Mechanicsburg, PA 17055

Permit to Construct March 10, 2016  
 Issued

**Permit No. 2640047, Operation Permit**, Public Water Supply.

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

Municipality Salem Township

County **Wayne County**

Type of Facility PWS

Consulting Engineer Peter J. Keenan, P.E.  
 American Water Service  
 Company, Inc.  
 1025 Laurel Oak Road  
 Voorhees, NJ 08043

Permit to Operate March 17, 2016  
 Issued

**Permit No. 2450063, Operations Permit**, Public Water Supply.

Applicant **Pennsylvania American  
 Water Company**  
 800 West Hershey Park Dr.  
 Hershey, PA 17033

[Borough or Township] Mt. Pocono Borough &  
 Coolbaugh Township

County **Monroe**

Type of Facility PWS

Consulting Engineer Daniel Rickard, PE  
 Pennsylvania American Water  
 Company  
 800 West Hershey Park Dr.  
 Hershey, PA 17033

Permit to Operate 3/3/2016  
 Issued

**Permit No. 4014503**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 1 Aqua Way  
 White Haven, PA 18661

[Borough or Township] Hazle Township

County **Luzerne**

Type of Facility PWS

Consulting Engineer William A. LaDieu, PE  
 GHD  
 1240 North Mountain Rd.  
 Harrisburg, PA 17112

Permit to Construct April 30, 2014  
 Issued

**Permit No. 4515511**, Public Water Supply.

Applicant **Mt. View Village Home  
 Owner's Association**  
 RR 1, Box 313  
 Tannersville, PA 18372

[Township or Borough] Pocono Township, **Monroe  
 County**

Responsible Official Alan Angulo, President  
 RR 1, Box 313  
 Tannersville, PA 18372

Type of Facility PWS

Consulting Engineer Kerry D. Tyson, PE  
 Nittany Engineering &  
 Associates  
 2836 Earlstown Road, Suite 1  
 Centre Hall, PA 16828

Permit to Construct 03/15/2016  
 Issued

**Permit No. 3515503MA**, Public Water Supply

Applicant **PA American Water**  
 (Waverly WTP)  
 800 W. Hershey Park Drive  
 Hershey, PA 17033

[Township or Borough] Waverly Township  
**Lackawanna County**

Responsible Official Mr. David Kaufman  
 Vice President-Engineering

Type of Facility PWS

Consulting Engineer Mr. Alfonso F. Rossi, PE  
 PA American Water Company  
 4 Wellington Blvd.  
 Wyomissing, PA 19610

Permit to Construct 03/15/2016  
 Issued

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

**Permit No. 2115511 MA, Minor Amendment**, Public Water Supply.

Applicant **Pennsylvania-American  
 Water Company**

Municipality Silver Spring Township

County **Cumberland**

Responsible Official David R. Kauffman  
 800 West Hershey Park Drive  
 Hershey, PA 17033

Type of Facility Rehabilitation of Filter No. 1  
 including repainting of both the  
 interior and exterior,  
 replacement of filter  
 underdrains, and replacement of  
 filter media.

Consulting Engineer Scott M. Thomas, P.E.  
 Pennsylvania American Water  
 852 Wesley Drive  
 Mechanicsburg, PA 17055

Permit to Construct 3/8/2016  
 Issued

**Permit No. 3614504**, Public Water Supply.

Applicant **Department of  
 Environmental Protection**

Municipality Leacock Township

County **Lancaster**

Responsible Official John F. Krueger,  
 Environmental Program Manager  
 909 Elmerton Avenue  
 Harrisburg, PA 17110

Type of Facility New water treatment system for  
 Leacock Township including 2  
 wells, a softening system, a  
 nitrate treatment system, a  
 disinfection system, an elevated  
 storage tank and a distribution  
 system.

Consulting Engineer Steven D. Glazier, P.E.  
 Leidos Engineering LLC  
 Suite 109  
 Exton, PA 19341

Permit to Construct 3/8/2016  
 Issued

**Operation Permit No. 4070013** issued to: **Duncansville MHP, LLC (PWS ID No. 4070013)**, Blair Township, **Blair County** on 3/8/2016. This permit transfers the ownership and operation of Greendown Acres Mobile Home Park community water system PWSID No. 4070013 from current owner Joshua and Jill Bulman to the Duncansville MHP, LLC.

**Operation Permit No. 2815505MA** issued to: **Mont Alto Municipal Authority (PWS ID No. 7280040)**, Mont Alto Borough, **Franklin County** on 3/10/2016 for facilities approved under Construction Permit No. 2815505MA.

**Operation Permit No. 3616502MA** issued to: **Quentin Water Company (PWS ID No. 7380031)**, West Cornwall Township, **Lebanon County** on 3/15/2016 for facilities approved under Construction Permit No. 3616502MA.

**Operation Permit No. 2806509** issued to: **Bear Valley Franklin County Pennsylvania Joint Authority (PWS ID No. 7280043)**, Peters Township, **Franklin County** on 3/8/2016 for facilities submitted under Application No. 2806509.

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

**Permit No. 5515503—Construction—Public Water Supply.**

Applicant **Middleburg Municipal Authority**

Township/Borough Middleburg Borough

County **Snyder**

Responsible Official Mr. Charles Zechman  
 Middleburg Municipal Authority  
 13 North Main Street  
 Middleburg, PA 17842

Type of Facility Public Water Supply

Consulting Engineer David Walters, P.E.  
 Larson Design Group  
 1000 Commerce Park Drive,  
 Suite 201  
 Williamsport, PA 17701

Permit Issued March 17, 2016

Description of Action Development of Well No. 3 as an  
 additional source of supply, with  
 treatment including gas chlorine  
 disinfection, blending to reduce  
 sulfate and total dissolved solids  
 concentrations, and 4-log virus  
 inactivation via detention piping.

**Permit No. 4916501MA—Construction—Public Water Supply.**

Applicant **Pennsylvania American Water Company**

Township/Borough White Deer Township and Milton Borough

County **Union and Northumberland**

Responsible Official Mr. David Kaufman  
 Pennsylvania American Water Company  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility Public Water Supply

Consulting Engineer Peter Keenan, P.E.  
 American Water Service Company  
 1025 Laurel Oak Road  
 Voorhees, NJ 08043

Permit Issued March 21, 2016

Description of Action Replacement of the gas  
 chlorination with sodium  
 hypochlorite disinfection  
 facilities at the Milton and White  
 Deer Filtration Plants.

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

**Permit No. 0215528**, Public Water Supply.

Applicant **Harmar Water Authority**  
 200 Pearl Avenue  
 Cheswick, PA 15024

[Borough or Township] Harmar Township

County **Allegheny**

Type of Facility Chemical feed system

Consulting Engineer Gannett Fleming, Inc.  
 Foster Plaza III, Suite 200  
 601 Holiday Drive  
 Pittsburgh, PA 15220

Permit to Construct Issued March 3, 2016

**Permit No. 0215527**, Public Water Supply.  
 Applicant **Harmar Water Authority**  
 200 Pearl Avenue  
 Cheswick, PA 15024  
 [Borough or Township] Harmar Township  
 County **Allegheny**  
 Type of Facility Ozone feed system  
 Consulting Engineer Gannett Fleming, Inc.  
 Foster Plaza III, Suite 200  
 601 Holiday Drive  
 Pittsburgh, PA 15220  
 Permit to Construct March 3, 2016  
 Issued

**Permit No. 0215529**, Public Water Supply.  
 Applicant **Harmar Water Authority**  
 200 Pearl Avenue  
 Cheswick, PA 15024  
 [Borough or Township] Harmar Township  
 County **Allegheny**  
 Type of Facility High service pump  
 Consulting Engineer Gannett Fleming, Inc.  
 Foster Plaza III, Suite 200  
 601 Holiday Drive  
 Pittsburgh, PA 15220  
 Permit to Construct March 3, 2016  
 Issued

**Operations Permit** issued to: **Greater Johnstown Water Authority**, 640 Franklin Street, PO Box 1407, Johnstown, PA 15901, (**PWSID #4110034**) City of Johnstown, **Cambria County** on March 3, 2016 for the operation of facilities approved under Construction Permit #1114524MA.

**Operations Permit** issued to: **Hampton Shaler Water Authority**, PO Box 66, 3101 McCully Road, Allison Park, PA 15101, (**PWSID #5020038**) Sharpsburg Borough, **Allegheny County** on March 4, 2016 for the operation of facilities approved under Construction Permit #0215526MA.

**Permit No. 0215530MA**, Minor Amendment Public Water Supply.

Applicant **Harmar Water Authority**  
 200 Pearl Avenue  
 Cheswick, PA 15024  
 [Borough or Township] Harmar Township  
 County **Allegheny**  
 Type of Facility Chemical feed room  
 Consulting Engineer Gannett Fleming, Inc.  
 Foster Plaza III, Suite 200  
 601 Holiday Drive  
 Pittsburgh, PA 15220  
 Permit to Construct March 3, 2016  
 Issued

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

**Operation Permit** issued to **Borough of Wampum**, **PWSID No. 6370032**, Wampum Borough, **Lawrence County**. **Permit Number 3714502** issued March 10, 2016 for the operation of the renovated Clyde Street Extension WTP, Davidson Street WTP and the new 0.5

MG finished water storage tank. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on February 22, 2016 and follow-up sample results provided on March 8, 2016.

**Operation Permit** issued to **Farmington Township**, **PWSID No. 6160043**, Farmington Township, **Clarion County**. **Permit Number 1602502-MA2** issued March 17, 2016 for the operation of the GridBee—GS-12 submersible tank mixer which was installed inside the 120,000 gallons storage tank.

**Cancellation of Permit** issued to **Borough of Wampum**, **PWSID No. 6370032**, Wampum Borough, **Lawrence County** on March 10, 2016. This action represents the cancellation of **Permit Number 3712502** issued July 10, 2012. This action is a result of the incorporation of the permit into Permit Number 3714502.

**Operation Permit** issued to **Erie City Water Authority**, **PWSID No. 6250028**, Millcreek Township, **Erie County**. Permit Number 2515505 issued March 18, 2016 for the operation of the Asbury Tanks Booster Station and sodium hypochlorite feed system, the Henderson Road and Lancaster Road Booster Station sodium hypochlorite storage containers, the Grubb Road Booster Station, the Peach Street Booster Station, the Asbury Take Point Booster Station, and the Caughey Road Booster Station. This permit is issued in response to a request submitted on November 10, 2015 to operate these facilities that were identified as being unpermitted by the Department in a Notice of Violation issued to the Millcreek Township Municipal Authority on November 15, 2013.

**Operation Permit** issued to **Albion Borough**, **PWSID No. 6250007**, Albion Borough, **Erie County**. **Permit Number 2514502** issued March 18, 2016 for the operation of the new 1.24 million gallons and 75,000 gallons finished water storage tanks and new booster pump station. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on March 10, 2016.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

#### Plan Disapprovals Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

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

#### Plan Location:

Borough or Township	Borough or Township Address	County
Fermanagh Township	PO Box 148, Mifflintown, PA 17059	Juniata

*Plan Description:* The Request for a planning exemption for the William H. Stoner subdivision, DEP Code No. A3-34904-165-2E, APS Id 892519, is disapproved. Each lot has not been demonstrated to be suitable for both a permittable primary and a replacement soil absorption area or spray field, as required by Chapter 71, section 71.51(b)(1)(v). The purpose of this subdivision is to separate a lot with the existing house from the residue which will remain as agricultural and forested land. The project is located along SR 0022, north of the intersection with Butchershop Road.

## 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*

**Penske**, 61 Woodland Avenue, Wellsboro Borough, **Tioga County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Daniel K. Strausser, Wellsboro Borough, 14 Crafton Street, Wellsboro, PA 16901, submitted a Final Report concerning remediation of site soils contaminated with Motor oil and BTEX and other diesel fuel parameters. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**Speedi King**, 249—255 Lancaster Avenue, East Whiteland Township, **Chester County**. Dave Farrington, P.G., Brickhouse Environmental, 515 South Franklin

Street, West Chester, PA 19382, Mr. & Mrs. Glenn King, 675 East Reeceville Road, Coatesville, PA 19320 on behalf of Estate of Frank King, Jr., 417 Water Dam Road, Waynesburg, PA 19320 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF785201.

**Russell Residence**, 11 Quaker Hill Road, Middletown Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P. O. Box 629, Douglasville, PA 19518, Dough Mason, Barney Fuel, Inc., 424 West Lincoln Highway, Suite 201, Langhorne, PA 19047 on behalf of Christopher Russell, 11 Quaker Hill Road, Levittown, PA 19054 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF782784.

**27th & Girard Property**, 2620 Girard Avenue, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104-0591 on behalf of Dan Bleznak, 27th and Girard, LLP, 1101 Industrial Highway, Southampton, PA 18966 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with metals and chlorinated compounds. The report is intended to document remediation of the site to meet the Site Specific Standard. PF619558.

**Extra Space Storage**, 4433 Wayne Avenue, City of Philadelphia, **Philadelphia County**. Richard Tobia, The Vertex Companies, Inc., 3322 Route 22 West, Branchburg, NJ 08876, Scott Furrma, Sive Paget & Riesel, PC, 460 Park Avenue, 10th Floor, New York, NY 10022 on behalf of Gwen Goodson, Extra Space Storage 51, LLC, 2795 East Cottonwood Parkway, Suite 400, Salt Lake City, UT 84121 has submitted a Final Report concerning remediation of site soil contaminated with no. 6 fuel oil and no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF750470.

## 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*

**Penske**, 61 Woodland Avenue, Wellsboro Borough, **Tioga County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Daniel K. Strausser, Wellsboro Borough, 14 Crafton Street, Wellsboro, PA 16901 submitted a Final Report concerning the remediation of site soils contaminated with Motor oil and BTEX and other diesel fuel parameters. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 14, 2015.

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

**CDP1A Compressor Station**, State Route 492, New Milford Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of DTE Energy, One Energy Plaza, Detroit, MI 48226, submitted a Final Report concerning the remediation of site soils contaminated with VOC, SVOCs and Diphenylamine. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 18, 2016.

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

**Laurel Mountain Midstream Operating, LLC—Fox to Mica Pig Launcher/Receiver Site**, South Huntington Township, **Westmoreland County**. Environmental Coordination Services and Recycling, 3237 U. S. Highway 19, Cochranton, PA 16314 on behalf of Laurel Mountain

Midstream Operating, LLC, Park Place Corporate Center 2, 2000 Commerce Drive, submitted a Final Report concerning the remediation of site soil contaminated with chloride and metals from a brine release. The Final Report demonstrated attainment of Background Standard for chloride and strontium and a residential Statewide Health Standard for all other constituents sampled and was approved by the Department on March 17, 2016.

**Mainland** (site of former gas/auto service station) 641 Main Street, City of Johnstown, **Cambria County**. Tetra Tech, Inc., 661 Anderson Drive, Foster Plaza 7, Pittsburgh, PA 15220 on behalf of Mainland DG Johnstown I, LLC, 118, 16th Avenue South, Suite 230, Nashville, TN 37203 submitted a Remedial Investigation/Risk Assessment Report/Cleanup Plan concerning site soils and groundwater contaminated with volatile organic compounds & metals. The Remedial Investigation/Risk Assessment/Cleanup Plan was approved by the Department on March 21, 2016.

**XTO Energy H.M. & F.W. McGara #5 Well Site**, Chambersville Road, **Washington 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, submitted a Remedial Investigation/Final Report (RI/FR) concerning the remediation of site soils contaminated with metals, volatile & semi-volatile organic compounds, and chloride from release of brine & crude oil from a production tank at the site. RI/FR demonstrated attainment of residential Statewide Health Used Aquifer standard in soils for all contaminants of concern except chloride and Site-Specific Standard in soil for chlorides and was approved by the Department on March 22, 2016.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**Brasalind Property Inc.**, 201 East Gay Street, Borough of West Chester, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335, James Moreti, Brasalind Property, Inc., 10 Springhouse Lane, PA 19063 on behalf of David Della Porta, 220 Chestnut Associates, 55 County Club Drive, Downingtown, PA 19335 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health and Site Specific Standard and was approved by the Department on January 22, 2016. PF700820.

**Compass Road Diesel Spill**, 1400 Walnut Street, Honey Brook Township, **Chester County**. Patrick S. Crawford, P.G., Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Lewis Frame, Jr., 1250 Walnut Street, Honey Brook, PA 19344 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 4, 2016. PF808387.

**BP Trainer Refinery Lube Plant Area**, 4101 Post Road, Marcus Hook Borough, **Delaware County**. Iain Bryant, Sovereign Consulting, Inc., 111-A North Gold Drive, Robbinsville, NJ 08691, Sasa Jazic, Atlantic Richfield Company, on behalf of BP Products North American Inc., 50 West Warrenville Road, NRC-Bldg. 200 MC 200E, Naperville, Illinois 60563 on behalf of Matt Torell, Monroe Energy, LLC, 4101 Post Road, Trainer, PA

19061 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum hydrocarbon. The Final report did not demonstrate attainment of the Site Specific Standard and was issued a letter of technical deficiency on March 16, 2016. PF617983.

**Cognis Corporation/BASF Corporation**, 300 Brookside Avenue, Lower Gwynedd Township, **Montgomery County**. John (A) Jay, P.G., AMO Environmental Decisions, 4327 Point Pleasant Pike, P. O. Box 410, Danboro, PA 18916 on behalf of Edward Vanyo, BASF Corporation, 10 Park Avenue, Florham Park, NJ 07932 has submitted a Final Report concerning remediation of site soil contaminated with other organics. The Final report demonstrated attainment of the Statewide Health Standard/Site Specific Standard and was approved by the Department on June 18, 2015. PF618527.

#### HAZARDOUS WASTE ACTION

**Proposed action on an application for a permit under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to operate a hazardous treatment, storage or disposal waste facility.**

*Intent to Issue Permit Modification*

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

**Permit No. PAD000736942. Calgon Carbon Corporation**, 400 Calgon Carbon Drive, Pittsburgh, PA 15205, Calgon Carbon Corporation—Neville Island Facility, 200 Neville Road, Pittsburgh, PA 15225. Calgon Carbon Corporation operates a hazardous waste treatment and storage facility located in Neville Township, **Allegheny County**. The application for a Class 3 permit modification requesting to increase the hazardous waste treatment and storage capacity and upgrade the air pollution control system at the facility was considered for intent to approve by the Regional Office on March 12, 2016.

Persons wishing to comment on the proposed action are invited to submit a statement to the Regional Office indicated as the office responsible, within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer; and concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Copies of the application, draft permit and fact sheet for the Hazardous Waste Facility may be reviewed at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Please contact the Regional Files Manager at 412-442-4000 to schedule a review of permit documents.

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

*Hazardous Waste Transporter License Reissued*

**Duquesne Light Company**, 2645 New Beaver Avenue, Pittsburgh, PA 15233. License No. PA-AH 0462. Effective Mar 18, 2018.

**EAP Industries, Inc.**, PO Box 275, Atlasburg, PA 15004. License No. PA-AH 0660. Effective Mar 16, 2016.

**Environmental Products & Services of Vermont, Inc.**, PO Box 315, Syracuse, NY 13209. License No. PA-AH 0748. Effective Mar 17, 2016.

**Gemchem, Inc.**, PO Box 384, Lititz, PA 17543. License No. PA-AH 0259. Effective Mar 22, 2016.

**Lewis Environmental, Inc.**, PO Box 639, Royersford, PA 19468. License No. PA-AH 0591. Effective Mar 17, 2016.

**Sunpro, Inc.**, 7640 Whipple Avenue, North Canton, OH 44720. License No. PA-AH 0659. Effective Mar 16, 2016.

**Tradebe Treatment and Recycling Northeast, LLC dba Tradebe Transportation, LLC**, 47 Gracey Avenue, Meriden, CT 06451. License No. PA-AH 0378. Effective Mar 16, 2016.

*New Applications Received*

**Evergreen Environmental Services, LLC**, PO Box 2078, Deer Park, TX 77536. License No. PA-AH 0839. Effective Mar 14, 2016.

*Renewal Applications Received*

**Duquesne Light Company**, 2645 New Beaver Avenue, Pittsburgh, PA 15233. License No. PA-AH 0462. Effective Mar 16, 2016.

**EAP Industries, Inc.**, PO Box 275, Atlasburg, PA 15004. License No. PA-AH 0660. Effective Mar 07, 2016.

**Environmental Products & Services of Vermont, Inc.**, PO Box 315, Syracuse, NY 13209. License No. PA-AH 0748. Effective Mar 16, 2016.

**Gemchem, Inc.**, PO Box 384, Lititz, PA 17543. License No. PA-AH 0259. Effective Mar 21, 2016.

**Lewis Environmental, Inc.**, PO Box 639, Royersford, PA 19468. License No. PA-AH 0591. Effective Mar 02, 2016.

**R&R Trucking, Incorporated**, 302 Thunder Road, Duenweg, MO 64841. License No. PA-AH 0592. Effective Mar 16, 2016.

**Tradebe Treatment and Recycling Northeast, LLC dba Tradebe Transportation, LLC**, 47 Gracey Avenue, Meriden, CT 06451. License No. PA-AH 0378. Effective Mar 16, 2016.

**REGULATED MEDICAL AND  
CHEMOTHERAPEUTIC WASTE TRANSPORTER  
LICENSE**

**Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act of June 28, 1988 (P. L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

*Regulated Medical and Chemotherapeutic Waste Transporter Reissued*

**Environmental Products & Services of Vermont, Inc.**, PO Box 315, Syracuse, NY 13209. License No. PA-HC 0238. Effective Mar 17, 2016.

**Environmental Waste Minimization, Inc.**, 14 Brick Kiln Court, Northampton, PA 18067. License No. PA-HC 0219. Effective Mar 16, 2018.

*Regulated Medical and Chemotherapeutic Waste Transporter License Issued*

**Biosafety Services LLC**, 271 Pine Road, Pittsburgh, PA 15237. License No. PA-HC 0270. Effective Mar 16, 2016.

*Renewal Applications Received*

**Environmental Products & Services of Vermont, Inc.**, 532 State Fair Boulevard, Syracuse, NY 13204. License No. PA-HC 0238. Effective Mar 11, 2016.

**Environmental Waste Minimization, Inc.**, 14 Brick Kiln Court, Northampton, PA 18067. License No. PA-HC 0219. Effective Mar 16, 2016.

**REGISTRATION FOR GENERAL  
PERMIT—MUNICIPAL WASTE**

**Registration issued Under the Solid Waste Management Act; 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. WMGM109NWR01. American Biodiesel Energy Inc.**, 4680 Iroquois Avenue, Erie, Harborcreek Township, Erie County, PA. Registration to operate under General Permit No. WMGM109 for processing of used restaurant oil, yellow grease, grease trap waste, oils and animal fat from processing or rendering plants, waste from ethanol production, soybean soap stock, float grease (from wastewater plants), and off-specification vegetable oils (“oil and grease waste”) to produce biofuel, including biodiesel, for beneficial use as fuel. The registration was approved by Northwest Regional Office on March 17, 2016.

Persons interested in reviewing the general permit may contact Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Registration No. WMGM109NWR02. Lake Erie Biofuels LLC d/b/a Hero BX**, 1540 East Lake, Erie, Erie County, PA. Registration to operate under General Permit No. WMGM109 for processing of used restaurant oil, yellow grease, grease trap waste, oils and animal fat from processing or rendering plants, waste from ethanol production, soybean soap stock, float grease (from wastewater plants), and off-specification vegetable oils (“oil and grease waste”) to produce biofuel, including biodiesel, for beneficial use as fuel. The registration was approved by Northwest Regional Office on March 17, 2016.

Persons interested in reviewing the general permit may contact Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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

**Applications received 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.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Permit Application No. 100585. Northwest Sanitary Landfill**, 1436 West Sunbury Road, West Sunbury, PA 16061; Clay Township; Butler County. A permit renewal application was issued on March 18, 2016 extending the current Solid Waste Landfill Permit for another ten years. The permit will now expire on March 24, 2026. A permit renewal application for the continued operation of this municipal waste landfill was received on March 20, 2015. The application was accepted as complete by the Northwest Regional Office on July 7, 2015.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office at (814) 332-6945. 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.

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

**Permit Revoked Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**Permit No. WMGI005SE001. PPD Vaccines & Biologics LLC**, 466 Devon Park Drive, Wayne, PA 19087. This permit has been revoked in response to the permittee’s request for final closure certification approval of general permit No. WMGI005SE001 at the Wayne Plant located in Tredyffrin Township, Chester County. The

final closure certification and revocation of permit was approved by the Southeast Regional Office on March 14, 2016.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531*

**GP5-58-006B: Williams Field Services Co., LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on March 15, 2016, for the modification and operation of natural gas compressor station at the facility located in Dimock Township, **Susquehanna County**.

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

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

**GP3-06-03168: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405-2886) on March 17, 2016, for portable nonmetallic mineral processing equipment, including 2 jaw crushers, 1 impact crusher, 3 vibratory screens and 2 stackers, under GP3 at the Conestoga Landfill in New Morgan Borough, **Berks County**.

**GP11-06-03168: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405-2886) on March 17, 2016, for eight non-road engines under GP11, to operate mineral processing equipment at the Conestoga Landfill in New Morgan Borough, **Berks County**.

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

*Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161*

**GP5-63-01002: EQM Gathering Opco, LLC** (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) on March 10, 2016, for construction and/or operation of sources and controls associated with a natural gas compression facility at its Mako Compressor Station located in Amwell Township, **Washington County**.

**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.**

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

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

**07-03053B: Keystone Cremation Center, LLC** (14443 South Eagle Valley Road, Tyrone, PA 16686) on

March 15, 2016, for operation of two human crematories controlled by afterburners at the funeral home in Tyrone Township, **Blair 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.**

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

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

**23-0066C: Pyropure Inc. dba Pyromet** (5 Commerce Drive, Aston, PA, 19014) On March 16, 2016 for the installation of a silver recovery furnace and nitric acid digestion system with a control device in Chester Township, **Delaware County**.

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

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

**49-00064B: Milton Sewer Regional Authority** (5585 State Route 405, PO Box 433, Milton, PA 17847), located in West Chilisquaque Township, **Northumberland County**, on March 10, 2016, for the temporary operation of two Cummins model C1000-N6C biogas/natural gas fired engines/generators at their wastewater treatment plant until September 29, 2016. The plan approval has been extended.

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

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

**43-363A: Pennex Aluminum Company** (93 Werner Road, Greenville, PA 16125-9499) on March 14, 2016, effective March 31, 2016, will issue a plan approval extension for the reclassification of source 103 (#1 Melting Furnace, 20 MMBtus/hr, Group 2) from a Group 2 furnace to a Group 1 furnace in accordance with 40 CFR Part 63, Subpart RRRR. This facility will be located in Sugar Grove Township, **Mercer County**.

**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*

**46-00049: International Business Systems, Inc. (IBS)**, (431 Yerkes Road, King of Prussia, PA 19406-2523) On March 18, 2016 for the issuance of a renewal and an administrative amendment to incorporate plan approval 46-0049A into their State Only Operating Permit, Synthetic Minor for their facility located in Upper Merion Township, **Montgomery County**.

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

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

**35-00054: Bardane Manufacturing Co.** (317 Delaware Street, Jermyn, PA 18433) issued on 3/15/16, for operation of an aluminum die castings operation in



Jermyn Borough, **Lackawanna County**. The source includes one (1) zinc furnace. The furnace emissions are controlled by a wet scrubber. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

**07-05040: Lumax Industries, Inc.** (301 Chestnut Avenue, Altoona, PA 16603) on March 14, 2016, for the fluorescent lighting fixtures manufacturing facility located in Altoona City, **Blair County**. The State-only permit was renewed.

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

*Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940*

**61-00206: Renovex** (1028 Stevenson Road, Grove City, PA 16127-7918) on March 15, 2016, issued a renewal State Only Operating Permit for the reprocessing of old used propane cylinders located in Barkeyville Borough, **Venango County**. The facility is a Natural Minor. The primary sources at the facility include a cylinder washer, shot blast operation, spray paint booth, curing oven, and propane storage tanks. 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*

**46-00118: Ursinus College** (601 E. Main Street, Collegeville, PA 19426) On March 18, 2016 for an administrative amendment to change the name, address and phone number of the Responsible official in the existing permit for their facility located in Collegeville Borough, **Montgomery County**.

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

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

**21-05005: PA Dept. of Corrections—Camp Hill State Correctional Institution** (2500 Lisburn Road, PO Box 8837, Camp Hill, PA 17001-8837) on March 15, 2016, for the state correctional facility located in Lower Allen Township, **Cumberland County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 21-05005C.

**06-03117: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 19606-3266) on March 15,

2016, for the custom milling facility located in Exeter Township, **Berks County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-03117I.

**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*

**GP5-59-235: SWEPI LP** (2100 Georgetown Drive, Suite 400, Sewickley, PA 15143) for the termination of the 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 March 11, 2016, for the Wood Compressor Station located in Rutland Township, **Tioga County**. Commencement of construction under the original authorization dated July 19, 2012, never proceeded and will not occur.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).**

*Coal Permits Issued*

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

**30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Wayne Township, **Greene County** and related NPDES permit to install 22 GOB ventilation boreholes for Panels 65 and 66. No additional discharges. The application was considered administratively complete on October 22, 2014. Application received June 18, 2014. Permit issued March 16, 2016.

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

**Permit No. 32060103 and NPDES No. PA0262234, TLH Coal Co.**, 4401 Pollock Road, Marion Center, PA 15759, commencement, operation and restoration of a bituminous surface and auger mine to add additional Upper Kittanning Mining area within the existing surface mine permit and request a variance on 100 foot barrier of unnamed tributary to Pine Run No. 2 in East Mahoning Township, **Indiana County**, affecting 101 acres. Receiv-

ing streams: Unnamed tributaries to/and Pine Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 13, 2015. Permit Issued: March 14, 2016.

**Permit No. 32950202 and NPDES No. PA0213039, Cambria Reclamation Corporation**, 2929 Allen Parkway, Suite 2200, Houston, TX 77019, permit renewal for the continued operation and restoration of a bituminous surface refuse reprocessing mine in Center Township, **Indiana County** affecting 287.3 acres. Receiving streams: Unnamed tributary to/and Yellow Creek classified for the following uses: cold water fishes and trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 6, 2015. Permit Issued: March 15, 2016.

**Permit No. 11000103 and NPDES No. PA0235067, T.J. Mining, Inc.**, P. O. Box 370, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface mine in Cresson Township, **Cambria County**, affecting 85.3 acres. Receiving streams: Unnamed tributaries to/and Burgoon Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 22, 2015. Permit Issued: March 15, 2016.

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

**33050103. Cookport Coal Company, Inc.** (425 Market Street, Kittanning, PA 16201) Renewal of an existing bituminous surface and auger mine in Perry Township, **Jefferson County**, affecting 65.7 acres. Receiving streams: Unnamed tributaries to Nicely Run and Nicely Run, unnamed tributary to Mahoning Creek. This renewal is issued for reclamation only. Application received: January 19, 2016. Permit Issued: March 17, 2016.

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

**14820103 and NPDES PA0611719. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Permit renewal for continued operation and restoration of a bituminous surface and auger mine located in Rush Township, **Centre County** affecting 379.7 acres. Receiving stream(s): Unnamed Tributaries to Moshannon Creek and Unnamed Tributaries to Trout Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 25, 2015. Permit issued: March 2, 2016.

**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. Permit issued: March 2, 2016.

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

**65-15-01 and NPDES Permit No. PA0278131. David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Government Financed Construction Contract issued for reclamation to an abandoned mine land, located in Loyalhanna and Bell Townships, **Westmoreland County**, affecting 35.4 acres. Receiving streams: un-

named tributaries to Wolford Run. Application received: May 12, 2015. Permit issued: March 14, 2016.

**26100103 and NPDES Permit No. PA0251984. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Springhill Township, **Fayette County**, affecting 140.3 acres. Receiving streams: unnamed tributary to Hope Hollow and Cheat River. Application received: November 12, 2015. Renewal permit issued: March 15, 2016.

**26080107 and NPDES Permit No. PA0251810. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 61.4 acres. Receiving streams: unnamed tributaries to Stony Fork. Application received: May 8, 2015. Renewal permit issued: March 15, 2016.

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

**Permit No. 54070202R. Coaldale Energy, LLC** (PO Box 502, Tamaqua, PA 18252), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Coaldale Borough, **Schuylkill County** affecting 195.0 acres, receiving streams: Panther Creek and tributary to Little Schuylkill River. Application received: March 24, 2014. Renewal issued: March 15, 2016.

**Permit No. 54070202GP104R. Coaldale Energy, LLC** (PO Box 502, Tamaqua, PA 18252), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54070202 in Coaldale Borough, **Schuylkill County**, receiving streams: Panther Creek and tributary to Little Schuylkill River. Application received: March 24, 2014. Renewal issued: March 15, 2016.

**Permit No. 54-305-010GP12R. Coaldale Energy, LLC** (PO Box 502, Tamaqua, PA 18252), renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54070202 in Coaldale Borough, **Schuylkill County**. Application received: March 24, 2014. Permit issued: March 15, 2016.

**Permit No. 54693047R6. Pagnotti Enterprises, Inc.** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 281.25 acres, receiving stream: Mill Creek. Application received: December 30, 2015. Renewal issued: March 15, 2016.

**Permit No. 54693047GP104R. Pagnotti Enterprises, Inc.** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54693047 in Mahanoy Township, **Schuylkill County**, receiving stream: Mill Creek. Application received: December 30, 2015. Renewal issued: March 15, 2016.

*Noncoal Permits Issued*

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

**Permit No. 11052801-GP104, Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201. General NPDES Permit for storm water discharges associated with mining activities on Noncoal Permit No. 11052801 located in Portage Township, **Cambria County**. Receiving stream: Unnamed tributary to Spring

Run, classified for the following use: cold water fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: December 24, 2015. Coverage approved: March 16, 2016.

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

**16950306-GP-104. Ancient Sun, Inc.** (P. O. Box 129, Shippenville, PA 162154) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 16950306 in Perry & Toby Townships, **Clarion County**. Receiving streams: Black Fox Run. Application received: January 22, 2016. Permit Issued: March 16, 2016.

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

**08152802. Robert Johnson Flagstone, Inc.** (3658 Old Stage Coach Road, Wyalusing, PA 18853). Commencement, operation and restoration of a bluestone quarry in Tuscarora Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Little Tuscarora Creek classified for the following use(s): CWF and MF. Application received: November 18, 2015. Permit Issued: March 18, 2016.

**08152802GP-104. Robert Johnson Flagstone, Inc.** (3658 Old Stage Coach Road, Wyalusing, PA 18853). General NPDES permit for stormwater discharge associated with mining activities on surface mining permit No. 08152802 in Tuscarora Township, **Bradford County**. Receiving stream(s): Little Tuscarora Creek. Application received: November 18, 2015. Permit Issued: March 18, 2016.

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

**Permit No. 67870301C10 and NPDES Permit No. PA0010235. York Building Products Co., Inc.**, (PO Box 1708, York, PA 17405), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in West Manchester Township and City of York, **York County** affecting 264.9 acres, receiving stream: Willis Run. Application received: December 11, 2013. Renewal issued: March 16, 2016.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

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

**63164101. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the Government Financed Construction Contract reclamation project at the Troy GFCC II, located in Unity Township, **Westmoreland County** with an exploration date of December 31, 2017. Blasting permit issued: March 7, 2016.

**02164101. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Mele & Mele Clinton Industrial site, located in Findlay Township, **Allegheny County** with an exploration date of December 31, 2016. Blasting permit issued: March 14, 2016.

**63164102. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Mako Compressor Station, located in Amwell Township, **Washington County** with an exploration date of December 31, 2016. Blasting permit issued: March 16, 2016.

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

**Permit No. 36164117. Abel Construction Co., Inc.**, (3925 Columbia Avenue, Mountville, PA 17554), construction blasting for Buck Self-Storage Phase 2 in Providence Township, **Lancaster County** with an expiration date of September 1, 2016. Permit issued: March 17, 2016.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E28-380: PA Department of Transportation**, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Borough of Waynesboro and Washington Township, **Franklin County**, U. S. Army Corps of Engineers, Baltimore District.

To remove existing structures and to install and maintain (1) a 76 foot x 56-foot 6-3/8 inch bridge with a 3.91-foot under clearance over West Branch Antietam Creek (CWF, MF), (2) a 27-inch diameter outfall and, (3) an 18-inch diameter outfall along SR 0016 SEC037 in Washington Township & Waynesboro Borough, Franklin County (Latitude: 39° 45' 45.3"; Longitude: -77° 35' 49.1") for the purpose of improving roadway safety. The project proposes to directly affect 81-linear feet of stream channel and 0.02 ac. of wetlands and temporarily affect 75 linear feet of stream channel and 0.01 ac. of wetlands. The amount of wetland impact is considered deminimus and wetland mitigation is not required. The permit was issued on March 17, 2016.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0000515003	Equitrans, LP 625 Liberty Avenue Pittsburgh, PA 15222	Armstrong County	Burrell Township, Cowanshannock Township, Kiskiminetas Township, Kittanning Borough, Plumcreek Township, and South Bend Township, Armstrong Township, Young Township, Conemaugh Township, and Blairsville Borough	Huskins Run (WWF); UNT to Huskins Run (WWF); Cherry Run (CWF); UNT to Cherry Run (CWF); Fagley Run (WWF); UNT to Fagley Run (WWF); Long Run (WWF); UNT to Long Run (WWF); Crooked Creek (WWF); UNT to Crooked Creek (WWF); Whiskey Run (CWF); UNT to Whiskey Run (CWF); Mill Run (WWF); UNT to Mill Run (WWF); Rattling Run (CWF); UNT to Rattling Run (CWF); Nesbit Run (CWF); UNT to Nesbit Run (CWF); Blacklegs Creek (CWF); UNT to Blacklegs Creek (CWF); Marshall Run (CWF); UNT to Marshall Run (CWF)

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515001-1	Range Resources, LLC 3000 Town Center Boulevard Canonsburg, PA 15317	Washington County	North Strabane Township	Little Chartiers Creek (HQ-WWF); Chartiers Creek (WWF)
ESG0012515008	Columbia Gibraltar Gathering, LLC 5151 Felipe Road, Suite 2400 Houston, TX 77056	Washington County	Donegal Township, West Finley Township, and Buffalo Township	UNT to Buck Run (HQ-WWF); UNT to Dutch Fork (HQ-WWF); Dutch Fork (HQ-WWF); UNT to Bonar Creek (HQ-WWF); Bonar Creek (HQ-WWF); UNT to Middle Wheeling Creek (WWF); UNT to Blockhouse Run (WWF); UNT to Robinson Fork (WWF); UNT to Beham Run (WWF); Beham Run (WWF); UNT to Spotted Tail Run (WWF); Robinson Fork (WWF); Enlow Fork (TSF); and UNT to Buffalo Creek (HQ-WWF)
ESG0012515010	EQM Gathering OPCO, LLC 625 Liberty Avenue, Suite 1700 Pittsburgh, PA 15222	Washington County	Amwell Township	Montgomery Run (TSF); UNT to Montgomery Run (TSF)

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX11-033-0001(01)  
Applicant Name EXCO Resources PA LLC  
Contact Person Brian Rushe  
Address 260 Executive Dr, Suite 100  
City, State, Zip Cranberry Twp, PA 16066  
County Clearfield  
Township(s) Pine  
Receiving Stream(s) and Classification(s) UNT to Right  
Branch Moose Ck (HQ-CWF); UNT to Left Branch  
Moose Ck (HW-CWF)  
Secondary—Right Branch Moose Ck (HQ-CWF), Left  
Branch Moose Ck (HQ-CWF)

ESCGP-2 # ESG29-081-15-0030  
Applicant Name Range Resources—Appalachia LLC  
Contact Person Mike Middlebrook  
Address 80 Health Dr  
City, State, Zip Lock Haven, PA 17745  
County Lycoming  
Township(s) Cogan House  
Receiving Stream(s) and Classification(s) Larrys Ck (EV);  
Roaring Run (EV)  
Secondary—Larrys Ck (EV)

ESCGP-2 # ESX29-115-16-0057  
Applicant Name Williams Field Services Co LLC  
Contact Person Chad Johnson  
Address Park Place Corp Ctr 2, 2000 Commerce Dr  
City, State, Zip Pittsburgh, PA 15275

County Susquehanna  
Township(s) Brooklyn  
Receiving Stream(s) and Classification(s) Hop Bottom Ck  
& UNTs thereto (CWF-MF)

ESCGP-2 # ESX29-015-16-0002  
Applicant Name Regency Marcellus Gas Gathering LLC  
Contact Person Kevin Roberts  
Address 101 W Third St  
City, State, Zip Williamsport, PA 17701  
County Bradford  
Township(s) Franklin  
Receiving Stream(s) and Classification(s) UNT to  
Towanda Ck (CWF, MF); Hollow Run (CWF-MF)  
Secondary—Towanda Ck

ESCGP-2 # ESX29-131-16-0001  
Applicant Name Appalachia Midstream Svcs LLC  
Contact Person Michael Tucker  
Address 400 Ist Center, Suite 404  
City, State, Zip Horseheads, NY 14845-1015  
County Wyoming  
Township(s) Meshoppen  
Receiving Stream(s) and Classification(s) UNT to Little  
Meshoppen Ck (CWF); UNT to Meshoppen Ck (CWF)  
Secondary—Little Meshoppen Ck (CWF); Meshoppen  
Ck (CWF)

ESCGP-2 # ESX29-117-16-0012  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Dr, Suite 400  
City, State, Zip Sewickley, PA 15143

County Tioga  
 Township(s) Richmond  
 Receiving Stream(s) and Classification(s) Lambs Ck  
 (CWF), North Elk Run (CWF)

## SPECIAL NOTICES

### Air Quality Plan Approvals

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

Air Management Services (AMS) issued modifications to the approved Reasonably Available Control Technology (RACT) plan approvals for the following facilities in the City of Philadelphia, **Philadelphia County**:

**PES Refinery**, formerly Sunoco Refinery (3144 Passyunk Ave., Philadelphia, PA 19145) to update a Responsible Official. Change the 433 H-1 Heater capacity from 243 MMBTUs/hr to 260 MMBTUs/hr. Add 864 Heater PH1, which was mistakenly deleted in the last RACT plan approval. Delete some shut down heaters. Add a requirement to vent the 1232 FCCU to the CO Boiler when operating as a partial-burn unit and a requirement to follow good combustion practices. Delete a quarterly leak detection and repair requirement, as fugitives are covered by 25 Pa. Code § 129.58. Made a control requirement for Girard Point Marine Loading only applicable to materials with a Reid Vapor Pressure of 4 psi or greater. Remove the Marine Vapor Collection and Control System requirement for Point Breeze Marine Loading and limit the process to loading materials with a RVP of less than 4 psi and an annual VOC emission limit of 25.99 tons. Reduced a 433 Heater H-1 NO<sub>x</sub> emission limit from 0.060 lbs/MMBTU to 0.035 lbs/MMBTU. Reduced an 859 Heater 1H-1 NO<sub>x</sub> emission limit from 0.035 lbs/MMBTU to 0.020 lbs/MMBTU. These revisions will reduce potential NO<sub>x</sub> and VOC emissions from the facility.

**Exelon Generation Company—Richmond Station** (3901 North Delaware Avenue, Philadelphia, PA 19137) to correct an annual capacity factor limit from 18% to 15% for two combustions turbines. To remove a requirement to limit the sulfur content of No. 2 oil to 15 ppm beginning July 15, 2015 and an associated recordkeeping requirement. The facility will comply with the provisions of Air Management Code Section 3-207, which has a similar limit but allows use of existing fuel oil for a period of time. These revisions will reduce potential NO<sub>x</sub> emissions from the facility.

**Veolia Energy—Schuylkill Station**, formerly Trigen—Schuylkill (2600 Christian Street, Philadelphia, PA 19146) to change the wording on the NO<sub>x</sub> emission limits for Boiler #23 and Boiler #26 to clarify that the boilers must comply with each limit and the averaging period for some limits. These revisions will not change potential emissions for the facility.

**Kinder Morgan**, previously GATX (3300 North Delaware Ave., Philadelphia, PA 19134) to delete a quarterly leak detection and repair requirement, as fugitives are covered by Air Management Regulation V, Section XIII(1). Remove gasoline and crude oil limits for marine loading, as the process cannot load these materials at all due to a limit on the Reid Vapor Pressure of materials loaded. Change the initial test date for marine vapor loading to a date that is within 5 years of the previous stack test. These revisions will not change potential emissions for the facility.

**Plains Products Terminals LLC** (3400 South 67th Street, Philadelphia, PA 19153) to combine the RACT

plan approvals for the previous Maritank and ExxonMobil facilities into one facility. Remove shut down processes. Add a 6.6 tons per rolling 12-month period VOC limit for marine loading. Remove a vapor recovery requirement for truck loading at the vapor recovery tanks due to a change to low vapor pressure materials and very low overall potential emissions. These revisions will reduce the potential VOC emissions from the facility.

**Naval Surface Warfare Center Carderock Division** (5001 South Broad Street, Code 02, Philadelphia, PA 19112-1403) to add a 0.38 lbs/MMBTU NO<sub>x</sub> emission limit for Boiler DDG-15 and add a stack test program. Require new test engines and turbines to comply with the Standard Navy Plan Maintenance Program. These revisions will reduce the potential NO<sub>x</sub> emissions from the facility.

AMS issued a RACT plan approval for the following facility in the City of Philadelphia, **Philadelphia County**:

**Philadelphia Prison System** (8001 State Road, Philadelphia, PA 19136) for a 365 HP gas-fired chiller with Non-Selective Catalytic Reduction. No<sub>x</sub> emissions from the chiller are limited to 2.0 gs/bhp-hr. The chiller must have a stack test every 5 years and records must be kept for all tests.

### Proposed State Water Quality Certification

#### Required by Section 401 of the Clean Water Act for the Line 138 Service Abandonment and Lateral Construction Project

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman, 412-442-4000*

**WQ05-011, Columbia Gas Transmission, LLC** (Applicant), 1700 MacCorkle Avenue, S.E. Charleston, WV 25314. Line 138 Service Abandonment and Lateral Construction Project (Project), in Springhill, Henry Clay and Wharton Townships, **Fayette County** and Addison and Elk Lick Townships, **Somerset County**, ACOE Pittsburgh District. The proposed project starts approximately 2.25 miles southeast of the intersection of State Route 857 and Gans Road in Springhill Township, Fayette County (Lake Lynn, PA, WV Quadrangle N: 39°, 43', 16"; W: -79°, 45', 49") and ends approximately 0.7 mile southwest of the intersection of State Route 669 and Ash Hill Road in Elk Lick Township, Somerset County (Grantsville, MD, PA Quadrangle N: 39°, 43', 22"; W: -79°, 10', 18")

On May 20, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-495-000). The FERC Environmental Assessment for the Project, which was issued on 9/17/15, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Docket Search; CP15-495-000).

On August 14, 2015, Applicant requested a state water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Project, as proposed would operate and maintain some segments of the existing, approximately 33-mile,

Line 138 natural gas pipeline, consisting of 4-inch, 6-inch, 8-inch and 16-inch pipeline, within an existing 50-foot right-of-way, where service is being abandoned. Columbia proposes to remove approximately 0.18 mile of exposed pipeline, two (2) residential tap consumers, two (2) meter stations, one (1) odorizer, one (1) siphon, five (5) ground valves and eight (8) mainline valves. Columbia plans to grout 28 road crossings to abandon in place.

Columbia also proposes to construct an approximate 0.65-mile, 2-inch lateral extension within the existing 50-foot wide Line 138 right-of-way (ROW) in order to maintain service to the Firm Transportation customer and their operations. The Firm Transportation customer is served from Line 138 through which service will be abandoned, Columbia proposes to maintain gas service to this customer by installing a lateral extension within the Line 138 ROW to connect with Lines 1804 and 10240. The lateral extension project will involve construction activities within the existing 50-foot wide ROW, acquisition of 50 feet of new ROW to connect the lateral to the Line 1804 and 10240 ROW, two (2) new isolation valves on Lines 1804 and 10240, and a contractor/staging yard all located in Somerset County Pennsylvania. The proposed lateral extension activities are herein referred to as the "Lateral Construction Project".

In Pennsylvania, the Project, as proposed, will require impacts to 0.3416 acre of Laurel Run (HQ-CWF), Reason Run (WWF), Collier Run (WWF) and Zehner Run (HQ-CWF), and unnamed tributaries of Patterson Run (HQ-CWF), Big Sandy Creek (HQ-CWF), Youghiogheny River (WWF), Chub Run (WWF), Mill Run (WWF), Zehner Run (HQ-CWF), Big Shade Run (CWF), 5.05 acres of floodway, 0.8664 acre of temporary PEM wetland impacts, and 0.0292 acre of PEM and PSS permanent impacts.

PADEP anticipates issuing a state water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the PADEP during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Rita A. Coleman, Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—PADEP may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final state water quality certification, PADEP will consider all relevant and timely comments, suggestions or objections submitted to PADEP within 30 days of this notice. Comments should be directed to Rita Coleman, Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the

person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

### Proposed State Water Quality Certification

#### Required by Section 401 of the Federal Clean Water Act for the Tennessee Gas Pipeline Company, LLC Triad Expansion Project

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18711, Joseph Buczynski, Program Manager, 570-826-2511*

**WQ02-004, Tennessee Gas Pipeline Company, LLC** (Applicant), 1001 Louisiana Street, Suite 1000, Houston, Texas 77002-5089, Triad Expansion Project (Project), in Lenox and Clifford Townships, **Susquehanna County**, Baltimore District Corps of Engineers. The proposed project starts at a point along the 300-1 line at Sta. 871 + 66 (Lenoxville, PA Quadrangle N: 41.713445, W: -75.725361) and ends at Tennessee's existing Compressor Station ("CS") 321 (Clifford, PA Quadrangle N: 41.711774, W: -75.596717).

On June 19, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C. § 717f) seeking a Certificate of Public Convenience and Necessity to construct and operate its Project (FERC Docket No. CP 15-520-000). The FERC Environmental Assessment for the Project, when available, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Docket Search; CP 15-520-000).

On February 8, 2016, Applicant requested a state water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Project, as proposed, includes approximately a 7.0-mile long, 36-inch pipeline for the purpose of transporting natural gas from a point along the 300-1 line at Sta. 871 + 66 to an existing Compressor Station CS 321. The Project, as proposed, will require approximately 178.32 acres of earth disturbance, and impacts to 1,511 linear feet of Partners Creek, Sterling Brook Creek, Nine Partners Creek, Tunkhannock Creek and unnamed tributaries to Tunkhannock Creek, Tower Branch and Lake Idlewild (CWF, MF, HQ-CWF), 4.7 acres of floodway, 1.3 acre of temporary PEM/PSS/PFO wetland impacts, and 0.13 acre of PSS/PFO conversion to PEM impacts.

PADEP anticipates issuing a state water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with PADEP's Chapter 102

Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Projects.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to the Department of Environmental Protection, Northeast Regional Office, Joseph Buczynski, Waterways and Wetlands Program Manager, 2 Public Avenue, Wilkes-Barre, PA 18711.

9. *Reservation of Rights*—PADEP may suspend or revoke this Certification if it determines that Tennessee Gas Pipeline Company, LLC has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or



relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.

Prior to final action on the proposed section 401 Water Quality Certification, consideration will be given to any comments, suggestions or objections which are submitted in writing within 30 days of this notice. Comments concerning the proposed 401 Water Quality Certification should be directed to Mr. Joseph Buczynski, Northeast Region Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted. The Department will consider all relevant and timely comments received. Comments must be submitted within 30 days of this notice.

[Pa.B. Doc. No. 16-561. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Air Quality Technical Advisory Committee Meeting Cancellation

The Air Quality Technical Advisory Committee (Committee) meeting scheduled for Thursday, April 14, 2016, has been cancelled. The next Committee meeting is scheduled for Thursday, June 9, 2016, at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

For additional information contact Nancy Herb at (717) 783-9269 or nherb@pa.gov. The agenda and materials for the June 9, 2016, meeting will be available through the Public Participation Center tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Nancy Herb at (717) 783-9269 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 16-562. Filed for public inspection April 1, 2016, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). Department regulations governing hospital licensure can be found in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals). The following hospitals are requesting exceptions to 28 Pa. Code § 153.1 (relating to minimum standards) which contains minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Geisinger-Community Medical Center	2.2-2.11.9.2(1)	Space requirements—area	2014
Schuylkill Medical Center— East Norwegian Street	2.1-3.2.2.1(1)	Space requirements—area	2014

All requests previously listed are 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. 16-563. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

The Rehabilitation Center at Brethren Village  
3001 Lititz Pike  
Lancaster, PA 17606  
FAC ID # 24480201

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

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 accommodation 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. 16-564. Filed for public inspection April 1, 2016, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Availability of Amendments to the Office of Long-Term Living's Home and Community-Based Aging Waiver

The Department of Human Services (Department) is making available for public review and comment the Office of Long-Term Living's proposed Aging waiver amendments and the Centers for Medicare and Medicaid Services (CMS) final rule transition plan. The Department proposes the following substantive changes to the Aging waiver effective September 1, 2016:

- A new entity to perform clinical eligibility determinations and redeterminations.
- The transition of individuals from the Aging waiver into a managed care delivery system.
- The implementation of a home modifications broker.
- Revised language to reflect the current practice under the new child abuse clearance laws.
- A new entity to perform waiver enrollments.

#### Background

To continue receiving Federal matching funds for Home and Community-Based Services (HCBS) waiver services,

CMS requires that existing HCBS waivers be amended when significant changes are made. The Aging waiver was last amended by CMS effective October 28, 2015, the proposed waiver amendments are to be submitted to CMS no later than May 16, 2016.

The proposed Aging waiver amendments and a summary of all revisions are available for review at <http://www.dhs.pa.gov/learnaboutdhs/dhsorganization/officeoflongtermliving/oltlwaiverinfo/index.htm> or by contacting the Department's Office of Long-Term Living at (717) 783-8412.

#### Fiscal Impact

The amendments of the Aging waiver are anticipated to be budget neutral; therefore, there is no anticipated fiscal impact.

#### Public Comment

Interested persons are invited to submit written comments regarding the proposed waiver amendments to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Aging Waiver Amendments, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments may also be submitted to the Department at RA-waiverstandard@pa.gov. Use "Aging Waiver Amendments" as the subject line. Comments received within 30 days will be reviewed and considered for revisions to the proposed waiver amendments and the CMS final rule transition plan.

In addition, the Department will hold two webinars to receive comments on the proposed Aging waiver amendments. Dates and times of the webinars, including dial-in information, are available at <http://www.dhs.pa.gov/learnaboutdhs/dhsorganization/officeoflongtermliving/oltlwaiverinfo/index.htm> or by contacting the Department's Office of Long-Term Living at (717) 783-8412.

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-1007. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-565. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Availability of Amendments to the Office of Long-Term Living's Home and Community-Based Attendant Care Waiver

The Department of Human Services (Department) is making available for public review and comment the Office of Long-Term Living's proposed Attendant Care waiver amendments and the Centers for Medicare and Medicaid Services (CMS) final rule transition plan. The Department proposes the following substantive changes to the Attendant Care waiver effective September 1, 2016:

- A new entity to perform clinical eligibility determinations and redeterminations.
- The transition of individuals from the Attendant Care waiver into a managed care delivery system.
- Revised language to reflect the current practice under the new child abuse clearance laws.

*Background*

To continue receiving Federal matching funds for Home and Community-Based Services (HCBS) waiver services, CMS requires that existing HCBS waivers be amended when significant changes are made. The Attendant Care waiver was last amended by CMS effective October 28, 2015; the proposed waiver amendments are to be submitted to CMS no later than May 16, 2016.

The proposed Attendant Care waiver amendments and a summary of all revisions are available for review at <http://www.dhs.pa.gov/learnaboutdhs/dhsorganization/officeoflongtermliving/oltlwaiverinfo/index.htm> or by contacting the Department's Office of Long-Term Living at (717) 783-8412.

*Fiscal Impact*

The amendments of the Attendant Care waiver are anticipated to be budget neutral; therefore, there is no anticipated fiscal impact.

*Public Comment*

Interested persons are invited to submit written comments regarding the proposed waiver amendments to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Attendant Care Amendments, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments may also be submitted to the Department at [RA-waiverstandard@pa.gov](mailto:RA-waiverstandard@pa.gov). Use "Attendant Care Waiver Amendments" as the subject line. Comments received within 30 days will be reviewed and considered for revisions to the proposed waiver amendments and the CMS final rule transition plan.

In addition, the Department will hold two webinars to receive comments on the proposed Attendant Care waiver amendments. Dates and times of the webinars, including dial-in information, are available at <http://www.dhs.pa.gov/learnaboutdhs/dhsorganization/officeoflongtermliving/oltlwaiverinfo/index.htm> or by contacting the Department's Office of Long-Term Living at (717) 783-8412.

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-1008. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-566. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Availability of Amendments to the Office of Long-Term Living's Home and Community-Based Independence Waiver

The Department of Human Services (Department) is making available for public review and comment the Office of Long-Term Living's proposed Independence waiver amendments and the Centers for Medicare and Medicaid Services (CMS) final rule transition plan. The Department proposes the following substantive changes to the Independence waiver effective September 1, 2016:

- A new entity to perform clinical eligibility determinations and redeterminations.

- Five new employment-related service definitions are replacing one existing employment service definition.

- Expanding the eligible population to individuals with acquired brain injury.

- Addition of Residential Habilitation and Structured Day service definitions.

- The transition of individuals from the Independence waiver into a managed care delivery system.

- The implementation of a home modifications broker.

- Revised language to reflect the current practice under the new child abuse clearance laws.

*Background*

To continue receiving Federal matching funds for Home and Community-Based Services (HCBS) waiver services, CMS requires that existing HCBS waivers be amended when significant changes are made. The Independence waiver was last amended by CMS effective July 1, 2015, the proposed waiver amendments are to be submitted to CMS no later than May 16, 2016.

The proposed Independence waiver amendments and a summary of all revisions are available for review at <http://www.dhs.pa.gov/learnaboutdhs/dhsorganization/officeoflongtermliving/oltlwaiverinfo/index.htm> or by contacting the Department's Office of Long-Term Living at (717) 783-8412.

*Fiscal Impact*

The amendments of the Independence waiver are anticipated to have minimal fiscal impact.

*Public Comment*

Interested persons are invited to submit written comments regarding the proposed waiver amendments to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Independence Amendments, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments may also be submitted to the Department at [RA-waiverstandard@pa.gov](mailto:RA-waiverstandard@pa.gov). Use "Independence Amendments" as the subject line. Comments received within 30 days will be reviewed and considered for revisions to the proposed waiver amendment and the CMS final rule transition plan.

In addition, the Department will hold two webinars to receive comments on the proposed Independence waiver amendments. Dates and times of the webinars, including dial-in information, are available at <http://www.dhs.pa.gov/learnaboutdhs/dhsorganization/officeoflongtermliving/oltlwaiverinfo/index.htm> or by contacting the Department's Office of Long-Term Living at (717) 783-8412.

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-1009. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-567. Filed for public inspection April 1, 2016, 9:00 a.m.]

**Federal Poverty Income Guidelines for 2016**

The Department of Human Services (Department) announces the implementation in this Commonwealth of the 2016 Federal Poverty Income Guidelines (FPIG) which were issued by the Department of Health and Human Services and published at 81 FR 4036 (January 25, 2016).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are codified in 55 Pa. Code (relating to public welfare) and administered by the Department. These categories include Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B), and the Modified Adjusted Gross Income (MAGI) based eligibility categories for pregnant women, children, parent/caretakers and adults. The MAGI categories were established by the Department's implementation of the Affordable Care Act at 43 Pa.B. 4035 (July 13, 2013).

The percentages for the Medicaid categories of MAGI and Healthy Horizons are set forth as follows:

*MAGI—*

- a. 215% for pregnant women and infants under 1 year of age; and the Family Planning Services program.
- b. 157% for children 1 through 5 years of age.
- c. 133% for children 6 through 18 years of age and for adults 19 through 64 years of age.
- d. 33% for children through 18 years of age and parents/caretakers.

\* MAGI FPIGs represent the MAGI converted standards which will be valid until September 2019.

*Healthy Horizons—*

- a. 100% for persons eligible for the categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- b. 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- c. 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

There are different resource limits for each of the Healthy Horizons programs.

<i>Persons</i>	<i>33% of FPIG</i>		<i>100% of FPIG</i>		<i>120% of FPIG</i>		<i>133% of FPIG</i>	
	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>
1	\$327	\$3,921	\$990	\$11,880	\$1,188	\$14,256	\$1,317	\$15,801
2	\$441	\$5,287	\$1,335	\$16,020	\$1,602	\$19,224	\$1,776	\$21,307
3	\$555	\$6,653	\$1,680	\$20,160	\$2,016	\$24,192	\$2,235	\$26,813
4	\$669	\$8,019	\$2,025	\$24,300	\$2,430	\$29,160	\$2,694	\$32,319
5	\$783	\$9,386	\$2,370	\$28,440	\$2,844	\$34,128	\$3,153	\$37,826
6	\$896	\$10,752	\$2,715	\$32,580	\$3,258	\$39,096	\$3,611	\$43,332
7	\$1,011	\$12,121	\$3,061	\$36,730	\$3,673	\$44,076	\$4,071	\$48,851
8	\$1,125	\$13,494	\$3,408	\$40,890	\$4,089	\$49,068	\$4,532	\$54,384
Each	\$115	\$1,373	\$347	\$4,160	\$416	\$4,992	\$462	\$5,533
Additional Person								

<i>Persons</i>	<i>135% of FPIG</i>		<i>157% of FPIG</i>		<i>200% of FPIG</i>		<i>215% of FPIG</i>	
	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>
1	\$1,337	\$16,038	\$1,555	\$18,652	\$1,980	\$23,760	\$2,129	\$25,542
2	\$1,803	\$21,627	\$2,096	\$25,152	\$2,670	\$32,040	\$2,871	\$34,443
3	\$2,268	\$27,216	\$2,638	\$31,652	\$3,360	\$40,320	\$3,612	\$43,344
4	\$2,734	\$32,805	\$3,180	\$38,151	\$4,050	\$48,600	\$4,354	\$52,245
5	\$3,200	\$38,394	\$3,721	\$44,651	\$4,740	\$56,880	\$5,096	\$61,146
6	\$3,666	\$43,983	\$4,263	\$51,151	\$5,430	\$65,160	\$5,838	\$70,047
7	\$4,133	\$49,586	\$4,806	\$57,667	\$6,122	\$73,460	\$6,581	\$78,970
8	\$4,601	\$55,202	\$5,350	\$64,198	\$6,815	\$81,780	\$7,327	\$87,914
Each	\$468	\$5,616	\$545	\$6,532	\$694	\$8,320	\$746	\$8,944
Additional Person								

<i>Persons</i>	<i>235% of FPIG</i>		<i>250% of FPIG</i>	
	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>
1	\$2,327	\$27,918	\$2,475	\$29,700
2	\$3,138	\$37,647	\$3,338	\$40,050
3	\$3,948	\$47,376	\$4,200	\$50,400
4	\$4,759	\$57,105	\$5,063	\$60,750
5	\$5,570	\$66,834	\$5,925	\$71,100
6	\$6,381	\$76,563	\$6,788	\$81,450
7	\$7,193	\$86,316	\$7,653	\$91,825
8	\$8,008	\$96,092	\$8,519	\$102,225
Each	\$815	\$9,776	\$867	\$10,400
Additional Person				

Additional information on the programs is available at the county assistance offices.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 25, 2016.

#### *Public Comments*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Income Maintenance, Cathy Buhrig, Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 calendar days will be reviewed and considered for any subsequent revision of the 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-1002. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-568. Filed for public inspection April 1, 2016, 9:00 a.m.]

### **Fee Schedule Rates and Department-Established Fees for Consolidated and Person/Family Directed Support Waivers Services, Targeted Services Management and the Community Intellectual Disability Base-Funded Program**

The Department of Human Services (Department) is providing final notice of the Fee Schedule rates for Targeted Service Management and select services funded through the Consolidated and Person/Family Directed Support waivers as well as the Department-established fees for residential ineligible services effective July 1, 2015. These Fee Schedule rates also serve as the Department-established fees under 55 Pa. Code § 4300.115(a) (relating to Department established fees) for base-funded services managed through county programs for individuals with an intellectual disability under the Mental Health and Intellectual Disability Act of 1966 (50 P.S. §§ 4101—4704); 55 Pa. Code Chapter 4300 (relating to county mental health and mental retardation fiscal manual); and 55 Pa. Code Chapter 51 (relating to Office of Developmental Program's home and community-based services).

The Department published its proposed Fee Schedule rates and Department-established fees for residential ineligible services at 45 Pa.B. 3428 (June 27, 2015). The Department received no public comments during the comment period. The Department will implement the Fee Schedule rates and Department-established fees announced in the notice of proposed rates.

#### *Public Comment*

Copies of this notice may be obtained at the local Mental Health/Intellectual Disability (MH/ID) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144

- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749

- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245

- *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/ID County Program or AE may be found at <https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP> or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Comments can also be sent to [ra-ratesetting@state.pa.us](mailto:ra-ratesetting@state.pa.us), use subject header "PN Fee Schedule."

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).

#### *Fiscal Impact*

There is no additional costs to the Commonwealth anticipated in Fiscal Year 2015-2016 and subsequent years as a result of this notice.

THEODORE DALLAS,  
*Secretary*

**Fiscal Note:** 14-NOT-1000. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-569. Filed for public inspection April 1, 2016, 9:00 a.m.]

### **Rate-Setting Methodology for Consolidated and Person/Family Directed Support Waiver-Funded and Base-Funded Services for Individuals Participating in the Office of Developmental Programs Service System**

The Department of Human Services (Department) is providing final notice of the methodology used in the Prospective Payment System (PPS) to develop rates for residential habilitation eligible and transportation trip services funded through the Consolidated and Person/Family Directed Support (P/FDS) waivers.

The Department published notice of the methodology used in the PPS at 45 Pa.B. 3441 (June 27, 2015). The Department received no public comments during the comment period. The Department will implement the methodology described in the proposed notice with the exception of new providers shall bill the retention factor.

The Department instructed providers to bill the retention factor separately from the residential eligible rate using the approved procedure codes and modifiers from July 1, 2015, until July 21, 2015. The retention factor only included the applicable state portion for this period of time. Effective July 22, 2015, as approved by the Centers for Medicare and Medicaid Services, the residential eligible rate includes the retention factor.

Copies of this notice may be obtained at the local Mental Health/Intellectual Disability (MH/ID) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144
- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749
- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245
- *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/ID County Program or AE may be found at <https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP> or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Comments can also be sent to [ra-ratesetting@state.pa.us](mailto:ra-ratesetting@state.pa.us), use subject header "PN PPS Methodology."

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).

#### *Fiscal Impact*

It is anticipated that there will be an approximate cost to the Commonwealth of \$64.232 million (\$35.309 million State Funds) in Fiscal Year 2015-2016 and Fiscal Year 2016-2017 each.

THEODORE DALLAS,  
*Secretary*

#### **Fiscal Note:** 14-NOT-1001. (1) General Fund;

(7) Intellectual Disabilities—Community Waiver Program; (2) Implementing Year 2015-16 is \$34,754,000; (3) 1st Succeeding Year 2016-17 is \$34,754,000; 2nd Succeeding Year 2017-18 through 5th Succeeding Year 2020-21 are \$18,260,000; (4) 2014-15 Program—\$1,074,000,000; 2013-14 Program—\$1,026,000,000; 2012-13 Program—\$931,885,000;

(7) Intellectual Disabilities—Community Base Program; (2) Implementing Year 2015-16 is \$555,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$555,000; (4) 2014-15 Program—\$149,681,000; 2013-14 Program—\$150,918,000; 2012-13 Program—\$151,223,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-570. Filed for public inspection April 1, 2016, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Byzantine, Inc. seeking to lease highway right-of-way located along SR 3002, segment 10 at 1476 Old Broadhead Road, Center Township, Beaver County, containing 1,927.043 square feet or 0.044 ± acre for the purpose of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, PE, District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 16-571. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by CREPD, LLC seeking to lease highway right-of-way located along SR 0422 near Hoover Road, Shenango Township, Lawrence County, containing 8,333.99 ± square feet for the purpose of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, PE, District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 16-572. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Grandview Square, LP seeking to lease highway right-of-way located along SR 1001 Segment 460 near 303 East 10th Avenue, Borough of Tarentum, Allegheny County, containing 7,083.66 square feet or 0.16 ± acre for the purpose of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, PE, District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

LESLIE S. RICHARDS,  
Secretary

[Pa.B. Doc. No. 16-573. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Pennsylvania Brewing Company seeking to lease highway right-of-way located along SR 0028 at 800 Vinial Street, 23rd Ward City of Pittsburgh, Allegheny County containing 11,391.54 ± square feet or 0.26 ± acre for the purpose of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, PE, District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

LESLIE S. RICHARDS,  
Secretary

[Pa.B. Doc. No. 16-574. Filed for public inspection April 1, 2016, 9:00 a.m.]

### Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, April 7, 2016, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Ellen E. Sweeney, (717) 787-2913, ellsweeney@pa.gov.

LESLIE S. RICHARDS,  
Secretary

[Pa.B. Doc. No. 16-575. Filed for public inspection April 1, 2016, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Special Reports and Requests for Data

The Health Care Cost Containment Council (Council), according to Act 89 as amended by Act 14, and as amended by Act 3, is required to publish a list of all special reports and data that have been prepared during the previous calendar year. The following represents a summary of the reports and requests for data generated by the Council in calendar year 2015. The list of data fields that are included in the standard public use files are located in PDF files posted on the Council's web site at [www.phc4.org](http://www.phc4.org) (select "Services," then "Data Requests," then "Data Descriptions"). Questions about procedures for obtaining access to Council data should be addressed to JoAnne Z. Nelson, Supervisor of Special Requests, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, [jnelson@phc4.org](mailto:jnelson@phc4.org).

#### *Applicant and Project Description*

#### **Agency for Healthcare Research & Quality—Jenny Schnaier**

Statewide 2014 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used in the Healthcare Cost and Utilization Project (HCUP), which uses the data for multiple databases, reports, and tools and products. The HCUP databases enable research on a broad range of health policy issues, including cost and quality of health services, medical practice patterns, access to health care programs, and outcomes of treatments at the National, regional, State and local levels.

#### **AtlantiCare Regional Medical Center—Rosemary Nuzzo**

Standard regional 2013 and 2014 inpatient discharge datasets for Regions 8 and 9. O'Conco Healthcare Consultants will be reading and analyzing the data, adding select data elements and providing the modified data to AtlantiCare Regional Medical Center who will use the information for evaluation of patient services provided in their market area.

#### **Capital BlueCross—David Resek**

Standard facility second quarter through fourth quarter 2014 inpatient discharge datasets for 15 hospitals (Pinacole Health Hospitals, Lehigh Valley Hospital, Lehigh Valley Hospital/Muhlenberg, Reading Hospital, Evangelical Community Hospital, Ephrata Community Hospital, Holy Spirit Hospital, Geisinger Medical Center/Danville, Sacred Heart Hospital/Allentown, Mount Nittany Medical Center, Chambersburg Hospital, Hanover Hospital, Inc., St. Luke's Hospital/Bethlehem, Milton S. Hershey Medical Center and Waynesboro Hospital) and first quarter 2015 inpatient discharge dataset for 4 hospitals (Geisinger Medical Center/Danville, Chambersburg Hospital, St. Luke's Hospital/Bethlehem and Waynesboro Hospital). Capital BlueCross (CBC) will use the data with Agency for Healthcare Research and Quality (AHRQ) quality indicators windows software to calculate Patient Safety Indicators as a component of their hospital quality program. For audit purposes, CBC plans to warehouse the data to support the hospital quality program since part of the program provides financial incentives to participating hospitals that meet or exceed quality criteria defined in the program.

**Capital Health—Jeremye Cohen**

Standard regional 2012, 2013 and 2014 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 8 and 9 to be used for Capital Health's planning purposes for their health system to assist in determining public demand.

**Community Health Systems—Tomi Galin**

Standard Statewide 2013 and 2014 inpatient discharge and ambulatory/outpatient procedure datasets to be used to understand Community Health Systems' communities specific health care needs, areas of underservice and with high risk for specific disease, defining health care demand to support planning, illustrate access issues to develop outreach programs or eliminate service. The data will be used to determine whether primary care services and appropriate access are satisfied within a defined market area.

**Coordinated Health—Amy Nyberg**

Standard Statewide 2014 inpatient discharge and ambulatory/outpatient procedure datasets to be used for analysis of service areas and market share within the defined service areas.

**DataBay Resources—Mary Ann Augustine**

Standard Statewide third quarter 2014 through second quarter 2015 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets. DataBay Resources will combine the data with other all-payer health care data to be used to produce various aggregate report files distributed by DataBay's Navigate system and NavigateNet system that are offered as health care software products to its customers. The reports may be by product line, service area, hospital or health system, physician or physician group, or both, which can include, but are not limited to, market share, patient origin, use rates, charges, surgery detail, payer mix, patient demographics, diagnosis/procedure distribution, refinement, and the like.

**Delaware Valley ACO—Joel Port**

Standard regional fourth quarter 2013 through third quarter 2014 inpatient discharge datasets for Regions 8 and 9 to be used to study patient travel patterns for member hospitals.

**DLP Memorial Medical Center—Carrie Arcurio**

Standard Statewide 2014 inpatient discharge and ambulatory/outpatient procedure datasets to be used to internally evaluate DLP Memorial Medical Center's current performance, its competitor's performance and future opportunities. The data will be used to illustrate current market share and to enhance other planning tools such as budgets and 5-year plans.

**Finger Lakes Health Systems Agency—Melinda Whitbeck**

A custom 2011 through 2014 inpatient discharge and ambulatory/outpatient procedure dataset of cases who are residents of New York to be used for regional analysis of health care utilization rates and identify issues of access to care compared to other communities in their region and the State of New York.

**Georgetown University—Jean M. Mitchell, PhD**

Standard Statewide 2012 through 2014 ambulatory/outpatient procedure datasets to be used to extend prior work that will provide a more comprehensive picture of the relationship between ambulatory surgery center (ASC) specialization, costs, efficiency and adequacy of

payment rates. The data will be used to estimate ASCs cost functions to determine economies of scale for each organizational type, compare ASC production costs to insurers' payment rates for specific diagnostic and procedure, and examine relative cost inefficiency using stochastic frontier analysis.

**Good Shepherd Rehab Network—John Grencer**

Standard regional inpatient discharge datasets of third and fourth quarter 2013 for Region 4 and 2014 for Regions 4—9 to be used for internal analysis of Good Shepherd Rehab Network's services.

**HCR ManorCare—Kenneth Kang**

Standard Statewide 2014 through first quarter 2015 inpatient discharge datasets to be used to assess the needs of residents in HCR ManorCare's skilled nursing facilities across this Commonwealth.

**Healthcare Stat Home Care Inc.—Manny Mathai**

Standard regional fourth quarter 2013 through third quarter 2014 inpatient discharge datasets for Regions 8 and 9 to be used to assess the utilization of nursing homes and discover if there are any unmet care needs for seniors.

**HealthSouth—Steve Adams**

Standard Statewide 2014 inpatient discharge dataset to be used to help determine market share and needs to help better serve HealthSouth's population base.

**Highmark—Joseph J. Reilly**

Standard Statewide 2014 inpatient discharge dataset to be compared with Highmark's claims data to conduct an all-payer market share analysis. The market analysis will allow Highmark to understand the primary service area of facilities and compare the primary service area of Highmark members to the service area of all payers. The data will show where individuals go for care, outmigration patterns and allow for trending of inpatient health care use patterns.

**Hospital & Healthsystem Association of Pennsylvania—Martin Ciccocioppo**

Standard Statewide 2013 financial data report with restated 2012 financial data to be used to conduct ongoing monitoring of Statewide, regional and hospital-specific finances and policy impact analysis. The reports will be shared with the American Hospital Association (AHA) for the AHA to better understand hospital financial and utilization data by payer for hospitals that do not respond to the AHA Annual Hospital Survey. Hospital & Healthsystem Association of Pennsylvania (HAP) and AHA will only use the financial data for internal policy analysis.

Standard Statewide third and fourth quarter 2014 and first quarter 2015 inpatient discharge datasets, 2014 and first quarter 2015 inpatient revenue code detail dataset and 2014 financial data report with 2013 restated financial data to be used to conduct ongoing monitoring of Statewide, regional and hospital-specific quality outcomes, primarily utilizing AHRQ quality indicators. HAP may, from time to time, release the aggregate results of its quality monitoring research. HAP also intends to host MONAHRQ for member-only use on its private web site.

A custom modified 3-month quarterly (June 1, 2014, to March 31, 2015) inpatient discharge readmission analysis data report of hospitals' 30-day readmission rates for any reason on all discharges. HAP will use the data to provide Centers for Medicare and Medicaid Services (CMS) with



pre-Hospital Engagement Network (HEN) rates of admission. CMS requested aggregate HEN readmission data for three groups of hospitals: 1) all hospitals; 2) hospitals participating in any of the PA-HEN projects; and 3) hospitals participating in the PA-HEN preventable readmissions project. The PA-HEN staff is interested in knowing hospital-specific rates to ensure hospitals with the greatest needs are addressed through the PA-HEN project and to also identify the best performers to learn what they are doing right.

**IMS Health—Paul Reuscher**

Standard Statewide 2014 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets. IMS Health will use the data combined with other state data and use it to estimate diagnosis and procedure volume at the National and facility level, which will be accessible to IMS's clients. Their clients will use the information to track trends in diagnoses and procedures (regionally and Nationally), identify facilities that would be appropriate sites for clinical trials based on procedure/diagnosis volume or to better allocate resources based on procedure/diagnosis volume, or both.

**Intellimed—Joe Harris**

Standard Statewide first quarter 2014 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used to manage cost and quality of health care delivery at the hospital level. The uses include health care business decision making, statistics and individual data element analysis, service line analysis and performance, strategic planning, quality improvement and cost/charge reviews, among others. Intellimed intends to use these data for a variety of analyses, including reporting and ongoing tracking of clinical elements, analysis of utilization patterns, and delivery of information from the data to hospital and health care system decision makers.

**Joint State Government Commission—Lawrence G. Feinberg**

A custom third quarter 2013 through second quarter 2014 inpatient discharge data report on the number of diabetes-related discharges from hospitals in this Commonwealth to be used by the Joint State Government Commission in their response to House Resolution No. 936 of 2014.

**Lancaster General Health—Cheryl LaBow and David Jani**

Standard Statewide second through fourth quarter 2014 and first quarter 2015 ambulatory/outpatient procedure datasets to be used to understand demand and utilization for ambulatory surgery in this Commonwealth.

**Lehigh Valley Health Network—Stephen L. Christopoulos**

Standard Statewide second quarter through fourth quarter 2014 and first quarter 2015 inpatient discharge datasets and standard regional first quarter 2014 ambulatory/outpatient procedure dataset for Region 7 to be used for service area analyses, competitive analyses, product line trends and analyses, and incidence rate comparisons and trends for program development. The inpatient discharge data will additionally be used for the following: research population based health issues, promote health and well being of targeted vulnerable populations; internal quality control research; internal resource utilization research; support development of continuum of care research; community based health needs that target chronic illnesses.

**Los Angeles Biomedical Institute—Kenneth Zangwill, MD**

A custom 2012 through first quarter 2013 inpatient discharge dataset of hospitalizations for infants less than 90 days of age excluding birth records to be combined with other datasets for an Evaluation of the Clinical Management & Potential Adverse Events Associated with the Management of Febrile Infants <90 Days of Age Suspected of having Sepsis research study. The data will be used to identify infants less than 90 days of age who were admitted to the hospital due to fever to investigate the clinical burden of these hospitalizations, the potential harms and adverse events associated with them, and estimate the total economic impact to society related to the evaluation and management of these infants.

**Nemours/Alfred I. duPont Hospital for Children—Stacey Milunsky**

A custom third quarter 2013 through 2014 inpatient discharge and ambulatory/outpatient procedure dataset of cases for patients less than 18 years of age with derived data (age group, payer group and type of diagnosis related group (DRG) indicator) to be used to understand the competitive composition of inpatient and ambulatory/outpatient market and the potential growth opportunities for pediatric care in the southeastern Pennsylvania market, and opportunities to provide additional support and services to the pediatric populations in southeastern Pennsylvania and beyond. The data will assist in decision making and considerations for Nemours strategic vision over the next several years.

**OptumInsight—Holli Boetcher**

Standard Statewide 2013 inpatient discharge dataset to be used to provide consumers with hospital quality and efficiency information to help them make more informed decisions about where to seek care and to provide health care professionals with comparison reports. The data will be summarized by hospital and medical procedure/condition to provide information such as cost, length of stay, mortality, complications and volume. The aggregated information will be provided in a reporting tool to health plans for use by their members.

**Pax Healthcare, Inc.—Randy Main**

Standard third quarter 2013 through second quarter 2014 inpatient and outpatient revenue code detail datasets to be used to better understand health care costs and utilization in western Pennsylvania.

**Penn State College of Medicine—Mark S. Dias, MD**

A custom 1996 through 2014 inpatient dataset of cases with a diagnosis of abusive head trauma to be used to assess the impact of a program of perinatal, hospital-based, parent education about infant crying and violent infant shaking on the incidence of abusive head trauma/Shaken Baby Syndrome in this Commonwealth before (1996 through 2002) and during (2003 through 2014) the intervention.

**Pennsylvania Department of Health—Arlene G. Seid, MD, MPH, FACPM, CMQ**

A custom 2014 ambulatory/outpatient procedure data report on the number of procedures by procedure code to determine frequency with which the procedures are being performed in ASCs.

**Pennsylvania Department of Health—Cynthia Malinen**

A custom 2014 inpatient discharge dataset of Statewide records. The Violence and Injury Prevention Program will

use the data for analysis, to respond to requests for aggregate injury data at the State and local level, and to prepare injury prevention statistical reports: 1) Injuries in this Commonwealth, Hospital Discharge, an annual age-specific report of injury data by mechanism; 2) Injuries in Pennsylvania County Profiles, an annual report containing State, regional and county data; 3) Injury-Specific Monographs, which provide data on specific injury topics; and 4) Injury-Specific Fact Sheets, which contain data on specific injuries, identifying risk factors and high-risk groups. The data from these reports and requests will be used by State and local agencies to identify specific segments of the population at highest risk for injury, specific types and causes of injury, and youth suicide prevention planning and evaluation.

**Pennsylvania Department of Health—Farhad Ahmed, MBBS, MPH**

A custom 2014 inpatient discharge and ambulatory/outpatient procedure dataset of patients with a primary diagnosis of asthma. The Asthma Control Program will use the data to analyze morbidity data for asthma risk education and prevention programs. The interpretation will include analysis of length of stay, charges, general payment distribution among payers, admission types, seasonal and monthly distribution of asthma hospitalizations among different age groups, genders and races in this Commonwealth. The Asthma Control Program will provide the public and the Pennsylvania Asthma Partnership, including health care providers, with asthma hospitalization data through press releases, conferences, presentations, asthma burden reports, focus reports and asthma fact sheets. The Asthma Control Program will also send reports to the Centers for Disease Control and Prevention (CDC).

**Pennsylvania Department of Health—Lauren Hughes, MD**

A custom 2011 through 2014 inpatient discharge and ambulatory/outpatient procedure data report by facility, county and diagnosis-related group or clinical classification software for rural facilities to be used to understand market characteristics of hospitals for developing innovative strategies that will lead to better health, better care and smarter spending.

**Pennsylvania Department of Health—Vadim Drobin, MD, MPH**

A custom 2001 through 2014 inpatient discharge data report of acute myocardial infarction (AMI), asthma, carbon monoxide poisoning and heat stress related conditions by year of admission, age and gender with population totals and rates per 10,000. The data will be part of the Pennsylvania Environmental Public Health Tracking Program (PA EPHT). The PA EPHT integrates and analyzes environmental hazards, exposures and health effects to provide information on environmental exposure and adverse risk of health conditions to drive actions that improve the health of communities. Pennsylvania hospitalization and other data will be aggregately displayed through tables, graphs and maps on the Pennsylvania Department of Health's public portal web site.

A custom 2013 through 2014 inpatient discharge dataset of asthma, AMI, carbon monoxide poisoning and heat stress related hospitalization cases with ethnicity indicators by age group, county, gender and race to be used in the National Environmental Public Health Tracking Network. The data will be provided to the CDC to be used with other health outcomes data, exposure and bio-monitoring data, and environmental hazards and en-

vironmental monitoring data to be displayed in aggregate form on the CDC's public portal and analyzed to provide valid scientific information on environmental exposure and adverse risk of health conditions to drive actions that will improve the health in communities.

**Pennsylvania Department of Health—Zhen-qiang Ma**

A custom 2012 through first quarter 2015 Statewide inpatient discharge and ambulatory/procedure dataset with derived data (number of days to next admission) to be used for program initiation and evaluation in the Bureau of Epidemiology and Bureau of Health Promotion and Risk Reduction. Specific projects using these data are to update the Chronic Disease Burden Report, monitoring Pennsylvania Healthy People 2020 objectives to National goals, Pennsylvania Pediatric Cancer Report, program evaluation in chronic disease program effectiveness and publication studies.

**Pennsylvania Department of Human Services—Jolene H. Calla, Esq.**

A custom third quarter 2012 through second quarter 2013 inpatient discharge dataset of cases with a major diagnostic category (MDC) 14 or MDC 15 from general acute care hospitals to be used to calculate payments to hospitals for obstetrical and neonate services.

A custom third quarter 2012 through second quarter 2013 inpatient discharge dataset of verified self-pay records and 2011 through 2013 financial data report of a 3-year average percent of uncompensated care to be used to compute payments to hospitals for the Hospital Uncompensated Care and Extraordinary Expense programs established under the Tobacco Settlement Act of 2001.

**Pennsylvania Department of Human Services—Leesa M. Allen and Ronald Foster**

A custom 2014 inpatient discharge data report of each acute care hospital's percentage of discharges with a neoplastic disease diagnosis to be used as a basis for isolating and defining "cancer hospitals" for the Statewide hospital assessment.

**Pennsylvania Department of the Auditor General—Jo Anne Walchak**

A custom third quarter 2011 through second quarter 2012 inpatient discharge dataset of the verified self-pay records and 2010 through 2012 financial data report of a 3-year average percent of uncompensated care to be used for auditing hospitals that received tobacco funds in 2015 from the Pennsylvania Department of Human Services, which used these data to compute payments to hospitals for the Uncompensated Care and Extraordinary Expense programs established under the Tobacco Settlement Act of 2001.

**Pennsylvania eHealth Partnership Authority—David Grinberg**

A custom third quarter 2013 through fourth quarter 2014 Statewide inpatient discharge and ambulatory/outpatient procedure dataset with derived data (number of days to next admission or visit, or both). The data will be used to establish baseline measurements of health care delivery quality in an effort to better identify and measure any future impact various health information exchange based interventions have on the quality of health care delivery.

**Pennsylvania Office of Attorney General—Tracy W. Wertz**

Standard Statewide 2014 through second quarter 2015 inpatient discharge, ambulatory/outpatient procedure, in-

patient and ambulatory/outpatient revenue code detail datasets and 2013 and 2014 financial data reports. These data will be used for reviews of hospital mergers to ensure compliance with antitrust laws. These data will also be shared with the Federal Trade Commission for hospital merger investigations that are conducted jointly with the Pennsylvania Office of Attorney General.

**Pennsylvania Patient Safety Authority—Howard Newstadt**

A custom third quarter 2004 through first quarter 2015 hospital data report by year to be used in combination with the Pennsylvania Patient Safety Authority (PSA) PA-PSRS (medical error report) to produce facility specific and aggregate medical error rate data to improve PSA's analytic capabilities, thereby supporting PSA's overall mission.

**Pennsylvania Physical Medicine & Pratter—Bill Hennessey, MD**

A standard Statewide fourth quarter 2014 ambulatory/outpatient revenue code detail dataset to be used to educate health care consumers and consult with businesses in need of affordable health care options. The information will be displayed by facility as an average charge per procedure on their web site.

**Philadelphia Department of Public Health—Cheryl Bettigole, MD**

A standard regional 2014 inpatient discharge dataset and 2011 through 2014 ambulatory/outpatient procedure dataset for Regions 8 and 9 to be used for a variety of analyses that allow tracking of diseases requiring hospitalization and descriptions of the hospitalized patient population. Data are used for the evaluation of trends in services and estimated cost for HIV, diabetes, violence-related injuries, high-risk pregnancies, and the like, for research and policy planning.

**Pittsburgh Regional Health Initiative—Keith T. Kanel, MD**

A custom 2014 inpatient discharge data report of 30-day age-adjusted and sex-adjusted readmission rates on AMI, chronic obstructive pulmonary disease (COPD), and congestive heart failure (CHF) conditions by type of payer for six hospitals (Butler Memorial, Conemaugh Valley, Indiana Regional, Monongahela Valley, Sharon Regional and Uniontown) and for western Pennsylvania. The data will be used to track changes in readmission rates that may be attributable to a multidimensional, Pittsburgh Regional Health Care Initiative intervention to improve care for patients with COPD, AMI and CHF in six western Pennsylvania hospitals.

**Public Health Management Corporation—Maya Gutierrez**

A custom fourth quarter 2011 through third quarter 2014 inpatient discharge data report of cases for children diagnosed with asthma by zip code per quarter to be used to support Statewide needs assessment related to pediatric asthma.

**Reading Ambulatory Surgery Center, LP—Kathleen Royles**

A custom third quarter 2013 through second quarter 2014 ambulatory/outpatient procedure data report by facility on specific procedures for patients from Berks County to be used to determine market share in certain specialties.

**Redstone Presbyterian Senior Care—Frank King**

A custom third quarter 2011 through second quarter 2014 inpatient discharge dataset of patients 55 years of age and older residing in Westmoreland County or specific zip codes and a custom 2014 inpatient discharge 30-day readmission data report. The data will be used to determine acute care utilization of medical services of residents of Westmoreland County to better plan for the post-acute continuum of health care and meet the long-term care needs of county residents.

**Renzi Podiatry/Save Your Soles Campaign—Ronald M. Renzi, DPM**

A custom 2014 inpatient discharge dataset of patients who reside in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties to be used for the Save Your Soles Campaign program sponsored by Abington Memorial Hospital, which is to reduce amputations in the Philadelphia area. The data will be used to measure/count the number of amputations by county and zip code, to locate areas with high numbers of amputations and to track patients with risk factors for amputation to evaluate prevention strategies.

**SG-2, LLC—Nicole Cumorich and Matthew T. Wiliaert**

Standard Statewide second, third and fourth quarter 2014 inpatient discharge and ambulatory/outpatient procedure datasets to be used in their Market Forecast Tool and State Data Analysis Tool software that was developed to support SG-2's client hospitals' long-term and short-term operational and strategic planning efforts. These tools enable their clients to develop 10-year health services demand forecasts by clinical area and geography, to provide them with the ability to project and meet future demands by determining the appropriate allocation of resources and to improve both the quality and availability of health care in the communities they serve.

**Steven Meller, MD Medical Practice—Urology**

Standard facility 2000 through 2005 inpatient discharge and ambulatory/outpatient procedure datasets for three hospitals (Abington Memorial Hospital, Nazareth Hospital and Holy Redeemer Hospital) to be used to analyze patient referrals a physician could have received from one of the hospitals based on his referral pattern from the other two in connection with ending litigation.

**Summit Health—Michele R. Zeigler**

Standard Statewide second through fourth quarter 2014 inpatient discharge and ambulatory/outpatient procedure datasets to be imported into a quality management application and used for internal benchmarking and quality improvement initiatives, which is accessible to Chambersburg and Waynesboro hospitals.

**Susquehanna Health System—Brian Engel**

Standard regional second through fourth quarter 2014 and first quarter 2015 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 2, 4, 5 and 6 to be loaded into a database hosted and maintained by their consultant on behalf of Susquehanna Health. The consultant will use this information to report market share and trend analysis to Susquehanna Health.

**Susquehanna Valley Vein Center—Suzan McGary**

A custom 1999 through 2014 inpatient discharge dataset of cases with specific DRG to analyze volume and rates at various hospitals that will provide assistance in determining how to proceed with litigation; depending on the results, the analysis may be used in litigation.

**Thomas Jefferson University—Albert G. Crawford, PhD**

Standard Statewide third quarter 2013 through second quarter 2014 inpatient discharge and inpatient revenue code detail datasets to be used to examine variability in outcomes, utilization and costs of care for cancer care services and bariatric surgery. Jefferson School of Population Health will be conducting research in collaboration with the Greater Philadelphia Business Coalition on Health (GPBCH) on variation in care across the greater Philadelphia region's inpatient facilities. The GPBCH will use the exploratory research data for a potential summary report card on cancer services and quality of care for the greater Philadelphia region that can be disseminated by GPBCH employer members to their employees.

**Trinity Health System—Maria A. DiBartolomeo**

Standard regional 2011, 2012 and 2013 inpatient discharge datasets for Region 1 to be used to understand competitive positioning, migration patterns of patients, services patients need most and to understand how to provide better care to their patients.

**Truven Health Analytics—Katherine Blumhardt**

Standard Statewide second, third and fourth quarter 2014 and first quarter 2015 inpatient discharge and ambulatory/outpatient procedure datasets will be used to process, standardize and distribute to Truven Health Analytics clients (hospitals, health networks, government agencies, health care providers, payers, consultants and vendors) through proprietary decision tools, benchmark databases, research, custom studies and other associated products, which provide utilization market share, service demand, outcome indicators, assistance in resource allocation and in evaluating benefit plans.

**UCSF Benioff Children's Hospital—Tara Karamlou, MD**

Standard Statewide 2012 inpatient discharge and inpatient revenue code detail datasets to be used to identify and map hospitals currently operating on patients less than or equal to 18 years of age with congenital cardiac disease, develop a simulation model which would consolidate congenital heart surgery to larger regional hospitals and to explore the potential impact of regionalization on mortality rates after congenital heart surgery. Their overall goal is to develop a National model for regionalization of care for children undergoing congenital cardiac surgery in the United States to improve outcomes while minimizing burdens on the patients and their families.

**University of Pennsylvania—Matthew L. Williams, MD**

A custom 2004 through 2014 inpatient discharge dataset of cases with an extra-corporeal membrane oxygenation (ECMO) procedure linked with 2004 through 2014 Pennsylvania Department of Health mortality data files with derived data (number of days to procedures and number of days to death) to use to study ECMO use in this Commonwealth to evaluate the current utilization of this technology and evaluate survival outcomes in a variety of clinical settings. The study results will be presented in academic journal publications.

**University of Pennsylvania—Shreya Kangovi, MD, MS**

A custom third quarter 2013 through first quarter 2015 inpatient discharge dataset of patients enrolled in Individualized Management towards Patient-Centered Tar-

gets (IMPACT) with derived data (number of days to admission). The data will be used for a study entitled Effectiveness of Collaborative Goal-setting versus IMPACT Community Health Worker Support for IMPACT Primary Care. The effectiveness of clinicians will be compared with community health worker support for helping chronically-ill, low-socioeconomic status patients to improve control of chronic conditions.

**University of Pennsylvania School of Medicine—Karen Hoffer**

A custom fourth quarter 2013 through third quarter 2014 inpatient discharge and ambulatory/outpatient procedure dataset of patients enrolled in a randomized trial of behavioral economic interventions with derived data (number of days to next admission) to be used to reduce cardiovascular disease risk: Way to Heart Health study. The data will be used to measure hospitalizations and resource utilization as part of the study's cost effectiveness analysis.

**University of Pittsburgh—David G. Binion, MD**

A custom fourth quarter 2009 through first quarter 2013 inpatient discharge dataset of cases diagnosed with crohns disease or ulcerative colitis that were hospitalized in 28 specified hospitals with derived data (number of days to next admission). The data will be used for research purposes to study readmissions, cost, complexity of care and will examine contributing factors, such as clostridium difficile infection.

**University of Pittsburgh—Jeremy M. Kahn, MD**

A custom 2011 through second quarter 2014 Statewide inpatient discharge and revenue code detail dataset with associated lab values linked with Pennsylvania Department of Health 2011 through 2014 mortality data files with derived data (number of days to next admission, discharge and death). The data will be combined with Medicare Healthcare Cost Reporting Information System and American Hospital Association Annual Survey to be used for a study, Novel Approaches to Hospital Profiling. The information will be used to identify new measures that will account for patient trajectories as they move through various hospital and health care systems. Statistical models will be built to predict 30-day patient mortality. Dr. Kahn will use hierarchical regression modeling, marginal structural equations and cluster analyses to develop and validate novel hospital-based performance measures. A series of sequential modeling and validations steps will be performed to ensure valid and reliable measures. The project will focus on six conditions: AMI; CHF; stroke; pneumonia; sepsis; and COPD.

**University of Pittsburgh—Julie Donohue, PhD**

A custom 2006 through 2011 inpatient discharge dataset of cases that involve a coronary artery bypass graft surgery or valve repair procedure with derived data indicators (30 years of age or younger, left against medical advice and clinically complex) to be used to research to what extent quality drives referral of patients to specialists, compared with variables that would indicate the referring physician is simply aware of or similar to the specialist.

**University of Pittsburgh Medical Center—Matthew W. Michaels**

Standard Statewide third and fourth quarter 2014 and first quarter 2015 inpatient discharge and ambulatory/outpatient procedure datasets. The client will use the data to produce various research reports including: patient origin for University of Pittsburgh Medical Center

(UPMC) hospitals, UPMC market share in various geographies and for various service lines, utilization trends in volume and market share over different time periods, and physician volumes at UPMC and other hospitals.

**University of Rochester—Donna L. Beyea**

Standard Statewide 2007 through 2014 inpatient discharge and ambulatory/outpatient procedure datasets to be used for a number of research projects. The Health Consequences of Shale Gas Development study will enhance knowledge of the impacts of pollution on human health and the impact of the introduction of shale gas development. The ACA and Hospital Mergers and Acquisitions: Impacts on Patient Care study will use the data combined with other states' data to assess access to care, quality of care and changes in patterns of care after the Affordable Care Act.

**University of Rochester Medical Center—Sean Osont**

Standard regional 2014 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 2, 4 and 6 will be used to create utilization rates and market share information that will be used for strategic and facilities planning.

**University of the Sciences—Mona L. Fiorentini**

A custom third quarter 2011 through second quarter 2014 inpatient discharge dataset of cases for patients who experience a fall while hospitalized will be used for a doctoral dissertation, which will study whether or not there is a correlation between the number of nursing aides and inpatient falls.

**WellSpan Health—David Kimpel**

Standard regional 2014 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 5 and 7 to be used for an internal assessment of the delivery of health care services within WellSpan Health's region. Service area utilization and analysis are the primary purpose for obtaining the data.

**Windber Medical Center—Richard Sukenik**

Standard regional 2014 inpatient discharge dataset for Region 3 to be used to support current efforts in understanding the feasibility of expanding a cardiovascular program.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 16-576. Filed for public inspection April 1, 2016, 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>
11-254	Insurance Department Annual Financial Reporting Requirements 46 Pa.B. 458 (January 23, 2016)	2/22/16	3/23/16

**Insurance Department Regulation #11-254  
(IRRC #3129)**

**Annual Financial Reporting Requirements**

**March 23, 2016**

We submit for your consideration the following comments on the proposed rulemaking published in the January 23, 2016 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Insurance Department (Department) to respond to all comments received from us or any other source.

**1. Section 147.8a. Internal audit function requirements.—Clarity; Implementation procedures.**

Subsection (f) states that an insurer or group of insurers exempt from the requirements of this section is encouraged to conduct a review of the insurer business type, sources of capital and other risk factors to determine whether an internal audit function is warranted.

Subsection (f) further states that the potential benefits of an internal audit function should be assessed and compared against the estimated costs. The terms “encouraged” and “should” are non-regulatory language which indicates that these provisions are optional. While we recognize that this language is taken word-for-word from the National Association of Insurance Commissioners (NAIC) Model Regulation, it is inappropriate to include optional provisions in a regulation. If the intent of this provision is to advise the exempted regulated community of the Department's preference regarding whether an internal audit function is warranted, it may be more appropriate to include this information in a policy statement. Otherwise, we ask the Department to amend the final-form regulation to establish binding norms of general applicability and future effect.

**2. Section 147.13. Effective date and exemption.—Clarity; Implementation procedures.**

Subsection (j) states that if an insurer or group of insurers no longer qualifies to be exempt from the requirements in Section 147.8a (relating to internal audit

function requirements), it has “1 year after the year the threshold is exceeded” to comply with the requirements of Section 147.8a. Again, while we recognize that this language is taken word-for-word from the NAIC Model Regulation, the date by which an insurer would be required to comply is unclear. Is one year defined as a calendar or fiscal year, or by some other measure? We ask the Department to explain in the Preamble of the final-form regulation how this provision will be implemented,

and to ensure that the language in the final regulation makes clear when the regulated community must comply with this provision.

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 16-577. Filed for public inspection April 1, 2016, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-304	Pennsylvania Public Utility Commission Implementation of the Alternative Energy Portfolio Standards Act of 2004	3/22/16	5/19/16

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 16-578. Filed for public inspection April 1, 2016, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured’s automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department’s regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Sharron Arrington; File No. 16-188-193271; State Farm Fire & Casualty Company; Doc. No. P16-03-014; April 27, 2016, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-579. Filed for public inspection April 1, 2016, 9:00 a.m.]

**Review Procedure Hearings under the Unfair Insurance Practices Act**

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Brenda Ellis; File No. 16-188-194187; Erie Insurance Exchange; Doc. No. P16-03-015; April 28, 2016, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-580. Filed for public inspection April 1, 2016, 9:00 a.m.]

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security**

Public Meeting held  
March 17, 2016

*Commissioners Present:* Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; Pamela A. Witmer; John F. Coleman, Jr.; Robert F. Powelson

*Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security; M-2015-2490383*

**Tentative Order**

*By the Commission:*

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of March 8, 2016, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2012-2311652	Alternative ESCO LLC	2/15/16
A-2012-2303684	Concord Engineering Group, Inc.	2/16/16
A-2009-2121492	Employers' Energy Alliance of Pennsylvania, Inc.	2/24/16
A-2015-2475323*	Ioway Energy LLC	2/25/16

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2013-2353775*	Land O'Lakes, Inc.	3/8/16
A-2015-2478649	Open Market Energy LLC	2/22/16
A-2011-2264916*	Plymouth Rock Energy LLC	2/23/16
A-2014-2412493	Unique Energy, Inc.	2/21/16

\* Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 60 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-581. Filed for public inspection April 1, 2016, 9:00 a.m.]

### 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 April 18, 2016. 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-2016-2528573. Alliance for Nonprofit Resources, t/a ANR Transport** (212—214 South Main Street, Suite 1023, Butler, Butler County, PA 16001) in paratransit service, limited to persons who are disabled (mentally, physically and/or intellectually), low income and/or who receive services from community service, charitable organizations, hospitals, clinics, surgery centers, rehabilitation facilities, and the like, to necessary and required appointments for work, job training, medical appointments, rehabilitation counseling/placement/assistance and social service agencies, between points in the Counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington and Westmoreland.

**A-2016-2528774. Western Pennsylvania Amish Hospitality Company, t/a Simple Life Tours** (3459 State Route 956, New Castle, Lawrence County, PA 16105) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, on tours of Amish farms and businesses between points of 5 statute miles of the limits of the Borough of New Wilmington, Lawrence County.

#### 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 persons by transfer of rights as described under the application.*

**A-2016-2530400. Hometown Transport Services, Inc., t/a Mount Pleasant Yellow Cab and t/a Jeanette City Transit** (506 Mulberry Street, Scottdale, Westmoreland County, PA 15683) in paratransit service, which is to be a transfer of all paratransit rights authorized under the certificate issued at A-2011-2224738 to Greensburg Yellow Cab Co., subject to the same limita-



tions and conditions. *Attorney:* John A. Pillar, 150 Green Commons Drive, Pittsburgh, PA 15243.

**Applications 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 each application.**

**A-2016-2534040. James and Debra Ament, t/a We-Haul Moving** (1866 Auburn Street, Bethlehem, Northampton County, PA 18015) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**A-2016-2535275. Goodrich Moving Services, LLC** (201 Windsor Road, Pottstown, Montgomery County, PA 19464) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2016-2532657. Martin Transport Services, LLC** (2580 Waynesboro Pike, Fairfield, Adams County, PA 17320) discontinuance of service and cancellation of its certificate—persons, in group and party service in vehicles seating 11 to 15 people, including the driver, from points in Adams County, to points in the Counties of Franklin, York, Lancaster and Cumberland, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-582. Filed for public inspection April 1, 2016, 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 April 18, 2016, 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. Brad Lee Merkey, t/a Lee's Excavating Service; Docket No. C-2016-2526984**

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 Brad Lee Merkey, t/a Lee's Excavating Service, (respondent) is under suspension effective January 22, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 545 Hackman Road, Lititz, PA 17543.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 11, 2012, at A-8913941.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8913941 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: 2/9/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this num-

ber if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Manuel Caba, t/a Cabas Towing; Docket No. C-2016-2527170**

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 Manuel Caba, t/a Caba's Towing, (respondent) is under suspension effective January 16, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 804 Chestnut Street, Reading, PA 19602.
3. That respondent was issued a Certificate of Public Convenience by this Commission on April 16, 2015, at A-8917372.
4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917372 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: 2/9/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Little Horse Trucking, Inc.; Docket No. C-2016-2527699**

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 Little Horse Trucking, Inc., (respondent) is under suspension effective January 06, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 2653 Punkin Ridge Rd, Lajose, PA 15753.
3. That respondent was issued a Certificate of Public Convenience by this Commission on April 09, 2015, at A-2015-2468983.
4. That respondent has failed to maintain evidence of Cargo and Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2015-2468983 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: 2/9/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days

of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Tony's Transit LLC; Docket No. C-2016-2527989**

#### 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 Tony's Transit, LLC, (respondent) is under suspension effective January 09, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 6344 North 8th Street Apartment 110, Philadelphia, PA 19126.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 16, 2014, at A-6415796.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6415796 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: 2/9/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If

your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. R & C Transportation, LLC; Docket No. C-2016-2527994**

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 R & C Transportation, LLC, (respondent) is under suspension effective January 11, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P. O. Box 816, Pocono Lake, PA 18347.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 17, 2013, at A-8915987.

4. That respondent has failed to maintain evidence of Cargo and Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915987 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: 2/9/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

—

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. King Coal Tours,  
Inc.; Docket No. C-2016-2530182**

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 King Coal Tours, Inc., (respondent) is under suspension effective February 12, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P. O. Box 446, Mt. Carmel, PA 17851.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 09, 1987, at A-00106757.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00106757 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: 2/23/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days

of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. Gregory D.  
Cowburn; Docket No. C-2016-2530410**

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 Gregory D. Cowburn, (respondent) is under suspension effective February 13, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 3669 Wilawanna Road, Sayre, PA 18840.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 04, 2015, at A-8917391.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917391 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: 2/24/2016

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:

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Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

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Pennsylvania Public Utility Commission  
P. O. Box 3265  
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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.

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**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Great American Trolley Co., Inc.; Docket No. C-2016-2530444**

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 Great American Trolley Co., Inc., (respondent) is under suspension effective January 28, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 821 Shunpike, North Cape May, NJ 08204.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 16, 1995, at A-00110858.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00110858 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: 2/24/2016

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:

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Michael L. Swindler, Deputy Chief Prosecutor  
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 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

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 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

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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.

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ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-583. Filed for public inspection April 1, 2016, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

### Application for Licensure as a Vehicle Salesperson of DC Automotive Group, LLC; Doc. No. 0292-60- 2016; File No. 16-60-01255

On February 11, 2016, DC Automotive Group, LLC, license no. VD030060, of York, York County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 69523, Harrisburg, PA 17105-2649.

DANIEL G. MURPHY, III,  
*Chairperson*

[Pa.B. Doc. No. 16-584. Filed for public inspection April 1, 2016, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Actions Taken at March Meeting

As part of its regular business meeting held on March 10, 2016, in Aberdeen, MD, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved or tabled the applications of certain water resources projects; 2) accepted settlements instead of penalties from Aqua Pennsylvania, Inc., Cabot Oil & Gas Corporation and King Valley Golf Course; and 3) took additional actions, as set forth in the following Supplementary Information.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, [joyler@srbc.net](mailto:joyler@srbc.net). Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front

Street, Harrisburg, PA 17110-1788. See also the Commission's web site at [www.srbcc.net](http://www.srbcc.net).

#### *Supplementary Information*

In addition to the actions taken on projects identified in the previous summary and the listings as follows, the following items were also presented or acted upon at the business meeting: 1) adoption of a budget for the 2017 fiscal year; 2) a recommendation for engaging an independent auditor; 3) approval/ratification of a grant amendment and an agreement; and 4) a report on delegated settlements with the following project sponsors, under SRBC Resolution 2014-15: Dauphin County General Authority—Highlands Golf Course in the amount of \$2,000; Talisman Energy USA, Inc. in the amount of \$1,000; and Mountain Energy Services, Inc. in the amount of \$1,000.

#### *Compliance Matters*

The Commission approved settlements instead of civil penalties for the following projects:

1. Aqua Pennsylvania, Inc. (Beech Mountain System), Butler Township, Luzerne County, PA—\$9,000.
2. Cabot Oil & Gas Corporation (GillinghamR P1 Pad (ABR-201305017; Forest Lake Township) and DeluciaR P1 Pad (ABR-201211002; Harford Township)), Susquehanna County, PA—\$11,000.
3. King Valley Golf Course, Kimmel Township, Bedford County, PA—\$10,000.

#### *Project Applications Approved*

The Commission approved the following project applications:

1. Project Sponsor and Facility: Anadarko E&P Onshore, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Renewal of surface water withdrawal of up to 1.340 mgd (peak day) (Docket No. 20120301).
2. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Midway Manor System, Kingston Township, Luzerne County, PA. Groundwater withdrawal of up to 0.115 mgd (30-day average) from Dug Road Well.
3. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Midway Manor System, Kingston Township, Luzerne County, PA. Groundwater withdrawal of up to 0.035 mgd (30-day average) from Hilltop Well.
4. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Midway Manor System, Kingston Township, Luzerne County, PA. Groundwater withdrawal of up to 0.158 mgd (30-day average) from Midway Well 1.
5. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Midway Manor System, Kingston Township, Luzerne County, PA. Groundwater withdrawal of up to 0.110 mgd (30-day average) from Midway Well 2.
6. Project Sponsor and Facility: East Berlin Area Joint Authority, Reading Township, Adams County, PA. Groundwater withdrawal of up to 0.044 mgd (30-day average) from Well 1.
7. Project Sponsor and Facility: East Berlin Area Joint Authority, Reading Township, Adams County, PA. Groundwater withdrawal of up to 0.065 mgd (30-day average) from Well 2.
8. Project Sponsor and Facility: East Berlin Area Joint Authority, East Berlin Borough, Adams County, PA. Groundwater withdrawal of up to 0.058 mgd (30-day average) from Well 4.

9. Project Sponsor and Facility: East Berlin Area Joint Authority, East Berlin Borough, Adams County, PA. Renewal with modification to increase groundwater withdrawal limit, for a total of up to 0.051 mgd (30-day average) from Well 5 (Docket No. 19860601).

10. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Groundwater withdrawal of up to 0.059 mgd (30-day average) from Well 3A.

11. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Groundwater withdrawal of up to 0.023 mgd (30-day average) from Well 4.

12. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Groundwater withdrawal of up to 0.056 mgd (30-day average) from Well 5.

13. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Groundwater withdrawal of up to 0.022 mgd (30-day average) from Well 6.

14. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Groundwater withdrawal of up to 0.046 mgd (30-day average) from Well 7.

15. Project Sponsor and Facility: EQT Production Company (Wilson Creek), Duncan Township, Tioga County, PA. Renewal of surface water withdrawal of up to 0.720 mgd (peak day) (Docket No. 20120307).

16. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, PA. Renewal of groundwater withdrawal to include a phased implementation of seasonal groundwater withdrawal limits for Well 1 (Docket No. 19850901).

17. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, PA. Renewal of groundwater withdrawal to include a phased implementation of seasonal groundwater withdrawal limits for Well 4 (Docket No. 19850901).

18. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, PA. Renewal of groundwater withdrawal to include a phased implementation of seasonal groundwater withdrawal limits for Well 7 (Docket No. 19850901).

19. Project Sponsor and Facility: Mount Joy Borough Authority, Mount Joy Borough, Lancaster County, PA. Modification to increase withdrawal limit from Well 2 by 0.105 mgd (30-day average), for a total Well 2 withdrawal limit of 1.270 mgd (30-day average), and to increase the combined withdrawal limit by an additional 0.199 mgd (30-day average), for a total combined withdrawal limit of 1.799 mgd (30-day average) from Wells 1 and 2 (Docket No. 20110617).

20. Project Sponsor and Facility: Muncy Borough Municipal Authority, Muncy Creek Township, Lycoming County, PA. Groundwater withdrawal of up to 0.324 mgd (30-day average) from Well 5.

21. Project Sponsor and Facility: Muncy Borough Municipal Authority, Muncy Creek Township, Lycoming County, PA. Groundwater withdrawal of up to 0.352 mgd (30-day average) from Well 6.

22. Project Sponsor and Facility: Muncy Borough Municipal Authority, Muncy Creek Township, Lycoming County, PA. Groundwater withdrawal of up to 0.126 mgd (30-day average) from Well 7.

23. Project Sponsor and Facility: Muncy Borough Municipal Authority, Muncy Creek Township, Lycoming County, PA. Groundwater withdrawal of up to 0.276 mgd (30-day average) from Well 8.

24. Project Sponsor: Pennsylvania Department of Environmental Protection, Bureau of Conservation and Restoration. Project Facility: Cresson Mine Drainage Treatment Plant, Cresson Borough, Cambria County, PA. Groundwater withdrawal from the Argyle Stone Bridge Well as part of a four-well system drawing up to 6.300 mgd (30-day average) from the Gallitzin Shaft and Cresson Mine Pools.

25. Project Sponsor: Pennsylvania Department of Environmental Protection, Bureau of Conservation and Restoration. Project Facility: Cresson Mine Drainage Treatment Plant, Cresson Township, Cambria County, PA. Groundwater withdrawal from the Cresson No. 9 Well as part of a four-well system drawing up to 6.300 mgd (30-day average) from the Gallitzin Shaft and Cresson Mine Pools.

26. Project Sponsor: Pennsylvania Department of Environmental Protection, Bureau of Conservation and Restoration. Project Facility: Cresson Mine Drainage Treatment Plant, Gallitzin Township, Cambria County, PA. Groundwater withdrawal from the Gallitzin Shaft Well 2A (Gallitzin Shaft #2) as part of a four-well system drawing up to 6.300 mgd (30-day average) from the Gallitzin Shaft and Cresson Mine Pools.

27. Project Sponsor: Pennsylvania Department of Environmental Protection, Bureau of Conservation and Restoration. Project Facility: Cresson Mine Drainage Treatment Plant, Gallitzin Township, Cambria County, PA. Groundwater withdrawal from the Gallitzin Shaft Well 2B (Gallitzin Shaft #1) as part of a four-well system drawing up to 6.300 mgd (30-day average) from the Gallitzin Shaft and Cresson Mine Pools.

28. Project Sponsor and Facility: SWN Production Company, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Surface water withdrawal of up to 1.500 mgd (peak day).

29. Project Sponsor and Facility: SWN Production Company, LLC (Susquehanna River), Oakland Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 3.000 mgd (peak day) (Docket No. 20120311).

30. Project Sponsor and Facility: SWN Production Company, LLC (Tunkhannock Creek), Lenox Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 1.218 mgd (peak day) (Docket No. 20120312).

#### *Project Application Tabled*

The Commission tabled action on the following project application:

1. Project Sponsor and Facility: Black Bear Waters, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.900 mgd (peak day) (Docket No. 20120303).

#### *Project Application Approved Involving a Diversion*

The Commission approved the following project application involving a diversion:

1. Project Sponsor: Gas Field Specialists, Inc. Project Facility: Wayne Gravel Products Quarry, Ceres Township, McKean County, PA. Into-basin diversion from the Ohio River Basin of up to 1.170 mgd (peak day).

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* March 17, 2016.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 16-585. Filed for public inspection April 1, 2016, 9:00 a.m.]

### **Projects Approved for Consumptive Uses of Water**

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from February 1, 2016, through February 29, 2016.

For further information contact Jason E. Oyler, General 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(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

#### *Approvals By Rule Issued Under 18 CFR 806.22(e):*

1. Church & Dwight Co., Inc., Davies Facility, ABR-20090301.1, Jackson Township, York County, PA; Consumptive Use of Up to 0.9999 mgd; Approval Date: February 23, 2016.

#### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. EQT Production Company, Pad ID: Gobbler, ABR-201107039.R1, Huston Township, Clearfield County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: February 1, 2016.

2. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 728 D, ABR-201104001.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 8, 2016.

3. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 728 C, ABR-201104004.R1, Watson Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 8, 2016.

4. Range Resources—Appalachia, LLC, Pad ID: Red Bend Hunting & Fishing Club Unit #3H—#5H Drilling Pad, ABR-201011067.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

5. Range Resources—Appalachia, LLC, Pad ID: Ogontz Fishing Club #18H—#23H Drilling Pad, ABR-201011073.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

6. Range Resources—Appalachia, LLC, Pad ID: Paulhamus, Frederick Unit #5H and #6H Drilling Pad, ABR-201011074.R1, Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

7. Range Resources—Appalachia, LLC, Pad ID: Ogontz Fishing Club #24H—#29H Drilling Pad, ABR-

201011077.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

8. Range Resources—Appalachia, LLC, Pad ID: Fuller, Eugene Unit #1H—#3H Drilling Pad, ABR-201012004.R1, Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

9. Range Resources—Appalachia, LLC, Pad ID: Ogontz Fishing Club #30H—#35H, ABR-201012043.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

10. Range Resources—Appalachia, LLC, Pad ID: Winner Unit #2H—#5H Drilling Pad, ABR-201012050.R1, Gallagher Township, Clinton County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

11. Range Resources—Appalachia, LLC, Pad ID: Goodwill Hunting Club Unit #4H—#9H Drilling Pad, ABR-201011054.R1, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 8, 2016.

12. SWEPI, LP, Pad ID: Knowlton 303, ABR-201101007.R1, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 8, 2016.

13. SWEPI, LP, Pad ID: Stratton 885, ABR-201101008.R1, Farmington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 8, 2016.

14. SWEPI, LP, Pad ID: Bielski 628, ABR-201101009.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 8, 2016.

15. SWN Production Company, LLC, Pad ID: TI-24 Long Run Timber B Pad, ABR-201602001, Morris Township, Tioga County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 8, 2016.

16. SWEPI, LP, Pad ID: Baker 1105, ABR-201101011.R1, Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 9, 2016.

17. Chesapeake Appalachia, LLC, Pad ID: J & J, ABR-201106015.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 10, 2016.

18. Chesapeake Appalachia, LLC, Pad ID: Nichols, ABR-201106024.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 10, 2016.

19. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 293 Pad F, ABR-201105001.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: February 10, 2016.

20. Seneca Resources Corporation, Pad ID: DCNR 595 PAD C, ABR-201103047.R1, Bloss Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 10, 2016.

21. SWEPI, LP, Pad ID: Violet Bieser Revocable Living Trust 833, ABR-201101010.R1, Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 10, 2016.

22. Talisman Energy USA, Inc., Pad ID: 05 081 Uhouse D, ABR-201102008.R1, Orwell Township, Bradford

County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: February 10, 2016.

23. Chesapeake Appalachia, LLC, Pad ID: Oilcan, ABR-201107037.R1, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 12, 2016.

24. Chesapeake Appalachia, LLC, Pad ID: Burns, ABR-201107038.R1, Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 12, 2016.

25. Chesapeake Appalachia, LLC, Pad ID: Paul, ABR-201107048.R1, Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 12, 2016.

26. SWEPI, LP, Pad ID: Kalke 819, ABR-201009042.R1, Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 17, 2016.

27. WPX Energy Appalachia, LLC, Pad ID: Resource Recovery Well Pad 1, ABR-201010059.R1, Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 17, 2016.

28. WPX Energy Appalachia, LLC, Pad ID: Resource Recovery Well Pad 2, ABR-201011012.R1, Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 17, 2016.

29. WPX Energy Appalachia, LLC, Pad ID: Resource Recovery Well Pad 3, ABR-201010060.R1, Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 17, 2016.

30. Chesapeake Appalachia, LLC, Pad ID: Sophia, ABR-201106005.R1, Smithfield and Springfield Townships, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

31. Chesapeake Appalachia, LLC, Pad ID: GB, ABR-201106007.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

32. Chesapeake Appalachia, LLC, Pad ID: Neal, ABR-201106010.R1, Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

33. Chesapeake Appalachia, LLC, Pad ID: Mel, ABR-201106012.R1, Franklin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

34. Chesapeake Appalachia, LLC, Pad ID: Knickerbocker, ABR-201106013.R1, Franklin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

35. Chesapeake Appalachia, LLC, Pad ID: IH, ABR-201106014.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

36. Chesapeake Appalachia, LLC, Pad ID: Wootten, ABR-201106016.R1, Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

37. Chesapeake Appalachia, LLC, Pad ID: Lambs Farm, ABR-201106023.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 22, 2016.

38. SWEPI, LP, Pad ID: Parent 749, ABR-201012054.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 22, 2016.

39. Talisman Energy USA, Inc., Pad ID: 05 178 Peck Hill Farm, ABR-201101019.R1, Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: February 22, 2016.

40. XTO Energy Incorporated, Pad ID: Buck Unit A, ABR-201107041.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 22, 2016.

41. XTO Energy Incorporated, Pad ID: TLT Unit A, ABR-201107017.R1, Jordan Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 22, 2016.

42. Chesapeake Appalachia, LLC, Pad ID: Quail, ABR-201106018.R1, Fox Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 23, 2016.

43. Warren Marcellus, LLC, Pad ID: Johnston 1 Pad, ABR-201106009.R1, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 26, 2016.

44. SWN Production Company, LLC, Pad ID: Longacre Pad, ABR-201101029.R1, Jackson Township, Susque-

hanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: February 29, 2016.

45. SWN Production Company, LLC, Pad ID: Gerfin Pad, ABR-201102022.R1, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: February 29, 2016.

46. SWN Production Company, LLC, Pad ID: Herman Well Pad, ABR-201102035.R1, Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 29, 2016.

47. SWN Production Company, LLC, Pad ID: Demento Pad, ABR-201102036.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: February 29, 2016.

48. SWN Production Company, LLC, Pad ID: Ransom Pad, ABR-201103007.R1, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: February 29, 2016.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* March 18, 2016.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 16-586. Filed for public inspection April 1, 2016, 9:00 a.m.]



