

# PENNSYLVANIA BULLETIN

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

**No. 502, September 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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#### Printing Format

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

#### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised. A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2016.

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# THE COURTS

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated July 18, 2016, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective August 17, 2016 for Compliance Group 3.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Bernstein, Matthew Curtis  
Washington, DC

Bush Jr., Frank P.  
Elkins, WV

Calo III, Frank Francis  
Marlton, NJ

De Mont, Ellen Hughes  
Basking Ridge, NJ

Gainor, Tracey Renee  
Columbia, MD

Hatter, Debra Gatison  
Houston, TX

McLaughlin, Craig  
Los Angeles, CA

McLaughlin, Lucinda Jordan  
Roseland, NJ

Rankins, Timothy Scott  
New York, NY

Swaby, Lola Mercedes  
Navarre, FL

Taylor, Trevor Kent  
Westover, WV

Tetro, Ryan Joseph  
Haddonfield, NJ

Thompson, Mary-Ann  
Savannah, GA

Work, John Vernon  
Wilmington, DE

Yoa, Edward Casey  
Ocean City, NJ

SUZANNE E. PRICE,  
*Attorney Registrar*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 16-1509. Filed for public inspection September 2, 2016, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1793 S 1989

#### Order

And Now, this 18th day of August 2016, Dauphin County Local Rule of Civil Procedure 1915.4-3 is promulgated as follows and Rule 1915.7(a), Rule 1915.15(c), Rule 1915.17 and Rule 205.2(a)(1)(n) are amended as follows:

#### **Rule 1915.4-3. Non-Appearance at Custody Conference before a Custody Conference Officer.**

**If the Plaintiff/Petitioner or the Defendant/Respondent fails to appear, without proper cause shown, at a Conference before a Custody Conference Officer, and the Custody Conference Officer is satisfied that proper notice of the Order scheduling the conference has been served on or provided to that party, the Custody Conference Officer shall refer the matter to the Court for a contempt hearing which can result in the imposition of sanctions including fines, attorney fees and costs. Failure to appear may also result in an interim order being entered.**

#### **1915.7. Agreements and Consent Orders.**

(a) Agreements and consent orders filed contemporaneously with the custody complaint:

**[ 6. Agreements shall not contain any provision relating to child support.**

**7. ] 6.** Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court **[ and this may be obtained from the Court Administrator's Office ] posted at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).**

#### **Rule 1915.15(c). Seminar Attendance and Custody Conference Scheduling Order—Custody Complaint, Custody Count in Divorce Complaint or Petition for Modification or Petition for Contempt.**

In addition to the information required by Pa.R.C.P. 1915.15(a) or 1915.15(b), each Custody Complaint, Petition for Modification, Petition for Contempt, or custody count in a Divorce action relating to child custody shall include a Seminar Attendance and Custody Conference Scheduling Order in substantially the following form:

	:	IN THE COURT OF COMMON PLEAS
	:	DAUPHIN COUNTY, PENNSYLVANIA
Plaintiff	:	
	:	CIVIL ACTION
	:	CUSTODY
	:	
Defendant	:	NO.

SEMINAR ATTENDANCE AND CUSTODY  
CONFERENCE SCHEDULING ORDER

AND NOW, upon consideration of the attached Complaint, Petition for Modification or Petition for Contempt of a Custody Order, it is hereby ordered that the parties and their respective counsel appear before [ **the** ] Custody Conference Officer \_\_\_\_\_, on \_\_\_\_\_, [ **the** \_\_\_\_\_ day of \_\_\_\_\_, ] 20\_\_ at \_\_\_\_\_ M, Dauphin County Courthouse, 3rd Floor, 101 Market Street, Suite 300, Harrisburg, Pennsylvania for a Custody Conference.

At such Conference, an effort will be made to conciliate and resolve the issues in dispute; or if this cannot be accomplished, to define and narrow the issues to be heard by the Court **and to recommend an interim order pending pretrial/trial. Failure to appear may also result in an interim order being entered.**

Children should not attend the conference unless requested by the Custody Conference Officer.

All parties are ORDERED to attend a four hour educational parenting seminar (Seminar) and file with the Prothonotary and bring with you to the Custody Conference your Seminar Certificate of Attendance you will receive at the Seminar. The Plaintiff is scheduled to attend on \_\_\_\_\_ at \_\_\_\_\_ [ **o'clock** ] M and the Defendant is scheduled to attend on \_\_\_\_\_ at \_\_\_\_\_ [ **o'clock** ] M. Any requests for rescheduling must be directed to the Seminar Provider and will be granted only upon cause shown. (See **attached information regarding** the Seminar [ **Provider brochure for additional information** ]).

**FAILURE TO ATTEND THE SEMINAR MAY BE CONSIDERED AS CONTEMPT OF COURT PUNISHABLE BY FINE OR OTHER APPROPRIATE SANCTIONS INCLUDING UP TO SIX (6) MONTHS INCARCERATION.**

**IF YOU FAIL TO APPEAR AT THE CUSTODY CONFERENCE AS PROVIDED BY THIS ORDER, WITHOUT PROPER CAUSE SHOWN, AND THE CUSTODY CONFERENCE OFFICER IS SATISFIED THAT PROPER NOTICE OF THE ORDER**

**SCHEDULING THE CONFERENCE HAS BEEN SERVED ON OR PROVIDED TO THAT PARTY, THE CUSTODY CONFERENCE OFFICER SHALL REFER THE MATTER TO THE COURT FOR A CONTEMPT HEARING WHICH CAN RESULT IN THE IMPOSITION OF SANCTIONS INCLUDING FINES, ATTORNEY'S FEES AND COSTS. [ AND/OR IMPRISONMENT UP TO SIX (6) MONTHS. AN ORDER FOR CUSTODY MAY BE ENTERED AGAINST YOU OR THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST. ]**

You must complete and file with the Prothonotary a Criminal or Abuse History Verification regarding you and anyone living in your household on or before \_\_\_\_\_. The Criminal or Abuse History Verification is attached. This form is also available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

You must mail a copy of your Criminal or Abuse History Verification to all other parties by \_\_\_\_\_.

No party may make a change in the residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying

with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

IF ANY PARTY TO THIS CUSTODY ACTION IS INCARCERATED AT ANY STAGE OF THE PROCEEDINGS, THE CUSTODY CONFERENCE OFFICER OR ASSIGNED JUDGE WILL MAKE REASONABLE EFFORTS TO ARRANGE FOR THE INCARCERATED PARTY TO PARTICIPATE BY TELEPHONE OR VIDEO CONFERENCE. IF YOU, AS AN INCARCERATED PARTY, DO NOT THINK SUCH ARRANGEMENTS HAVE BEEN MADE, PLEASE CONTACT THE COURT ADMINISTRATOR'S OFFICE AT (717) 780-6630 OR BY MAIL AT 3RD FLOOR, DAUPHIN COUNTY COURTHOUSE, 101 MARKET STREET, HARRISBURG, PA 17101.

**If any party needs an interpreter at either the custody conference or trial, please contact the Court Administrator's office at (717) 780-6608 as soon as possible. It takes a minimum of five days to schedule an interpreter and failure to make a timely request could delay the proceedings.**

FOR THE COURT:

Date \_\_\_\_\_ By \_\_\_\_\_  
Custody Conference Officer

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. IF NEEDED, YOU SHOULD CALL TODAY TO MAKE AN APPOINTMENT PRIOR TO YOUR CUSTODY CONFERENCE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Dauphin County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Court Administrator's Office at (717) 780-6630. All arrangements must be made at least 72 hours prior to any hearing or conference.

**Rule 1915.17. Relocation—Change of Address which will Significantly Impair the Ability of a Non-Relocating Party to Exercise Custodial Rights.**

(1) A party proposing to relocate must send a Notice of Relocation and Counter-Affidavit to every other person who has custodial rights to the child(ren) pursuant to Pa.R.C.P. 1915.17. The Notice of Relocation and Counter-Affidavit are found in Pa.R.C.P. [ **1930.4** ] **1915.17(i) and (j)** and also are available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).

(2) If a party, because of the proposed relocation, files a Complaint for Custody or a Petition for Modification, the local rules regarding those actions must be followed. See Local Rule 1915.3 and 1915.3.1.

(3) All Custody Agreements/Parenting Plans must contain a paragraph that states the following: "A party proposing to change the residence of a child which significantly impairs the ability of a non-relocating party to exercise custody rights shall follow the procedures required by 23 Pa.C.S. § 5337 and Rule of Civil Procedure 1915.17 as set forth in Exhibit A attached to this Custody Agreement/Parenting Plan." Exhibit A must be attached to all Custody Agreements/Parenting Plans and is available at www.dauphincounty.org/government/Court-Departments/Self-Help-Center.

**Rule 205.2(a). Physical Characteristics of Pleadings and Other Legal Papers.**

(1) All documents filed in the Office of Prothonotary shall be on 8 1/2 inch by 11 inch paper and shall comply with the following requirements:

(n) Unless required by an applicable law or rule of court or unless so directed by the court, parties or their attorneys may include only:

- (1) the last four digits of the social security number or the taxpayer identification number;
- (2) the year of the individual's birth;
- (3) the last four digits of the financial account information

in documents filed with the Prothonotary. The responsibility for redacting these personal identifiers rests solely with the parties. Documents will not be reviewed by the Prothonotary for compliance with the rule. **This rule applies to exhibits to pleadings and to exhibits entered into evidence in Court.**

This rule shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

RICHARD A. LEWIS,  
*President Judge*

[Pa.B. Doc. No. 16-1510. Filed for public inspection September 2, 2016, 9:00 a.m.]

**MONTGOMERY COUNTY**

**Appointment of Civil Case Master Pursuant to Local Rule of Civil Procedure \*200. Trial Readiness; Administrative Order 2016-00004-0024**

**Order**

*And Now*, this 18th day of August, 2016, pursuant to Montgomery County Local Rule of Civil Procedure \*200—Trial Readiness, the following individual is appointed Civil Case Master for the Montgomery County Court of Common Pleas: Philip L. Gazan, Esq.

The appointment is effective as of the previous date, and shall remain in effect until further Order of this Court.

*By the Court*

WILLIAM J. FURBER, Jr.,  
*President Judge*

[Pa.B. Doc. No. 16-1511. Filed for public inspection September 2, 2016, 9:00 a.m.]

**YORK COUNTY**

**Fee Bill for the Office of the Register of Wills and Clerk of Orphans' Court; No. 67-01-0007**

**Administrative Order**

*And Now*, this 18th day of August, 2016, pursuant to the provisions of 42 P.S. 21022.1 and 42 P.S. 21032.1, the fee bill of the Register of Wills and Clerk of Orphans' Court of York County, Pennsylvania, is amended as indicated on the following proposed fee bill within the Petition. The fee bill shall be effective the 1st day of January, 2017, upon due advertisement as required by the Administrative Rules of Court.

The District Court Administrator shall publish this order as may be required.

*By the Court*

JOSEPH C. ADAMS,  
*President Judge*

**Fee Bill**

**Register of Wills of York County, Pennsylvania**

*And now*, by Order of Court this 18th day of August, 2016, the following bill of costs is established pursuant to 42 P.S. Section 21022.1. This Order is effective the 1st day of January, 2017.

**ACCOUNTS**

For the filing, advertising and adjudication of the accounts of personal representatives.

Total debits not over \$2,000	\$75.00
Over \$2,000 but not over \$5,000	80.00
Over \$5,000 but not over \$10,000	85.00
Over \$10,000 but not over \$25,000	110.00
Over \$25,000 but not over \$50,000	135.00
Over \$50,000 but not over \$100,000	165.00
Each additional \$100,000 or fraction thereof, an additional	100.00

**LETTERS OF ADMINISTRATION, ADMINISTRATION**

**C.T.A. and LETTERS TESTAMENTARY**

Total Assets not over \$2,000	20.00**
Over \$2,000 but not over \$5,000	30.00**
Over \$5,000 but not over \$10,000	40.00**
Over \$10,000 but not over \$25,000	60.00**
Over \$25,000 but not over \$50,000	75.00**
Over \$50,000 but not over \$100,000	100.00**
Each additional \$100,000 or fraction thereof, an additional	100.00

*Note:* \*\*Letters D.B.N. or D.B.N.C.T.A minimum fee will be charged

*Note:* Where inventory, tax return or account is of greater value than original estimated value for any letters, the right is reserved to make an additional charge based upon such greater value.

**PROBATE OF WILLS AND CODICILS\*\***

(Death Certificate Required)

Probate without letters, same as under each classification above less \$2.00

**AFFIDAVIT and RELEASE OF**

BENEFICIARY	10.00
AFFIDAVIT	20.00
ANSWER	10.00
APPLICATION FOR CONTINUANCE	10.00
BOND	10.00
CAVEAT	
Formal (including bond)	50.00
Informal	25.00
CERTIFICATION*	10.00

CERTIFICATION* under Act of Congress . . . .	35.00
*plus \$1.00 per page, if copy is not furnished	
CERTIFYING RECORD to Orphans' Court upon appeal . . . . .	10.00
CITATION	
Petition and issuing, one respondent . . . . .	50.00**
Each Additional Respondent . . . . .	5.00
CODICIL (each) . . . . .	10.00
COPIES	
Self-made/Digital copies (per page) . . . . .	.50
Copies made by office staff (per page) . . . . .	1.00
Fax/Email transmitted copies (per page) . . . . .	1.00
COPY of any instrument, per page . . . . .	1.00
(certification extra)	
EXECUTION OF COMMISSION from other Register of Pennsylvania or foreign jurisdiction . . . . .	20.00
Certified Mail Fee (to return commission) . . . . .	10.00
FOREIGN JURISDICTION'S CERTIFIED OR EXEMPLIFIED COPIES OF LETTERS AND PROCEEDINGS filing and entering . . . . .	35.00
NON-RESIDENT AFFIDAVIT OF DEBTS . . . . .	5.00
(filed w/foreign exemplified proceedings)	
GENEOLOGICAL RESEARCH per hour or fraction thereof (on a time available basis) . . . . .	10.00
INHERITANCE TAX RETURN (REV-1500) . . . . .	10.00
Supplemental Inheritance Tax Return . . . . .	10.00
Certificate of tax payment . . . . .	25.00
INVENTORY . . . . .	10.00
MISCELLANEOUS FILING . . . . .	20.00
MOTION . . . . .	20.00
OBJECTIONS . . . . .	20.00
PETITION (Miscellaneous) . . . . .	50.00**
PRAECIPE/JOINDER . . . . .	10.00
REGISTERS' HEARING . . . . .	50.00
RENUNCIATION (per page) . . . . .	10.00
RETURNED CHECK . . . . .	20.00
SHORT CERTIFICATE . . . . .	5.00
SUBPOENA . . . . .	10.00
**PENNSYLVANIA JCP/ATJ/CJEA and AUTOMATION FEE APPLIES	
Judicial Computer Project/Access to Justice/Criminal Justice Enhancement Account (JCP/ATJ/CJEA) . . . . .	35.50
Automation Fee (Register of Wills) . . . . .	9.50

Note: In cases not herein specifically provided for, the Register shall make the same charge as that imposed for services of a substantially similar nature. All orders heretofore establishing fee bill for the Register of Wills of York County shall be revoked and superseded as of the effective date hereof.

**Fee Bill  
Clerk of Orphans' Court Division  
of the Court of Common Pleas of York County,  
Pennsylvania**

And now, by Order of Court this 18th day of August, 2016, the following bill of costs is established pursuant to 42 P.S. Section 21032.1. This Order is effective the 1st day of January, 2017.

ACCOUNTS	
For the filing, advertising and adjudication of accounts Of guardians and trustees	
Total debits not over \$2,000 . . . . .	\$75.00
Over \$2,000 but not over \$5,000 . . . . .	80.00
Over \$5,000 but not over \$10,000 . . . . .	85.00
Over \$10,000 but not over \$25,000 . . . . .	110.00
Over \$25,000 but not over \$50,000 . . . . .	135.00
Over \$50,000 but not over \$100,000 . . . . .	165.00

Each additional \$100,000 or fraction thereof, an additional . . . . .	100.00
ADOPTION	
Petition, Certificate and Report of Intermediary . . . . .	50.00**
Voluntary or Involuntary Termination, Confirm Consent . . . . .	25.00**
Costs of Investigation to be determined by the Court under the circumstance in each case.	
Report of Intent . . . . .	20.00
Act 34 Fund . . . . .	75.00
Certificate of Adoption . . . . .	10.00
Foreign Adoption . . . . .	50.00**
Petition for Identifying and Non-Identifying . . . . .	50.00
AFFIDAVIT OR OATH . . . . .	20.00
ANSWER . . . . .	10.00
APPEAL to Appellate Court filing fee . . . . .	50.00
Superior Court / Supreme Court . . . . .	85.50
APPLICATION FOR CONTINUANCE . . . . .	10.00
BIRTH / DEATH RECORD	
Certificate from original Birth . . . . .	20.00
Certificate from original Death . . . . .	20.00
Delayed Registration Birth . . . . .	20.00
Delayed Registration Death . . . . .	20.00
CERTIFICATION* . . . . .	10.00
CERTIFICATION* under Act of Congress . . . . .	35.00
*Plus \$1.00 per page if copy is not furnished	
Certificate of Authority . . . . .	2.00
CITATION	
Petition and issuing, one respondent . . . . .	50.00**
Each additional respondent . . . . .	5.00
CLAIM . . . . .	10.00
Satisfaction or Withdrawal . . . . .	5.00
COPIES	
Self-made/Digital copies (per page) . . . . .	.50
Copies made by office staff (per page) . . . . .	1.00
Fax/Email transmitted copies (per page) . . . . .	1.00
COPY of any instrument, per page . . . . .	1.00
(certification extra)	
**PENNSYLVANIA JCP/ATJ/CJEA and AUTOMATION FEE APPLIES	
Judicial Computer Project/Access to Justice/Criminal Justice Enhancement Account (JCP/ATJ/CJEA) . . . . .	35.50
Automation Fee (Orphans' Court) . . . . .	9.50
DISCLAIMER . . . . .	10.00
ELECTION under or against Will . . . . .	10.00
FAMILY EXEMPTION	
Petition . . . . .	50.00**
FAMILY SETTLEMENT AGREEMENT . . . . .	25.00
INCAPACITATED ESTATES	
Petition, Citation, and appointment of guardian . . . . .	50.00**
Bond . . . . .	10.00
Inventory . . . . .	10.00
Petition for Sale . . . . .	50.00
INFORMAL ACCOUNTING . . . . .	25.00
MINOR'S ESTATE	
Petition for appointment of guardian per child . . . . .	50.00**
Inventory . . . . .	10.00
Bond . . . . .	10.00
MARRIAGE	
Waiver (Military-Free) . . . . .	20.00
License, Application, Affidavits, Taxes, Automation Fee, and one (1) certified copy . . . . .	60.00
Consent of parents . . . . .	10.00

THE COURTS

Certified copy of license and return of marriage .....	10.00
Certified copy of application .....	10.00
Petition (Under Age) .....	50.00**
Replacement of Lost Marriage License.....	25.00
Non-Resident .....	20.00
Affidavit of No Marriage .....	10.00
MISCELLANEOUS FILING .....	20.00
MOTION.....	20.00
OBJECTIONS.....	20.00
PETITION (Miscellaneous) .....	50.00**
POWER OF ATTORNEY .....	30.00
PRAECIPE / JOINDER .....	10.00
PRESUMED DECEDENT	
Petition and final decree .....	50.00**
REAL ESTATE OF DECEDENTS	
Petition for Sale of Real Estate .....	50.00**
Execution of deed by Clerk .....	20.00
Decree Awarding Real Estate .....	20.00

RELEASE.....	25.00
RETURNED CHECK .....	20.00
SHORT CERTIFICATE .....	5.00
SMALL ESTATE PETITION (Decedents or Minors) .....	50.00**
STIPULATION .....	10.00
SUBPOENA.....	10.00
TRUSTEE	
Petition for appointment .....	50.00**
Resignation .....	10.00

*Note:* In cases not herein specifically provided for, the Clerk of Orphans' Court shall make the same charge as that imposed for services of a substantially similar nature. All orders heretofore establishing fee bill for the Clerk of Orphans' Court shall be revoked and superseded as of the effective date hereof.

[Pa.B. Doc. No. 16-1512. Filed for public inspection September 2, 2016, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 65 ]

#### Fishing; Special Fishing Regulations; Correction

An error occurred in the final-form rulemaking which appeared at 46 Pa.B. 5539, 5540 (August 27, 2016). The fiscal note number was incorrect. The correct fiscal note is as follows.

**Fiscal Note:** Fiscal Note 48A-271 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 16-1513. Filed for public inspection September 2, 2016, 9:00 a.m.]

### FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 75 ]

#### Fishing; Endangered Species

The Fish and Boat Commission (Commission) amends Chapter 75 (relating to endangered species). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments update the Commission's lists of endangered, threatened and candidate species.

##### A. Effective Date

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

##### 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 §§ 75.1 and 75.2 (relating to endangered species; and threatened species) are published under the statutory authority of section 2305 of the code (relating to threatened and endangered species). The amendments to § 75.3 (relating to candidate species) are published under the statutory authority of 2102 of the code (relating to rules and regulations).

##### D. Purpose and Background

The specific purpose and background of the amendments is described in more detail under the summary of changes.

##### E. Summary of Changes

(1) Hornyhead Chub (*Nocomis biguttatus*). The Hornyhead Chub is a medium sized minnow with a robust body. Adult length is typically 4 to 6 inches. Breeding males have a distinct bright red spot behind the eye. It is a nest building minnow, constructing large pebble mounds by transporting gravel with its mouth. It inhabits clear, small to medium-sized streams with clean gravel, rubble and sandy substrates. In general, the Hornyhead Chub is highly intolerant of increased siltation and intermittent flows.

The Hornyhead Chub occurs in North America from the Mohawk River system in New York, west to the Red River system in Manitoba and North Dakota, and south to the Ohio River drainage. It also occurs in the Ozark drainages in Missouri and Arkansas and in an isolated section of West Virginia.

In this Commonwealth, it was historically reported from two locations in Cussewago Creek in Crawford County and a number of locations in the Shenango River drainage in Crawford, Lawrence and Mercer Counties. It was also reported in collections from the Shenango system as well as Conneaut Creek in Crawford and Erie Counties. Recent intensive field work that included surveys of historic sites as well as additional sites presenting suitable habitat in these historic drainages has demonstrated a precipitous decline in Hornyhead Chub populations in this Commonwealth. This species is now apparently confined to approximately 12 miles of Neshannock Creek in Lawrence and Mercer Counties and 2 miles of Conneaut Creek in Crawford County.

The Hornyhead Chub was initially listed as a candidate species in 1999. The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. Using the "Extent of Occupancy" criterion (B.3) within the Commission's listing process, the Hornyhead Chub's linear occupied stream distance exceeds the cutoff of 10 miles for endangered status by only 4 miles. However, significant threats to its continued existence remain, particularly in the Conneaut Creek. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S1—meaning it is critically imperiled in this Commonwealth with a high to very high risk of extirpation due to its limited range and/or few populations or occurrences. The Fishes Technical Committee of the Pennsylvania Biological Survey (PABS) reviewed this documentation and rank assignment and recommended that the Hornyhead Chub be listed as endangered. Enough information is available to make the determination that it is endangered in this Commonwealth at present and to justify its addition to the Commonwealth's list of endangered fishes. Therefore, the Commission removed the Hornyhead Chub from the Pennsylvania list of candidate species under § 75.3 and added it to the list of endangered species under § 75.1.

(2) Mountain Brook Lamprey (*Ichthyomyzon greeleyi*). The Mountain Brook Lamprey is a small, nonparasitic lamprey. Adult sizes are small, generally 4 to 6 inches total length. Body color is dark olive on the back and sides, often mottled, transitioning abruptly to a white belly, giving a bicolored appearance. It is easily confused with the parasitic Ohio Lamprey (*Ichthyomyzon bdellium*), which is generally larger with a proportionally larger oral disc and has coloration that fades gradually toward the belly (not strongly bicolored).

The Mountain Brook Lamprey prefers clear, small-medium sized creeks but can be occasionally found in larger waters. In this Commonwealth, it frequently occurs in stocked trout streams and is seldom found in colder streams containing wild Brook Trout (*Salvelinus fontinalis*). Larvae, known as ammocoetes, generally prefer sluggish areas with deposits of mud, muck, silt, sand, detritus and coarse woody debris.

This species occurs in North America from the Ohio River drainage in southwestern New York to northern

Alabama and Georgia, where it is highly localized. In this Commonwealth, it occurs throughout the Allegheny River drainage, including the Loyalhanna Creek, French Creek and Clarion River drainages, and the upper Allegheny River. A small portion of Neshannock Creek in the Beaver River drainage is also occupied.

In 1999, the Mountain Brook Lamprey was listed as a threatened species. Since then, nearly all of this species' historic range in this Commonwealth has been resurveyed and retraction of its range was not noted. In fact, extensions of its known range have been documented, which now includes the Clarion River, Loyalhanna Creek and North Fork Redbank Creek.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion A.1 (Population Reduction) in that there has not been a reduction in historic distribution. Since the Mountain Brook Lamprey occupies more than 150 river miles of waterway, it significantly exceeds Criterion B.3 (Extent of Occupancy). In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range and/or many populations or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Mountain Brook Lamprey be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of threatened fishes. Therefore, the Commission removed the Mountain Brook Lamprey from the Pennsylvania list of threatened species under § 75.2.

(3) Ohio Lamprey (*Ichthyomyzon bdellium*). The Ohio Lamprey is a medium sized parasitic lamprey with a single dorsal fin and well developed teeth. Adult size is generally 5 to 10 inches total length. Body color is slate-gray to yellowish-gray, fading to a lighter belly.

The Ohio Lamprey occurs in large streams to large rivers during parasitic phase but enters smaller streams to spawn. Adults are generally found in riffles and runs over gravel, cobble and rubble. Ammocoetes generally prefer sluggish sections of small-medium sized streams with significant deposits of mud, muck, silt, sand, detritus and coarse woody debris. Ammocoetes generally burrow in substrate and filter feed on bacteria, protozoa, and decaying phytoplankton and plant material. Host fishes include Paddlefish, Common Carp, carpsuckers, redhorses, black basses, larger catfishes, madtoms, Wall-eye and darters. There is no evidence to support the belief of some that Ohio Lampreys negatively impact game fish populations.

This species occurs in North America from the Ohio River basin from New York to Illinois, and south to northern Georgia. In this Commonwealth, it occurs in the Ohio River, Conewango Creek, Mahoning Creek, Potato Creek, Oswayo Creek and the Allegheny River and the following streams and their tributaries: French Creek, Oil Creek, Sandy Creek and Brokenstraw Creek.

In 1999, the Ohio Lamprey status was changed from threatened to candidate. Current data indicate little if any range reduction has occurred when historic and recent records are compared. It is evident that the Ohio Lamprey remains well-distributed in the Ohio River drainage and may have expanded somewhat, with its known range including Allegheny, Armstrong, Crawford,

Erie, Forest, McKean, Potter, Venango and Warren Counties. Of the 150 records reviewed, 52 are post-1999. The Ohio Lamprey likely maintains a continuous distribution throughout the Allegheny River.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion A.1 (Population Reduction) in that there has not been a reduction in historic distribution. Since the Ohio Lamprey occupies more than 150 river miles of waterway, it also significantly exceeds Criterion B.3 (Extent of Occupancy). In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range and/or many populations or occurrences. The Fishes Technical Committee of PABS reviewed this documentation and rank assignment and recommended that the Ohio Lamprey be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of candidate fishes. Therefore, the Commission removed the Ohio Lamprey from the Pennsylvania list of candidate species under § 75.3.

(4) Bowfin (*Amia calva*). The Bowfin is a large, stout-bodied fish, with an extended ribbon-like dorsal fin and rounded, caudal fin. The Bowfin is noted for its voracious feeding habits usually consuming other fishes. It is capable of breathing atmospheric oxygen, an important adaptation to life in swamps and marshes, where low dissolved oxygen levels, high water temperatures and low water conditions occur frequently. The Bowfin inhabits swamps, marshes, ditches, ponds and lakes, and sluggish sections of rivers and creeks, where it prefers areas with submerged vegetation, undercut banks and coarse woody debris.

This species occurs in North America from Quebec to northern Minnesota in the St. Lawrence River-Great Lakes and Mississippi River basins south to the Gulf of Mexico and on the Atlantic and Gulf Coastal Plain from Susquehanna River drainage in Pennsylvania to the Colorado River, Texas. It has been introduced elsewhere. In this Commonwealth, it is native to the Lake Erie and Ohio River drainages and introduced in the Susquehanna and Delaware River systems.

The Bowfin was listed as a Pennsylvania candidate species in 1991. It has persisted throughout the collection record in the Lake Erie drainage. It was reported from the Pittsburgh area prior to 1882 but was probably extirpated from the Ohio River drainage in this Commonwealth by 1900. There are no historic records from the Pymatuning Lake region or the French Creek drainage in Crawford and Erie Counties, but it was apparently introduced into these systems in the 1980s or 1990s. Those populations have significantly expanded since 2000, and it is now well established in suitable habitat there. The Bowfin is currently common to abundant in Presque Isle Bay, Erie County, and may now be taken regularly in Pymatuning Lake. It also occurs in French Creek and several tributaries, including Conneauttee Creek, Muddy Creek and Cussewago Creek. It is common to abundant in Conneaut Lake and Conneaut Marsh. In addition, it is now widely distributed in the Allegheny River below Kinzua Dam, and it has recently been found in the Ohio and Monongahela Rivers. Populations were known to have been stocked by the Commission in Buhl Lake, Mercer County; Lake Somerset, Somerset County;



Glendale Lake, Cambria County; and Black Moshannon Lake, Centre County. As a result of this expansion, Commission staff consider the Bowfin to be recovered in the Ohio River system. This recovery, along with the stable population in the Lake Erie drainage, justifies removing the Bowfin from the Commission's list of candidate species.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion A.1 (Population Reduction) in that there has not been a reduction in historic distribution and Criterion B.3 (Extent of Occupancy) because it occupies more than 150 river miles of waterway. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range and/or many populations or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Bowfin be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of candidate fishes. Therefore, the Commission removed the Bowfin from the Pennsylvania list of candidate species under § 75.3.

(5) Timber Rattlesnake (*Crotalus horridus*). The Timber Rattlesnake is a large, heavy bodied, venomous snake of the pit viper family (*Viperidae*). They typically have transverse "V" shaped dark bands on black or brown body color. The tail is black with a rattle and the head color distinguishes the color phase of the snake—black or yellow. Timber Rattlesnakes inhabit the forested, mountainous regions of this Commonwealth. They prefer upland forested areas where they forage for small mammals. Talus and/or scree slopes, rocky ledges, outcrops and boulder fields generally with southerly exposures contain the entrances to over-wintering dens.

The current National range of the Timber Rattlesnake encompasses 31 states from Vermont and New Hampshire south to northern Florida, west to eastern Texas and then north through eastern Oklahoma, Kansas and Nebraska, through Iowa into southeastern Minnesota. From southwestern Wisconsin the range retreats south, away from the Great Lakes, through western and southern Illinois and southern Indiana and Ohio.

Prior to European settlement, the range of the Timber Rattlesnake is thought to have spanned most of this Commonwealth. Today, Timber Rattlesnakes occur in 50 of 67 counties in this Commonwealth within forested, mountainous regions with strongholds mainly within the southwest, central and northeast region of this Commonwealth (for example, Ridge and Valley Province, Laurel Highlands, Allegheny Plateau and the Pocono Plateau).

Historically, overhunting and habitat loss have been major threats to Timber Rattlesnake populations. The conversion of forest to agricultural land during the settlement of this Commonwealth by Europeans was likely responsible for the early extirpation of Timber Rattlesnakes from many portions of this Commonwealth (Surface, 1906). Significant declines in Timber Rattlesnake populations were noted in the 1960s to 1970s, primarily due to overhunting. Many counties maintained bounties on Timber Rattlesnakes and held round ups, harvesting hundreds of these animals.

In 1978, the Commission listed the Timber Rattlesnake as a candidate species due to reported population declines

from overhunting and habitat loss. Protective measures and regulations by the Commission gradually increased, including permitting of organized hunts (1982), bag limits (1982, then reduced further in 1993), hunting season shortened to protect gravid females (1993), and minimum size limit and prohibiting take of females (2007). These regulations were designed to discourage harvest of Timber Rattlesnakes, especially gravid females and immature snakes. Also, oversight of organized hunts by Commission personnel and law enforcement has increased, and education and protection measures by the Commission, the Department of Conservation and Natural Resources and the Game Commission, the other land-holding agencies, have also improved.

For the past 20 years, the Commission has reviewed development projects throughout this Commonwealth for their potential to impact Timber Rattlesnake habitat. Recommendations to adjust alignments or modify project areas to avoid dens and gestation areas, seasonal work restrictions or having Timber Rattlesnake monitors onsite during construction to move snakes out of harm's way have avoided and minimized direct and indirect impacts to Timber Rattlesnakes and their sensitive habitats.

In the past decade, encroachment by oil and gas development into Timber Rattlesnake strongholds has increased significantly with the relatively new shale gas industry in this Commonwealth. The northcentral portions of the range, once considered the core undisturbed populations, have been subject to high volume of exploration, well pad construction, pipeline construction, associated roads and infrastructure. However, anecdotal evidence thus far shows that while there are increasing threats to Timber Rattlesnakes through exposure to human disturbance, some of the habitat alteration (for example, pipeline development) can provide important additional basking habitat in areas where canopy closure has posed problems for available basking and gestating habitat. Additionally, most of the well pads thus far are on the top of slopes and plateaus and do not interfere directly with den habitat (Commission observations).

In the last 25 years, Commission biologists began compiling more refined locational information from amateur and professional herpetologists concerned with the conservation of Timber Rattlesnake. Over 600 historic rattlesnake dens (without field checking, many were suspected to be basking areas) were mapped in this Commonwealth. In 2003, the Commission allocated State Wildlife Grant funding to begin a Statewide assessment of these historic Timber Rattlesnake sites, including determining habitat type, ranking the site quality and assessing threats for each site. Phase 1 of the project (2003—2006) resulted in visits to 467 historic sites with 39% (182) confirmed to harbor Timber Rattlesnake. More than 80% of these confirmed sites were ranked as moderate to good quality in terms of viability and habitat.

During Phase 2 of the project (2005—2011), 1,087 sites (both historic and previously unassessed) were assessed and 71% (770) was found to be occupied by Timber Rattlesnakes. An occupied site averaged 6 snakes observed during the assessment, with a range of 1 to 75 per site. The status of the assessed sites was as follows: 39.2% of the sites were ranked as above high to medium quality; 35.2% of the sites were ranked as lower quality sites; 25.3% of the sites were considered historic sites; and 0.3% of the sites were classified as extirpated. Additionally, 65% of the occupied sites surveyed during the site assessment project documented the presence of gravid females, neonates or juvenile timber rattlesnakes,

and an additional 20% of occupied sites had snakes that were not examined for their reproductive status. Site assessments have continued annually as part of Phase 3 of the project (2011—present). To date, 1,742 sites have been assessed for the project (2003—2014), resulting in 35.8% of the sites considered high to medium quality sites, 35.5% of the sites represent lower quality sites and 28.4% of the sites were rated as historic or unoccupied at the time of the surveys (1,241 (71%) of assessed sites were occupied). Large portions (estimated 50%) of the Timber Rattlesnake range remain unassessed due to lack of landowner permissions or access difficulty.

A Species Action (recovery) Plan was developed for the Timber Rattlesnake in June 2011 (<http://fishandboat.com/water/amprep/species-plan-timber-rattlesnake.pdf>). Commission staff have been working with its conservation partners to implement actions towards the recovery of the species. Protection of the Timber Rattlesnake will continue, warranting no changes to the take regulations or venomous snake hunt program. Additionally, an external workgroup comprised of representatives from State and Federal landholding agencies and experts in Timber Rattlesnake natural history was convened to review current conservation practices for the Timber Rattlesnake as well as develop and enhance best management practices for the Timber Rattlesnake on State lands, public education programs promoting protection of Timber Rattlesnakes and cooperative agreements with industry likely to encounter critical Timber Rattlesnake habitat. Finally, the Commission is working with East Stroudsburg University to develop a robust long-term population monitoring program of the Statewide population to track changes in the population and continue the understanding of the conservation status of the Timber Rattlesnake in this Commonwealth.

The Amphibian and Reptile Committee of PABS reviewed the Heritage rank of the Timber Rattlesnake and found it be “vulnerable-apparently secure” (S3S4) status—uncommon but not rare and usually widespread in this Commonwealth. On June 22, 2015, the PABS Committee recommended “delisting” status based on the aforementioned data and apparent commonality of the species in this Commonwealth.

The Timber Rattlesnake was listed in 1978 as a Pennsylvania candidate species based on limited knowledge of populations and reported declines due to overhunting and habitat alteration. After a 12-year Statewide assessment project was conducted, current data indicate the rattlesnake retains an extensive distribution across this Commonwealth, with large populations remaining in many areas, thus eliminating it from listing consideration based on Criteria B (Extent of Occurrence), Criteria C (Population Estimates and Decline), Criteria D (Small Population Size) or Criteria E (Probability of Extinction). The threat of overhunting has been significantly reduced through regulations and permit programs. Threats to habitat are ever-changing but may be managed through education and management of the species on public lands. Threats are not quantifiable enough to meet Criteria A2 (Projected Population Reduction). The Timber Rattlesnake exceeds minimum requirements needed for listing as candidate, threatened or endangered status. The Timber Rattlesnake currently appears secure within this Commonwealth, which justifies removal from Pennsylvania’s list of candidate species. Therefore, the Commission removed the Timber Rattlesnake from the Pennsylvania list of candidate species under § 75.3.

#### 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. 6691 (November 21, 2015). The Commission received public comments relating to the Timber Rattlesnake delisting proposal. The Commission received a total of 73 comments during the formal comment period—2 supported and 71 opposed. Common themes were as follows: after the proposed status change, the Timber Rattlesnake will not receive adequate protection; there is no monitoring plan in place for the Timber Rattlesnake; population data was not used in the assessment; a large portion of the Pennsylvania range of the Timber Rattlesnake was unassessed; impacts from the energy industry were not given adequate consideration; and there were concerns about the status of the Timber Rattlesnake in specific regions.

The Commission also received over 2,200 comments after the formal comment period opposing the proposal. Most of the public comments received after the comment period were e-mail form letters generated by a posting on the Center for Biological Diversity’s web site. These comments did not raise any issues that were not raised during the formal comment period.

Commissioners were provided with copies of the public comments. Commissioners also were provided with a comment and response document that summarized and addressed the issues raised in the comments.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendment 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 comments that were received were 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 75, are amended by amending §§ 75.1—75.3 to read as set forth at 45 Pa.B. 6691.

(b) The Executive Director will submit this order and 45 Pa.B. 6691 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. 6691 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-267 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 16-1514. Filed for public inspection September 2, 2016, 9:00 a.m.]

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# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 65 ]

### Fishing; Special Fishing Regulations

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

#### A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

#### B. *Contact Person*

For further information on the proposed rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed 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 proposed amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

#### D. *Purpose and Background*

The proposed rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the proposed amendment is described in more detail under the summary of proposal.

#### E. *Summary of Proposal*

Glade Run Lake, a 52-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Middlesex Township, Butler County, approximately 10 miles south of the City of Butler and 20 miles northeast of Pittsburgh. The dam impounds Glade Run near its headwaters. This lake was completely dewatered in July 2011 to make dam and spillway repairs and modifications per dam safety standards of the Department of Environmental Protection. Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment will be refilled by approximately January 1, 2017. The Commission will begin to re-establish a high quality warm and coolwater fishery through plants of select forage fish species beginning in fall 2016 (if the lake is refilled to adequate levels) with gamefish and panfish fingerling plants beginning in 2017. This process will continue for several years. To allow Glade Run Lake's forage base and warm and coolwater

fish communities to develop, the Commission proposes placing Glade Run Lake 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 stocking of adult catchable trout will begin in spring 2017.

The Commission proposes this approach to allow a balanced fishery to develop under protective regulations while offering acceptable levels of recreational angling opportunities. The Commission proposes that the miscellaneous special regulation be established in early 2017 and extend until the warmwater fish populations rebuild appropriate levels. Commission staff will continue to monitor the fish populations as they develop and make the necessary adjustments to the species being stocked and the regulations governing the fishery to continually provide high quality recreational angling opportunities at Glade Run Lake. Once the warmwater fishery has been re-established, the Commission will propose that the lake be removed from the miscellaneous special regulation and included in one of the Commission's existing warmwater regulation programs.

The Commission proposes to amend § 65.24 to read as set forth in Annex A.

#### F. *Paperwork*

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

#### G. *Fiscal Impact*

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

#### H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/reg](http://www.fishandboat.com/reg) comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
*Executive Director*

**Fiscal Note:** 48A-272. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Beaver	Hopewell Township Park Lake	Bass—15-inch minimum size limit and a 2 bass daily creel limit. Panfish (combined species): 10 fish daily creel limit. Use of live fish for bait is prohibited.
Blair, Huntingdon, Juniata, Mifflin and Perry	Juniata River and its tributaries	Rock bass—Daily creel limit is 10; open year-round; no minimum size limit.
<b>Butler</b>	<b>Glade Run Lake</b>	<b>All species except trout—Catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout shall be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1.</b>
Centre	Foster Joseph Sayers Lake	Crappie—10 fish daily creel limit of which no more than 5 fish may be greater than or equal to 9 inches in length.

\* \* \* \* \*

[Pa.B. Doc. No. 16-1515. Filed for public inspection September 2, 2016, 9:00 a.m.]

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# 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 August 23, 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 his or her comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-22-2016	Univest Bank and Trust Co. Souderton Montgomery County	4600 Broadway Allentown Lehigh County	Filed

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
8-17-2016	Slovak Savings Bank Pittsburgh Allegheny County  Amendment to Article I of the institution's Articles of Incorporation provides for a change in corporate title from Slovak Savings Bank to "SSB Bank" and amendment to Article II provides for a change in principal place of business from 2470 California Avenue, Pittsburgh, Allegheny County, PA 15212 to 8150 Perry Highway, Suite 200, Pittsburgh, Allegheny County, PA 15237.	Withdrawn

### 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. 16-1516. Filed for public inspection September 2, 2016, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Designation of School Districts to Receive Duquesne City School District's Junior and Senior High School Students

The Duquesne City School District (Duquesne) eliminated its senior high school program in 2007. Section 14 of the act of July 20, 2007 (P.L. 278, No. 45) (Act 45) governed the reassignment of Duquesne's senior high school students until Act 45 was struck down by the Commonwealth Court in 2010. In part, Act 45 authorized the Secretary of Education to designate two or more school districts to accept Duquesne's high school students. Under Act 45, then-Secretary of Education Gerald

Zahorchak designated two school districts, the East Allegheny School District (East Allegheny) and the West Mifflin Area School District (West Mifflin), to accept Duquesne's senior high school students on a tuition basis.

Shortly after Act 45 was struck down, the act of November 23, 2010 (P.L. 1350, No. 123) (Act 123) was enacted. The enactment of Act 123 resulted in significant amendments to section 1607 of the Public School Code of 1949 (School Code) (24 P.S. § 16-1607). Section 1607 of the School Code, which governs the reassignment of high school students when certain school districts do not operate a high school, authorizes the Secretary of Education to designate two or more school districts to accept Duquesne's high school students. When Act 123 was enacted, East Allegheny and West Mifflin were designated to continue to receive Duquesne's senior high school students.

In 2012, Duquesne sought and received the approval of the Department of Education (Department) to alter/curtail its junior high school program (grades 7 and 8). Accordingly, on July 9, 2012, East Allegheny and West Mifflin were designated to also receive Duquesne's junior high school students under section 1607 of the School Code.

The designation of East Allegheny and West Mifflin to receive Duquesne's junior and senior high school students remains unchanged.

As required under section 1607(d) of the School Code, the Department provides the following information regarding the assignment of Duquesne's 7—12 grade students to East Allegheny and West Mifflin.

*Assignment of Students*

- Students entering grade 8, 9, 10, 11 or 12 shall be assigned to the same district to which they were assigned during the previous school year.
- Students entering grade 7 have the opportunity to select the district—East Allegheny or West Mifflin—they wish to attend. Students entering grade 7 shall be assigned to the district that they select.
- Private, religious or charter school students who wish to enroll in Duquesne and attend East Allegheny or West Mifflin must register as Duquesne students at the Duquesne Education Center to be assigned to either East Allegheny or West Mifflin.
- Students transferring into Duquesne will be given a choice between East Allegheny and West Mifflin and will be assigned to the district they choose.

*Per Pupil Tuition Rate*

The per pupil tuition rates that the designated districts received or shall receive are as follows:

	<i>East Allegheny Section 1607 Secondary Tuition Rate</i>	<i>West Mifflin Section 1607 Secondary Tuition Rate</i>
2007-08	\$8,811.22	\$9,060.25
2008-09	\$9,039.50	\$9,294.46
2009-10	\$9,220.29	\$9,480.35
2010-11	\$9,404.70	\$9,669.96
2011-12 base	\$8,922.24	\$9,082.03
2011-12 total*	\$9,422.24	\$9,582.03
2012-13 grades 10—12	\$10,000.00	\$10,000.00
2012-13 grades 7—9**	\$10,500.00	\$10,500.00
2013-14 grades 10—12	\$10,322.40	\$10,322.40
2013-14 grades 7—9**	\$10,822.40	\$10,822.40
2014-15 rate	\$10,673.36	\$10,673.36
2015-16 rate	\$11,041.70	\$11,041.70
2016-17 rate	\$11,472.33	\$11,472.33

\* Added \$500 under section 1607(h) of the School Code for the 2010-11 and 2011-12 school years.

\*\* Added \$500 under proposed section 1607(h.1) of the School Code for the 2012-13 and 2013-14 school years.

PEDRO A. RIVERA,  
*Secretary*

[Pa.B. Doc. No. 16-1517. Filed for public inspection September 2, 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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0253081 (Sewage)	Universal Electric Corp 168 Georgetown Road Canonsburg, PA 15317	Washington County Cecil Township	Chartiers Creek (20-F)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0037052 (Sewage)	Pen Argyl Municipal Authority WWTP 11 North Robinson Avenue P.O. Box 128 Pen Argyl, PA 18072	Northampton County Pen Argyl Borough	Waltz Creek (01F)	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS224804 (Storm Water)	Kuhns Brothers Lumber Company 434 Swartz Road Lewisburg, PA 17837-7659	Union County Buffalo Township	Unnamed Tributary to Spruce Run (10-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0101907 (Sewage)	Emlenton Area Municipal Authority Mariasville STP PO Box 448 603 Hill Street Emlenton, PA 16373-0448	Clarion County Salem Township	Richey Run (16-G)	Yes
PA0030686 (Sewage)	Cross Creek Resort 3815 State Route 8 Titusville, PA 16354-7373	Venango County Cherrytree Township	Cherrytree Run (16-E)	Yes



<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>
PA0239615 (Sewage)	Hidden Acres Walnut Square & Wilson's Ridge STP 8037 Rowan Road Cranberry Twp, PA 16066-3615	Butler County Forward Township	Unnamed Tributary of Connoquenessing Creek (20-C)	Yes

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

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

**PA0002208, Amendment No. 1**, Industrial, SIC Codes 2821 & 2869, **Shell Chemical Appalachia LLC**, 300 Frankfort Road, Monaca, PA 15601. Facility Name: Shell Chemical Appalachia Petrochemicals Complex. This existing facility is located in Potter Township, **Beaver County**.

Description of Existing Activity: The application is for an NPDES permit for existing discharges of groundwater and storm water and new discharges of non-contact cooling water, untreated storm water, and treated industrial waste and storm water.

The receiving streams, Rag Run, Poorhouse Run, and the Ohio River, are located in State Water Plan watershed 20-G and 20-B and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.75 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	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 1.28 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	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	287	766	XXX	27.0	72.0	90.0
Total Suspended Solids	458	1,487	XXX	43.0	139.0	174
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
2-Chlorophenol	0.331	1.05	XXX	0.031	0.098	0.122
2,4-Dichlorophenol	0.416	1.20	XXX	0.039	0.112	0.140
2,4-Dimethylphenol	0.192	0.384	XXX	0.018	0.036	0.045
Fluorene	0.235	0.630	XXX	0.022	0.059	0.073
2,4-Dinitrophenol	0.758	1.31	XXX	0.071	0.123	0.153
2,4-Dinitrotoluene	1.21	3.04	XXX	0.113	0.285	0.356
2,6-Dinitrotoluene	2.72	6.85	XXX	0.255	0.641	0.801
4,6-dinitro-o-cresol	0.833	2.96	XXX	0.078	0.277	0.346
2-Nitrophenol	0.437	0.737	XXX	0.041	0.069	0.086
4-Nitrophenol	0.769	1.32	XXX	0.072	0.124	0.155
Phenol	0.160	0.277	XXX	0.015	0.026	0.032
Acenaphthene	0.235	0.630	XXX	0.022	0.059	0.073
Acenaphthylene	0.235	0.630	XXX	0.022	0.059	0.073
Acrylonitrile	1.03	2.59	XXX	0.096	0.242	0.302
Anthracene	0.235	0.630	XXX	0.022	0.059	0.073
Chlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
1,2-Dichlorobenzene	0.822	1.74	XXX	0.077	0.163	0.203
1,3-Dichlorobenzene	0.331	0.470	XXX	0.031	0.044	0.055

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
1,4-Dichlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
1,3-Dichloropropylene	0.309	0.470	XXX	0.029	0.044	0.055
1,2,4-Trichlorobenzene	11.9	29.6	XXX	0.068	0.140	0.175
Ethylbenzene	0.341	1.15	XXX	0.032	0.108	0.135
Hexachlorobenzene	0.106	0.213	XXX	0.010	0.020	0.025
Nitrobenzene	0.288	0.726	XXX	0.027	0.068	0.085
Benzene	0.395	1.45	XXX	0.037	0.136	0.170
Benzo(a)Anthracene	0.235	0.630	XXX	0.022	0.059	0.073
Benzo(a)Pyrene	0.245	0.651	XXX	0.023	0.061	0.076
Benzo(k)Fluoranthene	0.235	0.630	XXX	0.022	0.059	0.073
3,4-Benzofluoranthene	0.245	0.651	XXX	0.023	0.061	0.076
Carbon Tetrachloride	0.192	0.405	XXX	0.018	0.038	0.047
Chloroethane	1.11	2.86	XXX	0.104	0.268	0.335
1,1,1-Trichloroethane	15.5	36.1	XXX	0.021	0.054	0.067
1,1,2-Trichloroethane	4.49	12.8	XXX	0.021	0.054	0.067
1,1-Dichloroethane	0.235	0.630	XXX	0.022	0.059	0.073
1,2-Dichloroethane	0.726	2.25	XXX	0.068	0.211	0.263
1,2-Dichloropropane	1.63	2.46	XXX	0.153	0.230	0.287
Bis(2-Ethylhexyl)Phthalate	1.10	2.98	XXX	0.103	0.279	0.348
Chloroform	0.224	0.491	XXX	0.021	0.046	0.057
Chrysene	0.235	0.630	XXX	0.022	0.059	0.073
Diethyl Phthalate	0.865	2.17	XXX	0.081	0.203	0.253
Dimethyl Phthalate	0.202	0.502	XXX	0.019	0.047	0.058
Di-n-Butyl Phthalate	0.288	0.608	XXX	0.027	0.057	0.071
Fluoranthene	0.267	0.726	XXX	0.025	0.068	0.085
Hexachlorobutadiene	0.213	0.523	XXX	0.020	0.049	0.061
Hexachloroethane	0.224	0.576	XXX	0.021	0.054	0.067
Methyl Chloride	0.918	2.03	XXX	0.086	0.190	0.237
Methylene Chloride	0.427	0.950	XXX	0.040	0.089	0.111
Naphthalene	0.235	0.630	XXX	0.022	0.059	0.073
Phenanthrene	0.235	0.630	XXX	0.022	0.059	0.073
Pyrene	0.267	0.715	XXX	0.025	0.067	0.083
1,1-Dichloroethylene	0.170	0.267	XXX	0.016	0.025	0.031
trans-1,2-Dichloroethylene	0.224	0.576	XXX	0.021	0.054	0.067
Tetrachloroethylene	0.235	0.598	XXX	0.022	0.056	0.070
Toluene	0.277	0.854	XXX	0.026	0.080	0.100
Trichloroethylene	3.42	7.37	XXX	0.021	0.054	0.067
Vinyl Chloride	18.1	42.5	XXX	0.104	0.268	0.335

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 2.47 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX

The proposed effluent limits for Outfalls 002, 003, 006, 012, and 014 and Outfalls 007, 008, 009, 010, and 013 (Final Limits) are for variable discharges of storm water.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are for variable discharges of untreated storm water. Final limits at Outfall 004 are the same as those proposed for Internal Monitoring Point 101 except for the following change:

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0

The proposed effluent limits for Internal Monitoring Point 108 are for variable flows of hydrostatic test water.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	XXX	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	XXX	XXX	0.25

The proposed effluent limits for Outfall 015 are for variable discharges of groundwater.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX

Effluent limits in effect for Internal Monitoring Point 113 and Outfalls 004, 005, 007—011, 013, 017—021, 104—604, 713, 813, and 114 are not being modified as part of this amendment.

In addition, the permit contains the following major special conditions: requirements applicable to storm water outfalls associated with industrial activities and construction activities, post-construction storm water management, chemical additives, and post-startup effluent analyses. Also, to minimize adverse impacts from impingement and entrainment and comply with Best Technology Available (BTA) requirements for cooling water intake structures under Section 316(b) of the Clean Water Act, the permittee shall: 1) operate a closed cycle recirculating system as defined at 40 CFR 125.92(c); and 2) monitor the actual intake flows at a minimum frequency of daily, including measurements of cooling water withdrawals, make-up water and blow down volume or, alternatively, monitor cycles of concentration at a minimum frequency of daily. The permittee shall submit all monitoring data with the next permit renewal application and shall retain data and other records for any information developed pursuant to Section 316(b) of the Clean Water Act for a minimum of ten years.

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

The EPA Waiver is not in effect.

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

**PA0028266**, Sewage, SIC Code 4952, **Troy Borough**, 49 Elmira Street, Troy, PA 16947-1230. Facility Name: Troy Borough Wastewater Treatment Plant. This existing facility is located in Troy Borough, **Bradford 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, Sugar Creek, is located in State Water Plan watershed 4-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Weekly	Minimum	Average	Weekly	Instant. Maximum
	Monthly	Average		Monthly	Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
(Interim)	XXX	XXX	XXX	0.4	XXX	1.3
(Final)	XXX	XXX	XXX	0.11	XXX	0.37

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	80	125	XXX	25.0	38.0	50
May 1 - Oct 31	43	60	XXX	13.0	19.0	30
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	100	150	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	15	21	XXX	4.5	6.0	9
May 1 - Oct 31	5.0	6.5	XXX	1.5	2.0	3

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)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		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	7,306	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	974	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.

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

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

**WQM Permit No. 3281205-A16**, Industrial, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748-8009.

This existing facility is located in Center Township, **Indiana County**.

Description of Proposed Action/Activity: Installation of conveyance structures to reuse treated industrial wastewater as cooling tower makeup water.

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

**WQM Permit No. 0616405**, Sewerage, **Amity Township**, 2004 Weavertown Road, Douglassville, PA 19518.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Leaf Creek Interceptor.

**WQM Permit No. 0604407, Amendment No. 1**, Sewerage, **Hamburg Municipal Authority**, 61 North 3rd Street, Hamburg, PA 19526.

This proposed facility is located in Hamburg Borough, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the improvements to the Ridge Lawn sewage pump station.

**WQM Permit No. 3602408**, Sewerage, **East Cocalico Township Authority**, 102 Hill Road, Denver, PA 17517.

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

Description of Proposed Action/Activity: Seeking permit approval for upgrades to the Stevens pumping station.

**WQM Permit No. 0614201, Amendment No. 1**, CAFO, **Skyline Acres, Inc.**, 477 Skyline Drive, Bernville, PA 19506.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation/improvements of a HDPE-lined manure storage pond.

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

**WQM Permit No. 6216405**, Sewage, **Suzanne Dado**, 115 Pleasant Hill Road, Harmony, PA 16037.

This proposed facility is located in Conewango Township, **Warren County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510001	Delaware River Waterfront Corporation 121 North Columbus Boulevard Philadelphia, PA 19106	Philadelphia	City of Philadelphia	Delaware River WWF-MF

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030716002	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648	Blair	Hollidaysburg Borough	Beaverdam Branch Juniata River (TSF) EV Wetlands

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

*Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041716001	Frank Marino 5014 Yapple Ave Santa Barbara, CA 93111	Clearfield	Sandy Twp	Beaver Run—CWF

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

*Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061014001(1)	Anthony Gagliardi 120 Dittmer Road, PO Box 8 Herman, PA 16039	Butler	Summit Township	UNT Rough 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.

**NPDES Permit No. PAG126102, CAFO, Beachdale Farms Inc., 126 Bronco Drive, Berlin, PA 15530.**

This proposed facility is located in Brothersvalley Township, **Somerset County**.

Description of size and scope of proposed operation/activity: Beachdale Farms Inc. is an existing steer finishing operation that is proposing to construct a 4,800 head swine finishing barn.

The receiving stream, Unnamed Tributary to Swamp Creek and Unnamed Tributary to Buffalo Creek, is in watershed 19-F and classified for: Cold Water Fishes.

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Michael Burkholder 313 Deka Road Fleetwood, PA 19522 Whispering Pines	Berks	103.8	449.50	Swine	NA	Renewal
Stones Hog Production, LLC John and Bronson Stone 12547 Stage Road McClure, PA 17841	Snyder	415	924.69	Swine	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

**SAFE DRINKING WATER**

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

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

**Permit No. 0916513, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Borough	Bristol
County	<b>Bucks</b>
Responsible Official	Curt R. Steffy Vice President—Production 762 West Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	PWS

Consulting Engineer Mott MacDonald  
The Public Ledger Building  
Suite 1040  
150 South Independence Mall  
West  
Philadelphia, PA 19106

Application Received Date August 10, 2016

Description of Action Addition of chlorine Dioxide as a pre-oxidant at the Bristol Water Treatment Plant.

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

**Application No. 5216502**, Public Water Supply.

Applicant **Moon Valley Falls Homeowners Association**  
P.O. Box 1068  
Milford, PA 18337

Municipality Milford Township

County **Pike**

Responsible Official Mary Murray, President

Type of Facility PWS

Consulting Engineer Matthew J. Sickler, P.E.  
McGoey, Hauser and Edsall  
Consulting Engineers, D.P.C.  
111 Wheatfield Drive  
Suite 1  
Milford, PA 18337

Application Received Date August 8, 2016

Description of Action This application proposes corrosion control treatment for copper utilizing pH adjustment by the addition of soda ash.

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

**Application No. 1716503—Construction**, Public Water Supply.

Applicant **Pike Township Municipal Authority**

Township/Borough Pike Township

County **Clearfield**

Responsible Official F. Michael Smeal, Manager  
Pike Township Municipal Authority  
326 Water Plant Road  
Curwensville, PA 16833

Type of Facility Public Water Supply

Consulting Engineer John P. Mazich, P.E.  
Uni-Tec Consulting Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801

Application Received August 17, 2016

Description of Action Discontinue use of NaOCI for prechlorination at the Bear Run Pump Station to lessen likelihood of DBP formation and use Cl<sub>2</sub> at the plant in its place. Move the injection point for KMnO<sub>4</sub> from the plant out to the Bear Run Pump station to increase time to enhance taste and odor control and lower DBP precursor load on the plant.

**Application No. 1416504—Construction**, Public Water Supply.

Applicant **Rockview SCI**

Township/Borough Benner Township

County **Centre**

Responsible Official John Hayles, CFMM3  
Rockview SCI—PA Dept. of Corrections  
1 Rockview Place  
P.O. Box A  
Bellefonte, PA 16823

Type of Facility Public Water Supply

Consulting Engineer David L. Peck, P.E.  
Uni-Tec Consulting Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801

Application Received August 19, 2016

Description of Action Install water softening units to the raw water supply main from the Benner Spring prior to the water filtration plant as well as on the Bellefonte Interconnection main prior to entry to the distribution system.

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

**Permit No. 0216525**, Public Water Supply.

Applicant **Wilksburg-Penn Joint Water Authority**  
2200 Robinson Boulevard  
Pittsburgh, PA 15221

[Township or Borough] Municipality of Penn Hills

Responsible Official Nick Bianchi, Executive Director  
Wilksburg-Penn Joint Water Authority  
2200 Robinson Boulevard  
Pittsburgh, PA 15221

Type of Facility Water system

Consulting Engineer Chester Engineers  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Application Received Date August 22, 2016

Description of Action Installation of a TTHM removal system at the Mission Crest water storage tank.

<b>Permit No. 3016508</b> , Public Water Supply.	
Applicant	<b>East Dunkard Water Authority</b> PO Box 241 2790 South Eighty Eight Road Dillner, PA 15327
[Township or Borough]	Dunkard Township
Responsible Official	James Holbert, Plant Manager East Dunkard Water Authority PO Box 241 2790 South Eighty Eight Road Dillner, PA 15327
Type of Facility	Water system
Consulting Engineer	Harshman CE Group, LLC 100 Courson Hill Road Washington, PA 15301
Application Received Date	August 10, 2016
Description of Action	Installation of a polyphosphate/orthophosphate blend.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

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

#### Application No. 3103-T1-MA4, Minor Amendment.

Applicant	<b>Pennsylvania American Water Company</b>
Township or Borough	Conewango Township
Responsible Official	David R. Kaufman Pennsylvania American Water Company 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Public Water Supply
Consulting Engineer	Tyson R. Clouser, P.E. Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Application Received Date	August 17, 2016
Description of Action	Construction of a new approximately 0.42 MG water storage tank.

## 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.*

**Bruce Kilhefner Property**, 18089 Upper Ridge Road, James Creek, PA 16657, Hopewell Township, **Huntingdon County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Bruce Kilhefner, 52 East Pine Street, Ephrata, PA 17522, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Daily News* on July 19, 2016.

**Johnson Controls, Inc. East York**, 1499 East Philadelphia Street, York, PA 17403-1232, Spring Garden



Township, **York County**. GZA GeoEnvironmental, Inc., 20900 Swenson Drive, Suite 150, Waukesha, WI 53186, on behalf of Worden-Allen Property, L.P., 300 South Wacker Drive, Suite 500, Chicago, IL 60606, and Johnson Controls, Inc., 507 East Michigan Street, Milwaukee, WI 53202 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents. The site will be remediated to the Site Specific Standard and remain industrial. The Notice of Intent to Remediate was published in the *York Dispatch/York Sunday News and York Daily Record* on August 9, 2016.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection

Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

### PLAN APPROVALS

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

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636.*

**10-368E: MarkWest Liberty Bluestone, LLC** (1515 Arapahoe St., Suite 1600, Denver, CO 80202) for construction of additional sources at their existing Bluestone Gas Processing Plant facility in Jackson Township, **Butler County**. This will be a Title V facility.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5920.*

**46-0093A: Main Line Hospitals Inc./Bryn Mawr Hospital** (130 S Bryn Mawr Ave, Bryn Mawr, PA 19010) for the installation and operation of three emergency only electric generators powered by diesel fuel in Lower Merion Township, **Montgomery County**. The facility is a general medical and surgical hospital and operates under Synthetic Minor Operating Permit No. 46-00093. The emergency generators are subject to the requirements of 40 CFR Part 60, Subpart IIII. The plan approval contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2507.*

**39-00081A: Insulation Corporation of America** (2571 Mitchell Avenue, Allentown, PA 18103) for their facility in the City of Allentown, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Insulation Corporation of America (2571 Mitchell Avenue, Allentown, PA 18103) for their facility in the City of Allentown, Lehigh County. This Plan Approval No. 39-00081A will be

incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 39-00081A is for the installation of one (1) 9,150 pounds/hour polystyrene pre-expander, one (1) 4,103 pounds/hour polystyrene block mold to replace one (1) existing pre-expander and one (1) existing block mold. VOC emissions from the plant will remain under their 50 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. Volatile organic compound (VOC) emissions (pentane) shall be controlled by the existing natural gas fired boiler which also acts as a control device with a minimum destruction/removal efficiency (DRE) of 95%. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 39-00081A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4702.*

**06-05023A: Bimbo Bakeries USA, Inc.** (640 Park Avenue, Reading, PA 19611) for the installation of a refurbished catalytic oxidizer to replace the current Bread Line catalytic oxidizer at the bakery located in Reading City, **Berks County**. The expected bread line emissions are: 20.4 tpy of VOC. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 25 Pa. Code § 123.1, Prohibition of certain fugitive emissions, 25 Pa. Code § 123.2, Fugitive particulate matter, and 25 Pa. Code § 123.31, Limitations. 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 con-

structed 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.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3648.*

**49-00009D: Masonite Corporation—Mohawk Flush Doors, Inc.** (980 Point Township Drive, Northumberland, PA 17857) for the construction of a new automated paint spray line (auto paint line, Source ID P117) and a new manual paint spray booth (spray booth, Source ID P118) at its door manufacturing facility located in Point Township, **Northumberland County**. The Department of Environmental Protection's (Department) review of the information submitted by Masonite Corporation-Mohawk Flush Doors, Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from the proposed sources included in this project will not exceed the following limits: VOCs—29.34 tons; PM<sub>10</sub>—0.26 ton; HAPs—0.07 ton; CO—0.09; NO<sub>x</sub>—0.11; and SO<sub>2</sub> in trace amounts. In addition to the emission limitations, the following is a brief description of the conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the total emissions in any 12 consecutive month period for these emission shall not exceed: volatile organic compounds from Source ID P117—25.23 tons, volatile organic compounds from Source ID P118—4.11 tons, hazardous air pollutants from Source ID P117—0.07 ton, concentration of particulate matter from the exhaust associated with Source ID P117 and P118—0.01 grain per dry standard cubic feet at any time, volatile organic compound content of the coatings used in the auto spray machine and the roll coater of Source ID P117 shall not exceed 0.32 pound and 0.01 pound of volatile organic compounds per pound of coating solids, as mixed for application, respectively, volatile organic compound content of the coatings used in the spray booth of Source ID P118 shall not exceed 0.32 pound of volatile organic compounds per pound of coating solids, as mixed for application, all coating/finishing materials used in Source IDs P117 and P118 shall be applied using high volume low pressure (HVLP) or air-assisted airless spray technology, particulate matter emissions from Source IDs P117 and P118 shall be controlled by paint arrestor/filters (IDs C117 and C118) at any time the Source IDs P117 and P118 is in operation. Additionally, Source IDs P117 and P118 shall be equipped with instrumentation to continuously monitor the differential pressure across the filters.

All conditions contained in State Only Operating Permit 49-00009 remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in State Only Operating Permit 49-00009, the permittee shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in

State Only Operating Permit 49-00009. The facility will remain as a synthetic minor facility. If the Department determines that the sources are modified and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 49-00009D, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to 25 Pa. Code § 127.411. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6328.*

**20-037B: US Bronze Foundry and Machine, Inc.** (18649 Brakeshoe Road, Meadville, PA 16335) The Department intends to issue a plan approval to A US Bronze Foundry and Machine, for the installation and initial operation of: two (2) 2,000 lb. capacity electric induction furnaces, one (1) sand handling system, one (1) Shotblast Wheelabrator, grinding operations, and the reconfiguring of exhausting and air emission control device equipment in Woodcock Township, **Crawford County**. This will remain a natural minor facility not subject to Title V. This plan approval will replace 20-037A.

This application was reviewed to evaluate the project's incorporation of Best Available Technology. Emissions from the sources will be controlled through baghouse filtration. It is estimated that the emission increases related to this project will be less than 5.0 tpy of particulate matter. Emissions of particulate will occur at a rate less than 0.02 gr/dscf.

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Compliance with the emission restrictions of this plan approval will be demonstrated by means of stack testing.

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

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [20-037B: US Bronze Foundry and Machine, Inc.] 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 Christina Nagy, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6411. In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

### OPERATING PERMITS

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2507.*

**48-00016: Lehigh University** (461 Webster Street, Bethlehem, PA 18015-1755) The Department intends to issue a Title V Operating Permit renewal for operation in Bethlehem City, **Northampton County**. The sources consist of six (6) natural-gas fired boilers, miscellaneous diesel and natural gas-fired generators, water heaters, three (3) parts washers, and a gasoline underground storage tank. 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.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5920.*

**46-00172: Gemalto, Inc.** (101 Park Drive, Montgomeryville, PA 18936) located in Montgomeryville, **Montgomery County**. This action is a renewal of the original State Only Operating Permit (Synthetic Minor). There have been no other changes made to the permit since it was issued. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2507.*

**39-00024: GEO Specialty Chemicals, Inc.** (2409 North Cedar Crest Boulevard, Allentown, PA 18104) The Department intends to issue a State-Only Operating Permit renewal for operation of an industrial organic chemicals manufacturing operation in South Whitehall Township, **Lehigh County**. The Operating Permit will include applicable emission limits and work practice standards along with applicable monitoring, recordkeeping and reporting requirements to ensure the facility complies with the air quality regulations.

**40-00127: Acton Technologies, Inc.**, (100 Thompson Street, Pittston, PA 18640-1437) The Department intends to issue a State Only operating permit for a plastic film and sheet manufacturing facility located in Jenkins Township, **Luzerne County**. The facility's main sources of emissions include; wet etch film department, parts etching department, acron process area, fluoroetch production department, and film processing line # 4. Emissions from all sources at the facility are controlled by a regenerative thermal oxidizer. The facility reports potential emissions of 1.43 ton per year (mixed VOC-HAPs) and 76 tons per

year ( $\text{NO}_x$  from  $\text{NH}_3$ ). The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, record keeping and reporting conditions regarding compliance with all applicable requirements are also included.

**54-00087: D.G. Yuengling & Sons, Inc.** (310 Mill Creek, Pottsville, PA 17901) The Department intends to issue a State-Only Operating Permit for operation of a brewery operation in Pottsville City, **Schuylkill County**. The sources include three (3) boilers, material transfer, brewing, and finishing processes. The Operating Permit will include applicable emission limits and work practice standards along with applicable monitoring, recordkeeping and reporting requirements to ensure the facility complies with the air quality regulations.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4702.*

**06-03128: Royal Green, LLC** (P.O. Box 9, Temple, PA 19560) to issue a State Only Operating Permit for their ferrous metal shredding operation in Ontelaunee Township, **Berks County**. The actual emissions from the facility in 2015 year are estimated at three tons of particulate matter. 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 25 Pa. Code § 129.63.

**36-05163: Clark Filter** (3649 Hempland Road, Lancaster, PA 17601) to issue a State Only Operating Permit for the facility's diesel locomotive filter manufacturing plant located in West Hempfield Township, **Lancaster County**. The actual emissions for the year 2015 were 0.12 tpy of  $\text{PM}_{10}$ , 0.01 tpy of  $\text{SO}_x$ , 1.70 tpy of  $\text{NO}_x$ , 1.42 tpy of CO, 0.71 tpy of VOCs, and 0.55 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with all the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**01-05017: QG Printing II Corp.** (100 North Miller Street, Fairfield, PA 17320) to issue a State Only Operating Permit for the printing facility located in Fairfield Borough, **Adams County**. The actual emissions from the facility in 2015 year are estimated at 10.73 tons of VOCs, 1.02 ton of combined HAPs, 2.15 tons of  $\text{NO}_x$ , 1.81 ton of CO and less than one ton each of  $\text{PM}_{10}/\text{PM}_{2.5}$  and  $\text{SO}_x$ . The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; 25 Pa. Code § 129.67b—Control of VOC emissions from offset lithographic printing presses and letterpress printing presses; 25 Pa. Code § 129.77—Control of emissions from the use or application of adhesives, sealants, primers and solvents and 25 Pa. Code § 129.63—Degreasing operations.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4336.*

**OP-56-00149: Somerset Area School District** (645 S Columbia Ave, Somerset, PA 15501-2513), 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 renewal for a non-Title V, State Only, Synthetic Minor Operating Permit (SOOP-56-00149) for their Maple Ridge and Eagle View Elementary Schools located in Somerset Borough, **Somerset County**.

The facility's air contamination sources consist of four tri-fuel boilers; two (2) 4.3 MMBtu/hr tri-fuel boilers at each school. Maple Ridge Elementary School has a 35 kW natural gas-fired emergency generator and Eagle View Elementary School has a 55 kW natural gas-fired emergency generator. Emissions from Maple Ridge Elementary School tri-fuel boilers are controlled via Breslove Separators and emissions from Eagle View Elementary School tri-fuel boilers are controlled via Centrifugal Separators. Potential emissions from the adjacent facilities are based on a limit of burning 2,150 tons of coal per consecutive 12-month period and are estimated to be 99.4 tons  $\text{SO}_x$ , 11.8 tons CO, 10.2 tons  $\text{NO}_x$ , 1.3 ton VOCs, and 16.1 tons particulate matter (PM). Actual emissions from the facility are much lower.

This facility is subject to the applicable requirements of Pa. Code 25 Chapters 121—145. The proposed SOOP renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Somerset Area School District Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality permit for this project 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 State Only Operating Permit renewal 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 State Only Operating Permit for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 56-00149) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The

applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 (jparihar@pa.gov, fax 412.442.4194).

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

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

**10-00312: Purvis Brothers Incorporated** (321 Mars Valencia Road, Mars, PA 16046-0957) for a renewal synthetic minor permit to operate a wholesale trading of petroleum bulk stations and terminals facility. The facility is located in Adams Township, **Butler County**. The facility's emitting sources included a comfort heating furnace, space heaters, storage tanks for gasoline, kerosene, diesel, and Stoddard solvent, loading racks, and fugitive emissions. The facility has taken the restriction of Volatile Organic Compound (VOC) emissions of 49.9 Tons per year and maintains the Synthetic Minor status. The facility is subject to 40 CFR 63 Subpart BBBBBB (6B)—pertaining to NESHAPs for the Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. All applicable conditions for the bulk gasoline plant are included in the site level of the permit. The actual emissions from the facility in 2015 were: Particulate Matter less than 2.5 Micron (PM<sub>2.5</sub>) 0.0008 Ton per year (TPY); Particulate Matter less than 10 micron (PM<sub>10</sub>) 0.0032 TPY; Oxides of Nitrogen (NO<sub>x</sub>) 0.0236 TPY; Carbon Monoxide (CO) 0.0066 TPY; and Volatile Organic Compound (VOC) 16.8419 TPY.

**37-00234: Praxair, Incorporated/Praxair Surface Technologies, Incorporated New Castle Plant** (3225 Honeybee Lane, New Castle, PA 16510-6502), for intent to issue a Natural Minor Operating Permit to operate a metal coating operation located in Wilmington Township, **Lawrence County**. The facility has thermal and laser spray booths, grit blasting booths, finishing and machining operations, laser welding, and laser finishing. Each of these sources is controlled by a dust collector. The facility has a mop water and condenser system that is controlled by a built in mist eliminator. The facility has an emergency diesel fire pump engine (64HP) that is subject to the requirements of 40 CFR 60 Subpart IIII pertaining to Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility is subject to the requirements of 40 CFR 63 Subpart WWWWWW pertaining to the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations. The facility also has miscellaneous natural gas usage and a parts washer. The permit contains the requirements of plan approvals 37-318-003A and 37-234B, emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The potential emissions from the facility are: 5.6 TPY NO<sub>x</sub>, 2.3 TPY CO, 6.3 TPY PM<sub>10</sub>, 0.6 TPY SO<sub>x</sub>, 0.3 TPY VOC, and 0.14 TPY combined HAPs (cobalt, chrome, manganese, and nickel).

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

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

**30841601. Consol Mining Company LLC**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Robena Preparation Plant in Monongahela Township, **Greene County**. No discharges. The application was considered administratively complete on August 16, 2016. Application received March 4, 2016.

**32733709 and NPDES No. PA0214159. Robindale Energy Services, Inc.**, (224 Grange Hall Road, PO Box 228, Armagh, PA 15920). To renew the permit for the

Dilltown Facility in Brush Valley Township, **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on August 16, 2016. Application received March 2, 2016.

**30743705 and NPDES No. PA0214752. Dana Mining Company of PA, LLC**, (103 Corporate Drive, Suite 102, Morgantown, WV 26501). To renew the permit for the Mundell Hollow Refuse Disposal Area in Dunkard Township, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on August 17, 2016. Application received April 25, 2016.

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

**Permit No. 56900109 and NPDES No. PA0598887. PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Quemahoning and Somerset Townships, **Somerset County**, affecting 48.2 acres. Receiving stream: Wells Creek classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received: August 5, 2016.

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

**04100101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface and auger mine in North Sewickley Township, **Beaver County**, affecting 102.2 acres. Receiving streams: Thompson Run and unnamed tributary to Beaver River, both classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is the Beaver Falls Municipal Authority. This renewal is for reclamation only. Application received: August 15, 2016.

**16060107. Ancient Sun, Inc.** (P.O. Box 129, Shippenville, PA 16254) Renewal of an existing bituminous

surface mine in Ashland Township, **Clarion County**, affecting 62.0 acres. Receiving streams: One unnamed tributary to Little East Sandy Creek and Little East Sandy Creek, classified for the following uses: CWF; and one unnamed tributary to Canoe Creek, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 15, 2016.

**33110102. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Union Township & Corsica Borough, **Jefferson County**, affecting 33.5 acres. Receiving streams: Unnamed tributary to Welch Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 16, 2016.

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

**Permit No. 54080102C3. Keystone Anthracite Co., Inc.**, (259 N. 2nd Street, Girardville, PA 17935), correction to an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation to mine within 100 feet of several existing isolated wetlands in West Mahanoy Township, **Schuylkill County** affecting 784.0 acres, receiving streams: Mahanoy Creek and Shenandoah Creek, classified for the following uses: warm water and migratory fishes and cold water and migratory fishes. Application received: August 10, 2016.

**Permit No. 54120901R. Keystone Quarry, Inc.**, (249 Dunham Drive, Dunmore, PA 18512), renewal of an existing anthracite incidental coal extraction operation associated with the CES Landfill in Foster, Reilly and Frailey Townships, **Schuylkill County** affecting 139.0 acres, receiving stream: Swatara Creek, classified for the following use: cold water fishes. Application received: August 18, 2016.

*Noncoal Applications Received*

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

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**Permit No. 66100301C and NPDES No. PA0224839. Meshoppen Stone, Inc.**, (PO Box 127, Meshoppen, PA 18630), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Meshoppen Township, **Wyoming County** affecting 220.2 acres, receiving stream: unnamed tributaries to Meshoppen Creek, classified for the following uses: cold water fishes and migratory Fishes. Application received: August 12, 2016.

**Permit No. 64162801 and NPDES Permit No. PA0225428. Joshua Smith**, (23 Forester Boulevard, Hancock, NY 13783), commencement, operation and restoration of a bluestone quarry operation and NPDES permit for discharge of treated mine drainage in Scott Township, **Wayne County** affecting 4.0 acres, receiving stream: Balls Creek & Delaware River, classified for the following use: HQ—cold water fishes, migratory fishes and cold water fishes and migratory fishes. Application received: August 8, 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. PA0263117 (Mining Permit No. 56100107), Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, renewal of an NPDES permit for a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 161.8 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek, classified for the following use: cold water fishes. This receiving stream is included in the Buffalo Creek TMDL. Application received: June 9, 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 treated waste water outfall(s) listed below discharge to unnamed tributaries to/and Buffalo Creek:

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

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

<i>Outfalls: 001, 002, 003, 010, 011</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	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 outfall(s) listed below discharge to unnamed tributaries to/and Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005	N
006	N
007	N
009	N
012	N
013	N
014	N
015	N

<i>Outfalls: (Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	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			

<i>Outfalls: (<math>\geq</math>10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
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. PA0258806 (Permit No. 24090102), Tamburlin Brothers Coal Company, Inc.** (P.O. Box 1419, Clearfield, PA 16830) Renewal of an existing NPDES permit for a bituminous surface mine in Fox Township, **Elk County**, affecting 145.0 acres. Receiving streams: Unnamed tributaries to Limestone Run, unnamed tributary to Little Toby Creek, and unnamed tributary to Sawmill Run, all classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: June 27, 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 unnamed tributary to Little Toby Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
F	N
H	N
J	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
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.

The outfall(s) listed below discharge to unnamed tributaries to Limestone Run, unnamed tributary to Little Toby Creek, and unnamed tributary to Sawmill Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	N
B	N
C	N
D	N
E	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

The outfall(s) listed below discharge to unnamed tributary to Limestone Run:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	5.0	6.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Dissolved Solids (mg/l)		35	70	90

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

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

**NPDES PA 0256315 (Mining permit no. 59060101), Phoenix Resources, Inc.**, 782 Antrim Road, Wellsboro, PA 16901, renewal of an NPDES permit for coal mining in Duncan Township, **Tioga County**, affecting 80.9 acres. Receiving stream(s): Rock Run to Babb Creek, classified for the following use(s): CWF. Application received: March 28, 2016.

The outfall(s) listed below discharge to: Rock Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF-1	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum (mg/l)		2.0	3.0	3.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

**NPDES No. PA0259551 (Permit No. 37140301). Amerikohl Aggregates, Inc.** (202 Sunset Drive, Butler, PA 16001) Revision to an existing NPDES permit for a large industrial minerals surface mine in Wayne Township, **Lawrence County**, affecting 195.5 acres. Receiving streams: Unnamed tributary to Squaw Run and Squaw Run, unnamed tributaries to Connoquenessing Creek and Connoquenessing Creek, both classified for the following uses: WWF. TMDL: Duck Run (Squaw Run). Application received: June 29, 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.

The outfall(s) listed below discharge to unnamed tributaries to Connoquenessing Creek and Connoquenessing Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
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.

The outfall(s) listed below discharge to unnamed tributaries to Connoquenessing Creek and Connoquenessing Creek, unnamed tributary to Squaw Run and Squaw Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
006	N
010	N
011	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)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

The outfall(s) listed below discharge to Squaw Run:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
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.

**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.*

**E36-960: Plenary Walsh Keystone Partners**, Salisbury Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain a 105 foot long, 36.5 foot wide concrete box beam bridge having an under clearance of 8.45 feet over Pequea Creek (HQ-CWF, MF) (Latitude 40°01'44", Longitude -75°58'01") for the purpose of improving safety standards. No wetlands will be impacted by the activity.

tude -75°58'01") for the purpose of improving safety standards. No wetlands will be impacted by the activity.

**E36-948: Norfolk Southern Railway**, 1200 Peachtree Street, NE, Box 142, Atlanta, GA in Eden Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) re-grade and maintain approximately 107 linear feet of an unnamed tributary to Bowery Run (HQ-CWF); and 2.) install and maintain 126 linear feet of a grate-top concrete trench/channel in an unnamed tributary to Bowery Run (HQ-CWF) for the purpose of reducing the frequency of flooding along Pumping Station Road. The project is located along Pumping Station Road (SR 2015) approximately 1,800 feet south of its intersection with Valley Road (Gap, PA Quadrangle; Latitude: 39°54'09", Longitude: -76°07'26") in Eden Township, Lancaster County. No wetland impacts are proposed.

**E67-921 PA Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Codorus Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to (1) install and maintain a 55 linear foot x 33 foot 4.5 inch bridge with R-8 and R-4 scour protection in Pierceville Run (WWF, MF) and (2) relocate 73 linear feet of UNT Pierceville Run (WWF, MF) along SR 0216 in Codorus Township, York County (Latitude: 39° 45' 57"; Longitude: -76° 46' 24.8"), for the purpose of improving transportation safety and roadway standards. The project prosed to permanently impact 148 feet of stream channel and 0.01 acre of EV PEM Wetlands. The project temporarily impacts 29 linear feet of stream channel. The amount of wetland impact is considered a de minimus impact of 0.01 acre and wetland mitigation is not required.

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

**EA17-016. Allegheny Mountain Chapter of Trout Unlimited Abandoned Mine Drainage Treatment Project**, Morgan Road, Clearfield, PA 16830. Hartshorn Run 05 Discharge, Hartshorn Run watershed, Pike Township, **Clearfield County**, ACOE Baltimore District (Curwensville Quadrangle; Latitude 40° 59' 52" N; Longitude 78° 31' 25" W).

The Allegheny Mountain Chapter of Trout Unlimited is proposing to construct a passive treatment system that will capture and treat acidic Abandoned Mine Drainage (AMD) from the Hartshorn Run 05 discharge along an unnamed tributary to Hartshorn Run. The project will include creating a sediment forebay, three constructed wetlands, one limestone cell, one collection channel, two level spreaders, and associated piping and conveyance structures. Unavoidable wetland impacts totaling 0.045 are anticipated to install the collection channel and there will be no stream impacts. The system will be designed to treat up to 20 gallons per minute.

<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Permanent Impact</i>
AMD Interceptor Trench	40° 59' 51.6" N	78° 31' 25.4" W	Wetland	0.012 ac.
AMD Interceptor Trench	40° 59' 51.4" N	78° 31' 25.1" W	Wetland	0.017 ac.
AMD Interceptor Trench	40° 59' 50.9" N	78° 31' 24.8" W	Wetland	0.016 ac.

Mitigation for these impacts is downstream water quality improvement in the unnamed tributary to Hartshorn Run. Under current conditions, there is very limited aquatic life in the stream and wetlands due to the AMD.

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

**E25-780, Jon Gerbracht**, 206 Forest Drive, Erie, PA 16505. Forest Park Pathway Restoration Project, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42°, 6', 16.5"; W: -80°, 10', 1.2").

Applicant proposes to construct and maintain an approximately 5 foot wide by 600 foot long walkway that parallels and crosses a tributary to Lake Erie within a ravine located between Clifton Drive and the Lake Erie shoreline. The project includes the following activities:

1. To construct and maintain a timber wall approximately 4 foot high by 110 foot long;
2. To construct and maintain approximately 100 foot of rip rap scour protection along the base of timber retaining wall;
3. To permanently fill a total of 0.02 acre of two PEM wetland areas for the construction of the 5 foot wide walkway;
4. To construct and maintain a 48 inch diameter by 155 foot long culvert enclosure of the tributary. The enclosure includes two drop structures to accommodate the 24 foot drop in elevation along the length of the culvert;
5. To construct and maintain a rip rap energy dissipater approximately 6 foot wide by 50 foot long located at the outlet of the culvert;
6. To construct and maintain a 4 foot high by 2 foot wide by 60 foot long concrete block wall located between the constructed walkway and rip rap energy dissipater; and
7. To construct and maintain a rip rap armored channel approximately 6 foot wide by 50 foot long between the end of the energy dissipater and shoreline of Lake Erie.

No mitigation is required for the proposed wetland impacts as the impacts are less than de minimus.

**E25-782, Barrel-O-Fun, East, LLC**, 817 State Route 97, Waterford, PA 16117. Industrial Wastewater Treatment Facility, Pipeline, and Outfall to French Creek, in LeBoeuf and Waterford Townships, **Erie County**, ACOE Pittsburgh District (Waterford, PA Quadrangle N: 41°, 55', 45"; W: 79°, 56', 23.2").

To conduct the following activities associated with construction of an industrial wastewater treatment facility at the existing Barrel-O-Fun site on SR 97 in Waterford Township, Erie County:

- 1) Install 7,700 LF of 8 inch diameter pipeline to convey treated wastewater south from the Barrel-O-Fun facility to French Creek, including an 871 LF wetland crossing to be installed by horizontal directional drill.
- 2) Install an outfall structure within the floodway but above the ordinary high water mark of French Creek.

**E37-200, Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033. Ellwood Raw Water Facilities and Finished Water Transmission Mains Project, **Lawrence County**, ACOE Pittsburgh District (Beaver Falls, PA Quadrangle N: 40°, 51', 20"; W: 80°, 19', 23").

To conduct the following activities associated with construction of the new Ellwood WTP & Raw Water Pumping Station (Beaver Falls, PA Quadrangle N: 40°, 51', 20"; W: 80°, 19', 23") in Wayne Township, New Beaver Borough, and Ellwood City, Lawrence County.

- Installation of a 16 million gallon per day (mgd) intake along the right (west) bank of the Beaver River and extending approximately 60' from the shoreline just upstream of the confluence with Connoquenessing Creek, permanently impacting 170 ft<sup>2</sup> of stream channel. (N: 40°, 51', 18.868"; W: 80°, 19', 4.380")
- Installation of a wastewater outfall on the Beaver River just downstream the 16 mgd intake permanently impacting 200 ft<sup>2</sup> of floodway. (N: 40°, 51', 18.007"; W: 80°, 18', 58.963")
- Installation of a 16 mgd intake along the right (north) bank of Connoquenessing Creek and extending approximately 60' from the shoreline approximately 1,000' upstream of the mouth, permanently impacting 353 ft<sup>2</sup> of stream channel. (N: 40°, 51', 14.517"; W: 80°, 19', 9.125")
- Installation of one (1)—24" finished water and two (2)—24" raw water pipelines encased together and crossing the Beaver River approximately 200' upstream of Connoquenessing Creek. (N: 40°, 51', 17.793"; W: 80°, 19', 18.161")
- Installation of a 16" finished water pipeline extending from the proposed WTP north and west along Industrial Drive and south along SR 18 to the intersection of Wilson Drive, including a crossing of a tributary to the Beaver River above an existing culvert (N: 40°, 51', 25.98"; W: 80°, 19', 46.42").
- Installation of a 24" finished water pipeline extending northeast from the transition chamber at the Connoquenessing Creek intake (N: 40°, 51', 15.16"; W: 80°, 19', 08.90") to the intersection of SR 288 and Gregg Street in Ellwood City, including crossings of 2 tributaries to Connoquenessing Creek above existing culverts (N: 40°, 51', 46.64"; W: 80°, 18', 5.41" & N: 40°, 51', 48.84"; W: 80°, 17', 40.83")

Project includes the following temporary impacts associated with Beaver River & Connoquenessing Creek construction activities:

- Temporary stream impact of approximately 0.4 acre to the Beaver River associated with installation of the encased finished/raw water pipelines, raw water intake, and construction access (causeway).
- Temporary stream impact of approximately 0.08 acre to the north side of Connoquenessing Creek associated with installation of the water intake facility.
- Temporary floodway impact of 0.37 ac to the west side of the Beaver River and 0.77 acre to the east side of the Beaver River and the north side of Connoquenessing Creek associated with installation of raw and finished water pipelines, raw water intakes, and transition chambers.

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

**E5829-112: Brooklyn and Bridgewater Townships**, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Brooklyn and Bridgewater Townships, **Susquehanna County**, ACOE Baltimore District.

To operate and maintain:

1) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 1,592 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 47' 34", Longitude: -75° 51' 32"),

2) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 1,243 square feet (0.03 acre) of a palustrine forested wetlands (PFO) (Montrose East, PA Quadrangle; Latitude: 41° 47' 36", Longitude: -75° 51' 30"),

3) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 1,909 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 47' 36", Longitude: -75° 51' 28"),

4) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 51 lineal feet (884 sq. ft.) of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 47' 36", Longitude: -75° 51' 28"),

5) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 52 lineal feet (189 sq. ft.) of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 47' 28", Longitude: -75° 51' 15"),

6) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 52 lineal feet (339 sq. ft.) of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 47' 30", Longitude: -75° 50' 43"),

7) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 690 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 47' 31", Longitude: -75° 50' 43"),

8) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 521 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 47' 47", Longitude: -75° 50' 42"),

9) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 50 lineal feet (500

sq. ft.) of an unnamed tributary to Meshoppen Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 47' 49", Longitude: -75° 50' 29"),

10) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 24,657 square feet (0.57 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 47' 53", Longitude: -75° 50' 20"),

11) a 16 inch diameter steel natural gas pipeline and temporary access crossing impacting 59 lineal feet (608 sq. ft.) of Meshoppen Creek (CWF-MF) (Montrose East, PA Quadrangle; Latitude: 41° 47' 53", Longitude: -75° 50' 21").

The project consists of constructing approximately 2.9 miles of 16" steel natural gas gathering line located in Brooklyn and Bridgewater Townships, Susquehanna County. The project will result in 264 lineal feet of temporary stream impacts, 29,369 square feet (0.67 acre) of temporary wetlands impacts, and 1,243 square feet (0.03 acre) of permanent wetlands 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 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**D35-021EA. Mr. David Kaufman, Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, Roaring Brook Township, City of Scranton, **Lackawanna County**, USACOE Baltimore District.

Project proposes to rehabilitate Lake Scranton Dam to comply with dam safety regulations. Modifications will address deficiencies at the dam by increasing capacity through the primary spillway, closure of the auxiliary spillway to prevent erosion, and repointing the masonry dam to reduce seepage. The project will impact a de minimus area of wetland (PEM) of approximately 0.02 acre. The dam is located across Stafford Meadow Brook (HQ-CWF, MF) (Scranton, PA Quadrangle: Latitude: 41.3810, Longitude: -75.6376).

**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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0052949 (Industrial)	Milford Well Station WFP 762 W. Lancaster Avenue Bryn Mawr, PA 19010	Chester County Upper Uwchlan Township	Unnamed Tributary to Marsh Creek (3-H)	N
PA0058866 (Industrial)	Bloomer Chocolate Company 1101 Bloomer Drive East Greenville, PA 18041-0045	Montgomery County Upper Hanover Township	Unnamed Tributary to Perkiomen Creek (3-E)	Y
PA0050733 (Sewage)	Lincoln University 1570 Baltimore Pike Lincoln University, PA 19352	Chester County Lower Oxford Township	McDonald Run (7-K)	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0061697 (Industrial)	John B Rich Memorial Power Station (Ri-Corp Development Inc.) 81 Eleanor Avenue Gilbertown Power Co Frackville, PA 17931	Schuylkill County West Mahanoy Township	Mahanoy Creek (6-B)	No
PA0061450 (Sewage)	Elmhurst Township Wastewater Treatment Plant 112 Municipal Lane Elmhurst Twp, PA 18444-8548	Lackawanna County Elmhurst Township	Roaring Brook (5-A)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0024708—SEW	Municipal Authority of the Township of Union PO Box 5625 Belleville, PA 17004-5625	Mifflin County/ Union Township	Kishacoquillas Creek/ 12-A	Y
PA0084506—SEW	Starlite Camping Resort 1500 Furnace Hill Road Stevens, PA 17578	Lancaster County/ Clay Township	Middle Creek/7-J	Y
PA0247642—SEW	Clay Manor Homeowners 11 E. Manor Drive Lititz, PA 17543	Lancaster County/ Elizabeth Township	Middle Creek/7-J	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0020834—SEW	Greencastle Borough Authority 60 N Washington St Greencastle, PA 17225	Franklin County/ Greencastle Borough	UNT Conocheague Creek/13-C	Y
PA0025399—SEW	Christiana Borough 10 West Slokom Avenue Christiana, PA 17509	Chester County/ West Sadsbury Township	East Branch Octoraro Creek/7-K	Y
PA0084247—SEW	Nexans, Inc. (Berk-Tek Inc.) 132 White Oak Road New Holland, PA 17557-8303	Lancaster County/Earl Township	UNT Conestoga River/ 7-J	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS804806 (Storm Water)	Davidson Brothers, Inc. 450 Runville Road Bellefonte, PA 16823-4715	Centre County Boggs Township	Wallace Run (9-C)	Yes
PA0209368 (Sewage)	Benton Foundry 5297 State Route 487 Benton, PA 17814-7641	Columbia County Sugarloaf Township	Coles Creek and Unnamed Tributary to Coles Creek (5-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>
PA0238619 (Sewage)	Chestnut Grove Homeowners Association 100 Ridgemont Drive Butler, PA 16001-8386	Butler County Franklin Township	Mulligan Run (20-C)	Yes

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

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

**NPDES Permit No. PA0219134**, Industrial, SIC Code 4911, **Allegheny Energy Supply Co., LLC**, Units 1—5 and Springdale, 800 Cabin Hill Drive, Greensburg, PA 15601-1689.

This existing facility is located in Springdale Township, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater. Permit combines facilities previously permitted under PA0218383 (Units 1 & 2) and PA0002925 (Springdale) into PA0219134 (Units 3—5).

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

**NPDES Permit No. PA0275808**, Storm Water, SIC Code 3728, **J.A. Reinhardt Co. Inc.**, 3319 Spruce Cabin Road, Mountainhome, PA 18342.

This proposed facility is located in Barrett Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

**NPDES Permit No. PA0082589**, Sewage, **PA American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055.

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

Description of Proposed Action/Activity: Authorization to discharge to Watershed 7-E from Fairview Township South Plant.

## 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. 0993408**, Sewage, Renewal, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit approval for continued operation at the Peddlers View Sewage Treatment Plant with land applied via spray irrigation.

**WQM Permit No. 0903416**, Sewage, Amendment, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Upgrade Regency Manor Pump Station capacity average daily flow to 65,800 gpd.

**WQM Permit No. WQG010054**, Sewage, **Charles L. Stinedurf**, 905 Oakbourne Road, West Chester, PA 19382.

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

Description of Action/Activity: Construction and operation of a single residence sewage treatment plant.

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

**WQM Permit No. 3616201**, CAFO, **Kenton L. Sweigart**, 620 Greider Road, Mount Joy, PA 17552-8911.

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

Description of Proposed Action/Activity: Permit approval for the construction/operation of a manure storage facility consisting of 3 separate tanks.

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

**WQM Permit No. 1914201 A-1**, Industrial, SIC Code 4941, **Suez Water Pennsylvania**, 100 Irondale Road, Bloomsburg, PA 17815-8501.

This existing facility is located in Town of Bloomsburg, **Columbia County**.

Description of Proposed Action/Activity: Repurposing of the existing sedimentation basin into a wastewater clarifier.

**WQM Permit No. 1416403**, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8401.

This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: Suburban Avenue Backlot Sewer Replacement and Relocation Project.

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

**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 possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. WQG02421601**, Sewage, **Norwich Township Mckean County**, 3853 W Valley Road, Smethport, PA 16749-3153.

This proposed facility is located in Norwich Township, **McKean County**.

Description of Proposed Action/Activity: Sewer extension and pump station to serve area in and around the Village of Betula.

**WQM Permit No. WQG01251604**, Sewage, **John Hanisek**, 7241 McCray Road, Fairview, PA 16415.

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

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

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

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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>
PAI014613010(2)	Matrix CBH, L.P. Forsgate Drive CN 4000 Cranbury, NJ 08512	Montgomery	Cheltenham Township	Rock Creek (Tributary to Tacony Creek/ Pennypack Creek) TSF-MF
PAI010916005	Environmental Consulting, Inc. 2002 Renaissance Boulevard King of Prussia, PA 19406	Bucks	Chalfont Borough	West Branch Neshaminy Creek WWF-MF



*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>
PAI023916011	Lehigh No 1, LLC c/o Mr. Greg Solomoni 343 Springfield Way Easton, PA 18045	Lehigh	City of Bethlehem	Monocacy 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>
City of Philadelphia Philadelphia County	PAG0201511608	Temple University 1009 West Montgomery Avenue Philadelphia, PA 19122	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511604	BPGS Construction, LLC 322 A Street, Suite 300 Wilmington, DE 19801	Delaware Direct CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
		Stantec Consulting Services, Inc. 1500 Spring Garden Street Suite 1100 Philadelphia, PA 19130		

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Scranton Lackawanna County	PAG02003516007	PPL Electric Utilities Corporation Two North Ninth Street Allentown, PA 18101	UNT to Keyser Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Nicholson Township Wyoming County	PAG02006616001	The Bridge for Housing Opportunities 133 S.J. Bailey Road Nicholson, PA 18446	Martins Creek (CWF, MF)	Wyoming County Conservation District 570-836-2589

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

*Facility Location & Municipality*

<i>Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Benner Twp, Centre Cnty	PAG02001414012	Mike Sullivan 301 Rolling Ridge Drive Bellefonte, PA 16823	UNT to Logan Branch CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

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

*Facility Location and Municipality*

<i>Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Harrison Township	PAG02000215112-1	#1 Cochran Automotive 4520 William Penn Highway Monroeville, PA 15146	UNT to Little Bull Creek (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Cambria Township	PAG02001116012	REA Energy Cooperative, Inc. 75 Airport Road Indiana, PA 15701	UNT to Howells Run (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
Union Township	PAG02006315027(1)	W. G. Tomko 2559 Route 88 Finleyville, PA 15332	UNT to Peters Creek (TSF); Froman Run (TSF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098
North Strabane Township	PAG02006316005	Veterinary Enterprises, LP LP-807 Camp Horne Road Pittsburgh, PA 15237	UNT to Chartiers Creek (WWF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098
Independence Township	PAG02006316007	Independence Township 34 Campbell Street P.O. Box E Avella, PA 15313	UNT to Cross Creek (WWF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098
Cecil Township	PAG02006316010	Columbia Gas of PA 2021 West State Street New Castle, PA 16101	UNT to Chartiers Creek (WWF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
South Franklin Township	PAG02006316015	PennTex Ventures, LLC 1563 Woodward Drive Extension Greensburg, PA 15601	Chartiers Creek (WWF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098
Cecil Township	PAG02006316016	Windsor Woods, LLC 772 Pine Valley Drive Pittsburgh, PA 15239	UNT to Millers Run (WWF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098

*General Permit Type—PAG-3*

<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>
Forward and Connoquenessing Townships Butler County	PAG02001016016	Leslie Farms LP 11279 Perry Hwy Suite 509 Wexford, PA 15090	UNT Connoquenessing Creek WWF	Butler County Conservation District 724-284-5270
Middlesex Township Butler County	PAG02001016020	Mars Area School District c/o Dr. Wes Shipley 545 Route 228 Mars, PA 16046-3123	UNT Glade Run WWF	Butler County Conservation District 724-284-5270
City of St. Mary's Elk County	PAG02002416003	St. Marys Lumber Company 913 Windfall Road PO Box 168 St. Marys, PA 15857	Hellfire Run CWF	Elk County Conservation District 814-776-5373
Millcreek Township Erie County	PAG02002516016	Millcreek Township School District 3740 West 26th Street Erie, PA 16506	Lake Erie CWF	Erie County Conservation District 814-825-6403
Winslow Township Jefferson County	PAG02003316005	Dennis Day 2406 Wayne Road Reynoldsville, PA 15851	Fehley Run CWF	Jefferson County Conservation District 814-849-7463
City of New Castle Lawrence County	PAG02003716002	Sweet Water Developers LLC PO Box 296 Portersville, PA 16051	Shenango River WWF	Lawrence County Conservation District 724-652-4512
City of Hermitage Mercer County	PAG02004316010	Community Hope Investment Partnership (CHIP) 1479 North Hermitage Rd Hermitage, PA 16148	Bobby Run WWF	Mercer County Conservation District 724-662-2242
<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>
Bristol Township Bucks County	PAR800072	Federal Express Corp 3620 Hacks Cross Rd Building B 2nd Floor Memphis, TN 38125	Unnamed Tributary to Neshimany Creek 2-F	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Confluence Borough Somerset County	PAR806278	Luther P Miller Inc. PO Box 714 641 S Edgewood Avenue Somerset, PA 15501	Casselman River and Unnamed Tributary to Casselman River—19-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
New Sewickley Township Beaver County	PAR116133	Mitsubishi Electric Power Products, Inc. 530 Keystone Drive Warrendale, PA 15086-7537	North Fork Big Sewickley Creek— 20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Dunkard Township Greene County	PAR606185	Jordan Auto Parts Inc. 217 Moffit Road Dilliner, PA 15327	Unnamed Tributary to Monongahela River—19-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-4*

<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>
Westtown Township Chester County	PAG040208	Charles L. Stinedurf 905 Oakbourne Road West Chester, PA 19382	Unnamed Tributary of Chester Creek	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Fairview Township Erie County	PAG041208	John Hanisek 7241 McCray Road Fairview, PA 16415	Unnamed Tributary to Trout Run—15-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-8 NOI*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Cumbola, Schuylkill County	PAG082223	Schuylkill Valley Sewer Authority PO Box 53 Cumbola, PA 17930	Schuylkill Valley Wastewater Treatment Plant 316 Ridge Rd Cumbola, PA 17930	PA DEP NERO 2 Public Square Wilkes-Barre, PA 18701-1915 (570) 826-2511

*General Permit Type—PAG-10*

<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>
Bridgewater Township Susquehanna County	PAG102341	Williams Field Services Co., LLC Park Place Corporate Center 2 2000 Commerce Drive Pittsburgh, PA 15275-1026	Unnamed Tributary of Snake Creek—4-E CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County/ Manor Township	PAG123687	Hidden Springs Farm, LLC 2916 Safe Harbor Road Millersville, PA 17551	Indian Run/WWF & MF	DEP—SCRO—CW 909 Elmerton Ave Harrisburg, PA 17110 717-705-4707

<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>
Granville Township Bradford County	PAG124854	Makin Bacon LLC 650 Beers Road Granville Summit, PA 16926-9354	Unnamed Tributary to Towanda Creek—4-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

**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 # 1516510** issued to: **Chester Water Authority**, 415 Welsh Street, Chester, PA 19013, [(PWSID)] New Garden Township, **Chester County** on August 18, 2016 for the operation for installation of Three (3) 500 gpm Booster Pumps, Removal of Three (3) Existing 250—350 gpm Booster Pumps, and Use of Temporary Diesel Pumps During Construction.

**Operations Permit # 1516512** issued to: **MISA Corporation**, Appleville Mobile Home Park, 3982 West Lincoln Highway, Parkesburg, PA 19365, [(PWSID)] Borough

of West Chester, **Chester County** on August 18, 2016 for operation to abandonment of the Stayman 3 Well (Source ID 004).

**Permit No. 0916508, Minor Amendment.** Public Water Supply.

Applicant	<b>Borough of Quakertown</b> 35 North 3rd Street Quakertown, PA 18951
Borough	Quakertown
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Utility Service Company, Inc. 1230 Peachtree Street NE Suite 100 11th Floor—Promenade Building Atlanta, GA 30309
Permit to Construct Issued	May 23, 2016

**Permit No. 0915529, Minor Amendment.** Public Water Supply.

Applicant	<b>Newtown Artesian Water Company</b> P.O. Box 217 Newtown, PA 18940-0217
Township	Newtown
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. 650 Park Avenue King of Prussia, PA 19406
Permit to Operate Issued	August 18, 2016

**Permit No. WA-46-67I,** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Lower Providence
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	GHD 1240 North Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	July 27, 2016

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

**Permit No. 3516506MA**, Public Water Supply.

Applicant	<b>PA American Water</b> (Lower Rushbrook Pump Station) 800 W. Hershey Park Drive Hershey, PA 17033
Municipality	Mayfield Borough
County	<b>Lackawanna</b>
Type of Facility	PWS
Responsible Official	Mr. David Kaufman Vice President-Engineering
Consulting Engineer	Mr. Jeremy A. Nelson, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit to Operate Issued	July 27, 2016

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

**Operation Permit No. 2115507MA** issued to: **Shippensburg Borough Authority PA (PWS ID No. 7210043)**, Shippensburg Borough, **Cumberland County** on 8/17/2016 for facilities approved under Construction Permit No. 2115507MA.

**Operation Permit No. 0716501E** issued to: **Bellmead Townhouses (PWS ID No. 4070053)**, Antis Township, **Blair County** on 8/18/2016 for facilities approved under Construction Permit No. 0716501 E. This emergency construction/operation permit is being issued to Bellmead Townhouses for rehabilitation of the existing pressure sand filter units. One of the vessels is leaking and will be replaced. The media in both filters will also be replaced.

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

**Operations Permit (corrected)** issued to: **Blacklick Valley Municipal Authority**, PO Box 272, Twin Rocks, PA 15960, **(PWSID # 4110077)** Blacklick Township and Vintondale Borough, **Cambria County** on August 10, 2016 for the operation of facilities approved under Construction Permit # 1114520MA.

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

**Operation Permit** issued to **Pennsylvania American Water Company**, **PWSID No. 6420019**, Kane Borough, **McKean County**. Permit Number 4214502-MA1 issued August 18, 2016 for the operation of the 0.11 MG clearwell tank known as Tank No. 2. This permit is issued in response to the submitted Certificate of Construction Completion/Modification Form and subsequent acceptable Bacteriological and VOC test results on June 13, 2016.

**Operation Permit** issued to **Pennsylvania American Water Company**, **PWSID No. 6370011**, Ellwood City Borough, **Lawrence County**. Permit Number 3790501-MA7 issued August 18, 2016 for the operation of the 150,000 gallon tank known as the "Skyline East Tank". This permit is issued in response to the submitted Certificate of Construction Completion/Modification Form and subsequent acceptable Bacteriological and VOC test

results received on June 7, 2016, along with subsequent digital photographs received on August 16, 2016 confirming completion of exterior elements of the project.

## 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 Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**GKN Sinter Metals, LLC**, Shippen Township, **Cameron County**. Independence Environmental Consulting, LLC, 1750 Kaylor Road, Hummelstown, PA 17036, on behalf of Gleason Corporation, 1000 University Avenue, Rochester, NY 14692-2970, has submitted a Final Report concerning the remediation of soil and groundwater contaminated with Trichloroethene. This report is intended to document remediation of the site to meet the Site Specific Standard.

**Cramer Studios**, Bellefonte Borough, **Centre County**. P. Joseph Lehman, Inc. Consulting Engineers, 117 Olde Farm Office Centre, Duncansville, PA 16635, on behalf of Cramer Studios, 105 North Potter Street,

Bellefonte, PA 16823 has submitted a Remedial Investigation Report and Risk Assessment Report concerning the remediation of groundwater contaminated with unleaded gasoline. These reports are intended to document remediation of the site to meet the Site Specific Standard.

**Estes Express Lines**, White Deer Township, **Union County**. Northridge Group, P.O. Box 231, Northumberland, PA 17957, on behalf of Estes Express Lines, P.O. Box 25612, Richmond, VA 23260, has submitted a Final Report concerning the remediation of soils contaminated with CNSL Resin. This report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the

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

The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**U.S. Xpress, Inc.**, East Keating Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of U.S. Xpress, Inc., 4080 Jenkins Road, Chattanooga, TN 37421 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 13, 2016.

**Watsonstown Trucking Company**, Delaware Township, **Northumberland County**. Northridge Group, P.O. Box 231, Northumberland, PA 17857, on behalf for Watsonstown Trucking Company, 68 Belford Boulevard, Milton, PA 17847 submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 17, 2016.

**V & T Painting, LLC**, White Deer Township, **Union County**. David A. Bogovich, President, Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of V & T Painting, LLC, 29585 Gramercy Ct., Farmington Hills, MI 48336 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 17, 2016.

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

**Former ELG Metals Scrapyard Property**, Intersection of Crestview Drive and 4th Street—Lot # 1 of GRDC Lot 6A Subdivision, Pymatuning Township, **Mercer County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Greenville-Reynolds Development Corporation, 301 Arlington Drive, Greenville, PA 16125, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with antimony, chromium, cobalt, iron, lead, manganese, molybdenum, nickel, selenium and groundwater contaminated with arsenic, iron, and manganese. The Cleanup Plan/Report was disapproved by the Department on August 18, 2016.

**Hot Wax Release Site**, Intersection of State Route 899 and Belltown Road, Barnett Township, **Forest County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Appalachian Transport, Inc., 1308 East Valley Road, Smethport, PA 16749, submitted a Final Report concerning the remediation of site soils contaminated with methylene chloride, toluene, 2-methylnaphthalene, chrysene, fluoranthene, fluorene, phenanthrene, and pyrene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 18, 2016.

**Seneca Resources Corporation Pad D-086G**, Shawmut Grade Road, Norwich Township, **McKean County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Seneca Resources Corporation, 5800 Corporate Boulevard, Suite

300, Pittsburgh, PA 15237, submitted a Final Report concerning the remediation of site soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc, and chloride. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 22, 2016.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

##### **Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

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

##### *Hazardous Waste Transporter License Reissued*

**Harold Marcus Limited**, 15124 Longwoods Road, Bothwell, ON N0P 1C0. License No. PA-AH 0207. Effective Aug 18, 2016.

**Pioneer Tank Lines, Inc.**, 12501 Hudson Road South, Afton, MN 55001. License No. PA-AH 0600. Effective Aug 23, 2016.

##### *Renewal Applications Received*

**Cemco-Custom Environmental Management Co., Inc.**, PO Box 212, Hainesport, NJ 08036. License No. PA-AH 0776. Effective Aug 18, 2016.

**Eldredge, Inc.**, 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH 0056. Effective Aug 19, 2016.

#### MUNICIPAL WASTE GENERAL PERMIT

##### **Permit Issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

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

**General Permit Numbers WMGM055SC002. Pioneer Crossing Energy, LLC**, 5087 Junction Road, Lockport, NY 14094. For the processing and beneficial use of: (1) a substitute for high or medium Btu-LFG for natural gas or other fuel; (2) a substitute for natural gas or other fuel to be interconnected with another pipeline for consumer use; and (3) an alternative fuel for the electric generators to produce electricity. This permit was renewed by Central Office on August 3, 2016.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, 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.

**General Permit Numbers: WMGM055SW001, WMGM055SW002 and WMGM055SW003. Johnstown Regional Energy, LLC**, 680 Anderson Drive, Foster Plaza 10, 5th Floor, Pittsburgh, PA 15220. For the processing and beneficial use of: (1) a substitute for high or medium Btu-LFG for natural gas or other fuel; (2) a substitute for natural gas or other fuel to be intercon-

nected with another pipeline for consumer use; and (3) an alternative fuel for the electric generators to produce electricity. These permits were renewed by Central Office on August 3, 2016.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, 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.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

##### **Determination of Applicability for General Permit Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGM050D001. New England Waste Services of ME, Inc. DBA Casella Organics**, 110 Main Street, Suite 1308, Saco, ME 04072. This general permit application authorizes the beneficial use of sewage sludge from approved Publicly Owned Treatment Works and a sludge drying facility capable of producing class A biosolids. These biosolids will be treated to significantly reduce pathogens, vectors and odors prior to transport into Pennsylvania where they will be used as alternative fuel in power plants approved for operation through an Air Quality authorization issued by the Department. The application for determination of applicability was issued by the Central Office on August 4, 2016.

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

##### **Applications deemed administratively complete 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**Permit No. 100758 Lancaster County Solid Waste Management Authority (LCSWMA)** 1299 Harrisburg Pike Lancaster, PA 17604-4425. A major permit modification application was submitted for an ash storage building expansion at the Susquehanna Resource Management Complex, owned and operated by the LCSWMA, located in the City of Harrisburg, **Dauphin County**. The application was deemed administratively complete by the Southcentral Regional Office on August 19, 2016.

The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the time that the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the



Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4702.*

**GP19-67-03081: Finishing Systems, Inc.** (70 Willow Springs Circle, York, PA 17406) on August 12, 2016, for five existing shotblast machines controlled by three dust collectors, under GP19, at the facility in Manchester Township, **York County**.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5920.*

**09-0237: T.C. Millwork Inc.** (P.O. Box 826, Bensalem, PA 19020) On August 19, 2016 for the installation and operation of two (2) spray booth operations, and associated filters, an Adhesives Application Area, solvent Clean-up Operations, a Milling Room and associated dust collector at its store fixture and cabinet manufacturing facility in Bensalem, **Bucks County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2507.*

**58-00015B: Hop Bottom Energy LLC** (358 North Shore Drive, Suite 1, Pittsburgh, PA 15212) issued on August 22, 2016 for the installation and operation of three (3) Rolls Royce IC engines with OxCat/SCR at a site located in Lenox Twp., **Susquehanna County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3648.*

**59-00031B: Pine Hill Energy, LLC** (N. Shore Place I, 358 N. Shore Dr., Ste. 201, Pittsburgh, PA 15212) on August 17, 2016, to construct three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Union Township, **Tioga County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 59-00031B, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4161.*

**PA-26-00601: Fenner Dunlop Americas Inc.** (120 Main Street, Allison, PA 15413) Plan Approval issuance date effective August 16, 2016, to allow continued operation of an existing conveyor fabrication facility located in Luzerne Township, **Fayette 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, 484-250-5920.*

**46-0142E: Custom Proc Svc LLC** (461 State St. East, Greenville, PA 18041) On August 19, 2016 for the replacement of an existing baghouse with a cyclone and a new baghouse on a coarse system in East Greenville Borough, **Montgomery County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3648.*

**59-00005G: Dominion Transmission, Inc.** (925 White Oaks Blvd., Bridgeport, WV 26330) on August 17, 2016, to extend the authorization for the construction of a 2,370 horsepower, natural-gas fired reciprocating internal combustion compressor engine controlled by a prechambered combustion system, an LE-54C air/fuel ratio controller and an EAS model EN4YE28 oxidation catalyst, for the construction of a 5,810 horsepower (49.98 million Btus per hour heat input), natural-gas fired compressor turbine, controlled by a dry low NO<sub>x</sub> (SoLoNO<sub>x</sub>) combustion system and a Universal Silencer oxidation catalyst and for the construction of eight 65 kilowatt model C65 NG Low NO<sub>x</sub> Capstone MicroTurbines, at the Sabinsville Station located in Clymer Township, **Tioga County** to February 14, 2017. The plan approval has been extended.

**60-00023A: Custom Container Solutions, LLC** (391 Wolfand Road, Lewisburg, PA 17837) on August 16, 2016, to extend the authorization an additional 180 days to February 16, 2017 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. Plan approval 60-00023A for the construction of two surface coating booths at their facility in West Buffalo Township, **Union County** has been extended.

**08-00051A: Seaboard International, Inc.** (1612 SE 23rd Street, Oklahoma City, OK 73129-7661) on August 22, 2016 to extend the authorization to operate the wellhead equipment repair operation at their facility located in Athens Township, **Bradford County** on a temporary basis to February 17, 2017. The plan approval has been extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4161.*

**PA-26-00500C (Transfer): Alpha Pa Coal Terminal** (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370) Plan Approval Transfer effective August 17, 2016, to allow the company for change of ownership to Contura for their coal transfer plant, located in Luzerne Township, **Fayette County**.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5920.*

**46-00091: Sunoco Partners MKT & Term LP/Willow Grove**, (4041 Market St, Aston, PA 19014) On August 19, 2016 for the renewal of a Title V Operating Permit in Upper Moreland Township, **Montgomery County**.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4702.*

**28-05019: New Enterprise Stone & Lime Co., Inc.** (PO Box 2009, Chambersburg, PA 17201) on August 12, 2016, for the Chambersburg Blacktop Plant located in Guilford Township, **Franklin County**. The State Only permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3648.*

**41-00029: Chemcoat, Inc.** (PO Box 188, Montoursville, PA 17754) on August 15, 2016, was issued a renewal state only operating permit for its facility located in Loyalsock Township, **Lycoming County**. The facility's main source is the Paint Manufacturing Process. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, 215-685-9476.*

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Minor State Only Operating Permit for the following facility:

**OP16000002: The Comcast Center** (1701 John F. Kennedy Blvd, Philadelphia, PA 19103), for the operation of a data center in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 2,919 horsepower (hp) diesel fuel fired emergency generator (EG1), one (1) 240 hp diesel fuel fired fire pump (FP1), one (1) 275 hp diesel fuel fired fire pump (FP2), and one (1) 460 hp diesel fuel fired fire pump (FP3).

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**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.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5920.*

**09-00184: Doylestown Hospital** (595 W. State Street, Doylestown, PA 18901) On August 22, 2016 for the administrative amendment, in accordance with 25 Pa. Code § 127.450(a)(2), to clarify to the stack testing frequency of certain pollutants for the 750 kW natural gas-fired electric generator and engine in Doylestown Township, **Bucks County**.

**09-00019: Naceville Materials Joint Venture** (2052 Lucon Road, Skippack, PA 19474-0196). On August 19, 2016 for the administrative amendment of the operating permit to modify the stack testing requirement for the batch HMA plant located in Wrightstown Township, **Bucks County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3648.*

**41-00082: EPP Renewable Energy, LLC** (1605 N Cedar Crest Blvd., Suite 509, Allentown, PA 18104) was issued a revised Title V Operating Permit for their facility located at the Lycoming County Landfill located in Brady Township, **Lycoming County**. The revised Title V Operating Permit included a throughput limitation on the amount of landfill gas permitted to be burned in the engines at the facility. The Title V operating permit

contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4336.*

**SOOP-32-004243: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) Administrative Amendment issued on August 4, 2016 to change the name of the Owner/Operator and the Permit Contact on the permit. The name of the Owner/Operator is now the Rosebud Mining Company. The name of the Permit Contact is now Dennis Grelle. The Brush Valley Mine Coal Preparation Plant is located in Center Township, **Indiana County**.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3648.*

**17-00064: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) terminated State Only operating permit on August 8, 2016, for their Cherry Tree Mine coal processing facility located in Burnside Township, **Clearfield County**. All air contaminant sources have ceased operations and have been removed from the site.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).

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*Coal Permits Issued*

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

**30101302 and NPDES No. PA0236047. Dana Mining Company of Pennsylvania, LLC**, (308 Dents Run Road, Morgantown, WV 26501). To operate the Garards Fort Mine in Greene and Dunkard Townships, **Greene County** a new underground mine and related NPDES permit. Surface Acres Proposed 35.9, Underground Acres Proposed 1,383.5, Subsidence Control Plan Acres Proposed 1,383.5. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Receiving Stream: Whiteley Creek, classified for the following uses: WWF.

The application was considered administratively complete on May 24, 2011. Application received July 28, 2010. Permit issued August 15, 2016.

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

**16140101 and NPDES Permit No. PA0259641. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Commencement, operation and restoration of a bituminous surface mine and associated NPDES permit in Perry & Licking Townships, **Clarion County**, affecting 591.5 acres. Receiving streams: Unnamed tributaries to Cherry Run and unnamed tributaries to the Clarion River. Application received: November 12, 2015. Permit Issued: August 17, 2016.

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

**30960101 and NPDES Permit No. PA0201626. C J & L Coal** (P.O. Box 133, Jefferson, PA 15344). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Morgan Township, **Greene County**, affecting 136 acres. Receiving stream: unnamed tributary to South Fork of Ten Mile Creek. Application received: July 7, 2016. Renewal permit issued: August 18, 2016.

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

**Permit No. 54663021R5. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in New Castle Township, **Schuylkill County** affecting 693.0 acres, receiving stream: West Branch Schuylkill River. Application received: September 25, 2015. Renewal issued: August 19, 2016.

**Permit No. PAM111098R. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54663021 in New Castle Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: September 25, 2015. Permit issued: August 19, 2016.

**Permit No. 54-305-022GP12R. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54663021 in New Castle Township, **Schuylkill County**. Application received: September 25, 2015. Permit issued: August 19, 2016.

#### *Noncoal Permits Issued*

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

**10070304. Glacial Sand & Gravel Company** (P.O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES Permit No. PA0258466 in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Black Run. Application Received: May 31, 2016. Permit Issued: August 17, 2016.

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

**PAM216007. Cynthia E. Russell**, (2640 Greenville Pike, Grampian, PA 16838), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with Permit 14050302 to the following surface water(s) in Howard Township, **Centre**

**County**. Receiving stream(s): Bald Eagle Creek. Application received: June 20, 2016. Permit Issued: August 16, 2016.

**4777SM1 and NPDES PA0269727. P-Stone, Inc.** (P.O. Box 254, 1430 Route 880 Highway, Jersey Shore, PA 17740). NPDES application for operation and reclamation of a large noncoal surface mining site located in Limestone Township, **Lycoming County** affecting 89.17 acres. Receiving stream(s): None. Receiving watershed: Antes Creek classified as EV Existing Use under Chapter 93. Application received: February 17, 2016. Permit issued: August 15, 2016.

**41910301 and NPDES PA0269719. P-Stone, Inc.** (P.O. Box 254, 1430 Route 880 Highway, Jersey Shore, PA 17740). NPDES application for operation and reclamation of a large noncoal surface mining site located in Limestone Township, **Lycoming County** affecting 108.0 acres. Receiving stream(s): None. Receiving watershed: Antes Creek classified as EV Existing Use under Chapter 93. Application received: February 17, 2016. Permit issued: August 15, 2016.

**53160802. Juan Loja** (1525 Fair Hill Road, New Milford, PA 18834). Commencement, operation, and restoration of a small industrial minerals mine (bluestone) in Allegany Township, **Potter County** affecting 4.0 acres. Receiving stream(s): Unnamed Tributary to Peet Brook classified for the following use(s): CWF. Application received: May 10, 2016. Permit issued: August 16, 2016.

**PAM216005. Juan Loja** (1525 Fair Hill Road, New Milford, PA 18834). General NPDES permit for stormwater discharge associated with mining activities on a small industrial mineral Permit No. 53160802 in Allegany Township, **Potter County**. Receiving stream(s): Unnamed Tributary to Peet Brook. Application received: May 10, 2016. Permit issued: August 16, 2016.

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

**63090601 and NPDES Permit No. PA0251712. Mon River Aggregates, LLC** (P.O. Box 435, Millsboro, PA 15348). Transfer permit from Author J. Boyle issued to an existing large noncoal surface mine, located in East Bethlehem Township, **Washington County**, affecting 50.3 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek. Application received: October 29, 2014. Permit issued: August 22, 2016.

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

**Permit No. PAM116031. New Hope Crushed Stone & Lime Co.**, (PO Box 248, New Hope, PA 18938), General NPDES Stormwater Permit for stormwater discharges associated with and to authorize the repair, reconstruction and restoration of Primrose Creek immediately upstream of the associated mining activities on Surface Mining Permit No. 7974SM3 in Solebury Township, **Bucks County**, receiving stream: Primrose Creek. Application received: April 20, 2016. Permit issued: August 10, 2016.

**Permit No. 58160805 & NPDES Permit No. PA0225631. Jason A. McCarey** (UPS Store—BMP 161, 1143 Northern Blvd., Clarks Summit, PA 18411), Commencement, operation and restoration of a quarry operation and NPDES permit for discharge of treated mine drainage in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Beaver Creek to Salt Lick Creek Watershed. Application received: March 31, 2016. Permit issued: August 11, 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*

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

**14164108. Douglas Explosives, Inc.** (2052 Philipsburg Bigler Highway, Philipsburg, PA 16866). Blasting for a home and shop building located at Penn Township, **Centre County** with an expiration date of December 30, 2016. Permit issued: August 15, 2016.

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

**Permit No. 06164109. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Douglass Village in Douglass Township, **Berks County** with an expiration date of August 30, 2017. Permit issued: August 19, 2016.

**Permit No. 36164156. Abel Construction Co., Inc.,** (PO Box 476, Mountville, PA 17554), construction blasting for Worthington Phase 2 in Manheim Township, **Lancaster County** with an expiration date of August 10, 2017. Permit issued: August 19, 2016.

**Permit No. 36164157. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting at 355 Maple Street in West Earl Township, **Lancaster County** with an expiration date of December 30, 2016. Permit issued: August 19, 2016.

**Permit No. 36164158. J Roy's, Inc.,** (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Perdue Soybean Plant in June 10, 2017. Permit issued: August 19, 2016.

**Permit No. 36164159. Maine Drilling & Blasting, Inc.,** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Shoppes at Belmont in Manheim Township, **Lancaster County** with an expiration date of August 17, 2017. Permit issued: August 19, 2016.

**Permit No. 48164109. American Rock Mechanics, Inc.,** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Willowbrook Road Improvements in Allen Township, **Northampton County** with an expiration date of August 9, 2017. Permit issued: August 19, 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

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E13-184. TKL Properties, LLC,** 35 Berger Street, Kunkletown, PA 18058. Palmerton Borough, **Carbon County**, Army Corps of Engineers Philadelphia District.

To place fill in a de minimus area of isolated PEM wetlands within the Aquashicola Creek watershed equal to 0.012 acre. The purpose of the project is to eliminate a large depression and to increase safety for a future single-family residence. The project is located approximately 0.15 mile east of the intersection of East Princeton Road and 6th Street (Palmerton, PA Quadrangle Latitude: 40°48'34.8"; Longitude: -75°36'5.2"). Subbasin: 2B.

## ENVIRONMENTAL ASSESSMENT

*Central Office: Attention: Brian Bradley, Environmental Program Manager, P.O. Box 69205, Harrisburg, PA 17106.*

**EA1710-004. Pennsylvania Department of Environmental Protection,** Bureau of Abandoned Mine Reclamation, P.O. Box 69205, Harrisburg, PA 17106. Abandoned Mine Land Reclamation Project, in Cooper Township, **Clearfield County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 3,000 linear feet of dangerous highwall, a nine (9) acre dangerous pile and embankment, and a thirteen (13) acre spoil pile. The project will include the backfilling of 1.42 acre of nonjurisdictional open water with poor water quality that have developed within the open surface mine pit and approximately 181 feet of channel impacts. (Black Moshannon Quadrangle 40° 59' 28.326" N, 78° 6' 35.688" W).

**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.

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

ESCP 2 # ESG00081140001  
 Applicant Name Transcontinental Gas Pipe Line Co LLC  
 Contact Person Josh Henry  
 Address 2000 Commerce Dr  
 City, State, Zip Pittsburgh, PA 15276  
 County Lycoming  
 Township(s) Jordan Township  
 Receiving Stream(s) and Classification(s) Little Muncy Ck-EV, W.B. Little Muncy Ck-EV, W.B. West Creek-CWF

ESCP 2 # ESG00081140001  
 Applicant Name Transcontinental Gas Pipe Line Co LLC  
 Contact Person Josh Henry  
 Address 2000 Commerce Dr  
 City, State, Zip Pittsburgh, PA 15276  
 County Columbia  
 Township(s) Jackson Township  
 Receiving Stream(s) and Classification(s) Buck Run-EV, Little Brier Run-EV, Little Fishing Ck-EV

ESCP 2 # ESG04000150001(1)  
 Applicant Name UGI Sunbury LLC  
 Contact Person Casey Morgan  
 Address 1525 SR 292 East  
 City, State, Zip Dallas, PA 18612  
 County Northumberland, Lycoming, Snyder, Montour, Union  
 Township(s) East Chillisquaque Twp, Point Twp, Franklin Twp, Moreland Twp, Monroe Twp, Shamokin Dam Borough, Anthony Twp, Derry Twp, Limestone Twp, Liberty Twp  
 Receiving Stream(s) and Classification(s) UNTs to Beaver Run, CWF  
 Little Muncy Creek and UNT, CWF  
 German Run and UNTs, CWF  
 Laurel Run and UNT, CWF  
 West Branch Chillisquaque Creek and UNT, WWF  
 UNTs to Middle Branch Chillisquaque Creek, WWF  
 County Line Branch, WWF  
 Limestone Run, WWF  
 Chillisquaque Creek and UNTs, WWF  
 West Branch Susquehanna River and UNTs, WWF  
 UNTs to Susquehanna River, WWF

*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>
ESG0012415001-2	Range Resources— Appalachia, LLC 3000 Town Center Blvd. Canonsburg, PA 15317	Washington County	North Strabane Township	Little Chartiers Creek (HQ-WWF) and Chartiers Creek (WWF)
ESG0012516001-1	EQM Gathering OPCO, LLC 625 Liberty Avenue Suite 1700 Pittsburgh, PA 15222	Washington County	Amwell Township, North Bethlehem Township, Somerset Township, and South Strabane Township	Pigeon Creek (WWF); Little Chartiers Creek (HQ-WWF); Redd Run (WWF); Shipe Run (WWF); Little Tenmile Creek (TSF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.*

ESCGP-2 # ESX16-019-0014 Applicant RE Gas Development  
 Contact Michael Endler Address 600 Cranberry Woods Drive, Suite 250  
 City Cranberry Township State PA Zip Code 16066  
 County Butler Township(s) Center  
 Receiving Stream(s) and Classification(s) Tributary 35010 to Little Connoquenessing Creek

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-027-16-0001  
 Applicant Name WPX Energy Appalachia LLC  
 Contact Person Mark Colenbrander  
 Address 6000 Town Center Blvd, Ste 210  
 City, State, Zip Cannonsburg, PA 15317  
 County Centre  
 Township(s) Snow Shoe  
 Receiving Stream(s) and Classification(s) UNTs to Black Moshannon Ck (HW-CWF); UNTs to Moshannon Ck (TSF)  
 Secondary—Black Moshannon Ck (HQ-CWF); Moshannon Ck (TSF)

ESCGP-2 # ESX13-115-0100(01)  
 Applicant Name Cabot Oil & Gas Corp  
 Contact Person Bart Roberts  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna  
 Township(s) Lenox  
 Receiving Stream(s) and Classification(s) Millard Ck (CWF, MF) and Tunkhannock Ck (CWF, MF)

ESCGP-2 # ESX12-035-0004(01)  
 Applicant Name Anadarko E & P Onshore LLC  
 Contact Person Stephen Barondeau  
 Address 33 W Third St, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Clinton  
 Township(s) Noyles  
 Receiving Stream(s) and Classification(s) UNT to Boggs Hollow (EV); UNT to Benjamin Run (HQ-CWF); Sled Rd Hollow (HQ-CWF)  
 Secondary—Boggs Hollow (EV); Benjamin Run (HQ-CWF)

ESCGP-2 # ESX29-131-16-0006  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Brian Davis  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Wyoming  
 Township(s) Meshoppen  
 Receiving Stream(s) and Classification(s) Meshoppen Ck (CWF)  
 Secondary—Susquehanna River (WWF)

ESCGP-2 # ESX12-081-0081(01)  
 Applicant Name ESXO Resources PA LLC  
 Contact Person Brian Rushe  
 Address 260 Executive Dr, Suite 100  
 City, State, Zip Cranberry Twp, PA 16066  
 County Lycoming  
 Township(s) Penn  
 Receiving Stream(s) and Classification(s) UNT to Sugar Run (CWF); UNT to Gregs Run (CWF)  
 Secondary—Sugar Run (CWF); Gregs Run (CWF)

ESCGP-2 # ESX29-081-16-0017  
 Applicant Name ESXO Resources PA LLC  
 Contact Person Brian Rushe  
 Address 260 Executive Dr, Suite 100  
 City, State, Zip Cranberry Twp, PA 16066  
 County Lycoming  
 Township(s) Penn  
 Receiving Stream(s) and Classification(s) UNT to Sugar Run (CWF); UNT to Gregs Run (CWF)  
 Secondary—Sugar Run (CWF); Gregs Run (CWF)

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## SPECIAL NOTICES

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### HAZARDOUS SITES CLEAN-UP ACT OF OCTOBER 18, 1988

#### Public Notice of Proposed Consent Order and Agreement

#### Seneca Drum HSCA Site

#### Cranberry Township, Venango County

Pursuant to Section 1113 of the Pennsylvania Hazardous Sites Cleanup Act, Act of October 18, 1988, P.L. 756, No. 108, 35 P.S. §§ 6020.101—6020.1305 (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has agreed to a De Minimis Consent Order and Agreement (Agreement) with Daniel Heath regarding the Seneca Drum HSCA Site.

The Seneca Drum HSCA Site (Site) is an approximately 3-acre area located along Quaker Drive in Cranberry Township, Venango County, where, in May 2008, drums of undercoating materials and other residual wastes were found buried. The Department's investigation of the Site revealed that the drums and waste were buried at the Site sometime between 1973 and June 30, 1992. Samples obtained during the investigation determined that the waste materials and surrounding soil contained isopropyl alcohol, trichlorobenzene, and acetone, which are "hazardous substances" as defined in Section 103 of HSCA, 35 P.S. § 6020.103. The presence of these hazardous substances at the Site constitutes a "release" and a "threat of release" of a hazardous substance, as defined in Section 103 of HSCA, 35 P.S. § 6020.103.

In June 2008, the Department conducted a response action at the Site that included the excavation and removal of drums containing automotive undercoating waste and associated impacted environmental media and the proper disposal of these wastes. To date, the Department has incurred more than \$109,448 in response costs at the Site.

Since June 30, 1992, Daniel Heath has owned approximately 5.42 acres of property in the area encompassing the Site (Heath Property). The Department's discovery of a release or threatened release at the Site occurred in 2008, after Daniel Heath acquired the Heath Property; and the Department's investigation revealed the hazardous substances were placed at the Site before Daniel Heath became the property owner. Nevertheless, as the owner of the Site during the time of a release or threatened release of hazardous substances, Daniel Heath is a "responsible person" pursuant to Section 701 of HSCA, 35 P.S. § 6020.701.

The Agreement requires Daniel Heath to submit payment of the Department's response costs in the amount of \$3,000 made payable to the Commonwealth of Pennsylvania Hazardous Sites Cleanup Fund. The specific terms are set forth in the Agreement.

The Department will receive and consider comments relating to the Agreement for sixty (60) days from the date of this Public Notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations which indicate that the Agreement is inappropriate, improper, or not in the public interest. After the public comment period, the Agreement shall be effective upon the date that the Department notifies Daniel Heath, in writing, that this Agreement is final and effective in its present form and that the Department has filed a response to significant written comments to the Agreement or that no such comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, Pennsylvania. Comments may be submitted, in writing, to Mr. Charles Tordella, Acting Environmental Group Manager. Mr. Tordella can be reached in the Department's Northwest Regional Office, located at 230 Chestnut Street, Meadville, PA 16335, telephone: 814-332-6071. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-645-5984.

[Pa.B. Doc. No. 16-1518. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Aggregate Advisory Board; Regulatory, Legislative and Technical Committee Meetings

The Aggregate Advisory Board's Regulatory, Legislative and Technical Committee will hold meetings on September 8, 2016, and September 28, 2016. Both meetings will run from 10 a.m. to 12 p.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. A webinar will be offered for those who are unable to attend the meetings and instructions on how to participate can be found on the Department of Environmental Protection's (Department) web site.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meetings are available through the Public Participation tab on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-1519. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Availability of the Fiscal-Year Report for the Draft Reclamation Fee O & M Trust Account

The Department of Environmental Protection (Department) announces the availability of a draft Fiscal-Year Report (report) for the Reclamation Fee O & M Trust Account. This account was established to provide the money for the operation and maintenance of mine drainage treatment facilities at mine sites with post mining discharges at ABS Legacy Sites as defined in 25 Pa. Code § 86.1 (relating to definitions). This report is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). The report contains a financial analysis of the revenue and expenditures from the account for Fiscal Year 2015-2016 and provides projections for Fiscal Year 2016-2017. The report and any comments provided will be reviewed with the Mining and Reclamation Advisory Board at the meeting scheduled for October 20, 2016. The draft report can be viewed on the Department's web site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment).

The Department must receive all comments on or by Monday, October 3, 2016. Commentators are encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-1520. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Federal Consistency under the Coastal Zone Management Act; Maintenance Dredging at Baxter Water Treatment Plant

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the Philadelphia Water Department is proposing to dredge the main and emergency water intakes for the Baxter Water Treatment Plant.

The purpose of the project is to perform maintenance dredging within the Delaware River in the City of Philadelphia to remove accumulated sediment from the area immediately adjacent to the main and emergency intakes at the Baxter Water Treatment Plant using a mechanical clamshell dredge. The proposed maximum dredging depths are 13 feet below mean low water at the main intake and 17 feet below mean low water at the emergency intake. An estimated volume of 1,080 cubic yards will be removed from the main intake and 16,120 cubic yards will be removed from the emergency intake. Dredged material will be placed at the Rehandling Basin at the Weeks Marine's Whites Basin Facility in Logan Township, NJ.

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity proposed to be authorized by the United States Army Corps of Engineers (CENAP-OP-R-2014-0220), and

will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the Philadelphia Water Department has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, (717) 772-2196 or RA-Fed\_Consistency@pa.gov.

The Department will consider all comments received on or before September 19, 2016, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted by e-mail to [ecomments@pa.gov](mailto:ecomments@pa.gov) or by mail to the Department of Environmental Protection, Compacts and Com-

missions Office, 400 Market Street, P.O. Box 8465, Harrisburg, PA 17101-8465.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 16-1521. Filed for public inspection September 2, 2016, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Warehouse Space to the Commonwealth Dauphin County

Proposers are invited to submit proposals to the Department of General Services to provide the State Police with 9,000 usable square feet of warehouse space in Dauphin County. For more information on SFP No. 94832, which is due on October 21, 2016, visit [www.dgs.pa.gov](http://www.dgs.pa.gov) or contact Carol Munley, Bureau of Real Estate, (717) 787-7412, [cmunley@pa.gov](mailto:cmunley@pa.gov).

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 16-1522. Filed for public inspection September 2, 2016, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) is requesting exceptions under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that ASFs must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following includes the citation to the section under the *Guidelines* that the ASF 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>
Cosmedica Bensalem	3.7-3.3.4	Image viewers	2014
	3.7-3.3.5	Medical gas requirements (Table 3.1-3, 3.7-3.3 outpatient operating room)	2014
	3.7-3.6.1	Nurse or control stations	2014

The requests previously listed are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto: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. 16-1523. Filed for public inspection September 2, 2016, 9:00 a.m.]



### 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). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Penn Highlands Elk (763 Johnsonburg Road, St. Marys)	28 Pa. Code § 109.2(a) and (b) (relating to director of nursing services)
Wayne Memorial Hospital	28 Pa. Code § 138.18 (relating to EPS studies)
Windber Hospital, Inc. d/b/a Chan Soon-Shiong Medical Center at Windber	28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations)

The following hospital is requesting an exception under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to 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—Bloomsburg Hospital	2.2-2.2.6.13(1)	Examination rooms	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. 16-1524. Filed for public inspection September 2, 2016, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Medical Assistance Program Fee Increases for Private Duty/Shift Nursing Services to MA Beneficiaries Under 21 Years of Age

The Department of Human Services (Department) is announcing that it increased the Medical Assistance (MA) Program fees for the following private duty/shift nursing services provided to MA beneficiaries under 21 years of age effective July 1, 2016.

#### *Fee Update*

As required by section 1729-B of the act of July 13, 2016 (P.L. 664, No. 85), the Department increased the MA Program fees for select private duty/shift nursing services as follows:

<i>Procedure Code</i>	<i>Description</i>	<i>Current MA Fee</i>	<i>MA Fee Effective July 1, 2016</i>
S9123	Nursing care, in the home; by Registered Nurse, per hour	\$40.00	\$45.00
S9124	Nursing care, in the home; by Licensed Practical Nurse, per hour	\$40.00	\$45.00

The Department has updated the MA Program’s Fee Schedule to reflect the increase in payment for identified nursing services. An MA Bulletin will be issued to providers with instructions for billing.

*Fiscal Impact*

This change will result in an estimated annual payment of \$10.856 million in total funds (\$3.882 million in State funds) in Fiscal Year 2016-2017.

*Public Comment*

Interested persons are invited to submit written comments regarding the revised payment rate to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered by the Department.

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-1054. (1) General Fund;

(7) MA—Capitation; (2) Implementing Year 2016-17 is \$3,221,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$14,059,000; (4) 2015-16 Program—\$3,828,000,000; 2014-15 Program—\$3,823,000,000; 2013-14 Program—\$3,995,000,000;

(7) MA—Fee-for-Service; (2) Implementing Year 2016-17 is \$661,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$700,000; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-1525. Filed for public inspection September 2, 2016, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Wednesday, September 14, 2016, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, Room E-100, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at [www.dli.pa.gov](http://www.dli.pa.gov) (select “Uniform Construction Code,” then “UCC Review & Advisory Council”).

Questions concerning this may be directed to Renee Foley at (717) 783-6304.

KATHY M. MANDERINO,  
*Secretary*

[Pa.B. Doc. No. 16-1526. Filed for public inspection September 2, 2016, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### PICK 2; Change to Game Rules; Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pick 2 terminal-based lottery game rules that were published at 45 Pa.B. 384 (January 17, 2015).

This amendment offers additional ways to win prizes and additional prizes available to be won by players by adding an optional feature (the “Wild Ball option”) to the Pick 2 terminal-based lottery game. These changes will be effective on September 13, 2016.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 384—386:

\* \* \* \* \*

3. *Price:* A PICK 2 play is \$1. The Wild Ball option may be exercised, at the discretion of the player, for an additional \$1 per play.

4. *Description of the PICK 2 game:*

(a) PICK 2 is designed to give players the opportunity to win one prize per play. The Wild Ball option to the PICK 2 game is designed to give players additional ways to win prizes in the PICK 2 game.

\* \* \* \* \*

(d) PICK 2 game tickets may be purchased from an authorized retailer or at a Pennsylvania Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 2 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select whether to play the Wild Ball option, and select the drawing date or dates for which the number selection should be entered by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 2 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select whether to play the Wild Ball option, and select the drawing date or dates for which the number selection should be entered by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). Players who select the Wild Ball option can also win the prizes identified in section 10(e) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(f) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing. If a player selects the Wild Ball option, the Wild Ball option will apply to all draws played on the same bet slip.

(g) A PICK 2 game ticket, as well as any Wild Ball options, may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 2 bet slip and ticket characteristics and restrictions:*

(a) *PICK 2 bet slips.*

(1) PICK 2 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 2 bet slip, the player may select up to two numbers, each ranging from 0 to 9, the play type for the number selection, and the number of drawings in which the number selection is played. The player may select the Wild Ball option by marking the box for Wild Ball on the bet slip. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

\* \* \* \* \*

(b) *PICK 2 tickets.*

(1) A PICK 2 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the night drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data. The PICK 2 ticket will also indicate whether the player has selected the Wild Ball option.

\* \* \* \* \*

6. *Time, place and manner of conducting drawings.*

\* \* \* \* \*

(c) *Manner of conducting drawings.*

(1) The Lottery will select, at random, two numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The two numbers selected will be used to determine winners of prizes for each individual drawing identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(2) In a separate drawing, the Lottery will select, at random, one Wild Ball number from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The one Wild Ball number selected will be used to determine winners of Wild Ball prizes for each individual drawing identified in section 10(e) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(3) The validity of a drawing will be determined solely by the Lottery.

\* \* \* \* \*

10. *Description of the Wild Ball option, prizes available to be won and determination of prize winners:*

(a) The Wild Ball option, when purchased as described in section 3 (relating to price), can be used in conjunction with each of the play types described in section 4(b)

(relating to description of the PICK 2 game). The Wild Ball option cannot be played independently. A player must have first played one of the play types for the PICK 2 game before the Wild Ball option can be utilized.

(b) The Wild Ball, when selected in the drawing described in section 6(c)(2) (relating to time, place and manner of conducting drawings), may replace any one of the two numbers drawn by the Lottery in order to create a winning combination for the play type on the ticket. If the player's numbers on a ticket match any of the winning combinations using the Wild Ball for that drawing, the player wins the Wild Ball prize, as determined by the player's play type and wager amount, as described below.

(c) If the Wild Ball number is the same as one of the two numbers drawn by the Lottery, and the player's numbers already match the numbers drawn for the player's play type, the player will be awarded the Wild Ball prize plus the PICK 2 prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). The player will be awarded a Wild Ball prize for each winning combination created using the Wild Ball for that drawing, as determined by the player's play type and wager amount.

(d) The non-played numbers for Front Digit and Back Digit play types are not eligible to create winning combinations. Non-played numbers for Front Digit and Back Digit play types are indicated by asterisks on the PICK 2 ticket.

(e) *Prizes available to be won and determination of prize winners:*

(1) Holders of a Straight play ticket, as described in section 7(a)(1), upon which one of the two PICK 2 drawn numbers plus the Wild Ball number, in place of any one of the PICK 2 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Straight play and shall be entitled to a prize of \$30.

(2) Holders of a Box play ticket, as described in section 7(a)(2), upon which one of the two PICK 2 drawn numbers plus the Wild Ball number, in place of any one of the PICK 2 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Box play and shall be entitled to a prize of \$15.

(3) Holders of a Front Digit play ticket, as described in section 7(a)(3), upon which the Wild Ball number, in place of the first PICK 2 drawn number, matches the player's number, shall be the winner of a Wild Ball Front Digit play and shall be entitled to a prize of \$6.

(4) Holders of a Back Digit play ticket, as described in section 7(a)(4), upon which the Wild Ball number, in place of the second PICK 2 drawn number, matches the player's number, shall be the winner of a Wild Ball Back Digit play and shall be entitled to a prize of \$6.

(f) All PICK 2 Wild Ball prize payments will be made as a one-time, lump-sum payment.

(g) The Lottery reserves the right to stop play on any number or combination of numbers, in conjunction with the Wild Ball option, at any time during the course of the PICK 2 game.

(h) The Wild Ball prizes available to be won and the determination of prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to Wild Ball drawings as of the date specified in the notice.

(i) The Secretary may alter any prize amount stated in section 10(e)(1)—(4) temporarily for marketing and pro-

motional purposes. Such change will be announced by public notice.

(j) *Probability of winning.* The following table sets forth all possible ways that a Wild Ball prize can be won for a single play with the Wild Ball option selected; the probability of winning each prize; and the corresponding prize won.

<i>Win With The Following Types of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>	<i>Wild Ball Probability Of Winning Per Play Is 1 In:</i>	<i>Wild Ball Prize Won:</i>
Straight	100	\$50	50	\$30
Box	50	\$25	25	\$15
Front Digit	10	\$5	10	\$6
Back Digit	10	\$5	10	\$6

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 16-1527. Filed for public inspection September 2, 2016, 9:00 a.m.]

**PICK 3; Change to Game Rules; Terminal-Based Lottery Game**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pick 3 terminal-based lottery game rules that were published at 45 Pa.B. 386 (January 17, 2015).

This amendment offers additional ways to win prizes and additional prizes available to be won by players by adding an optional feature (the “Wild Ball option”) to the Pick 3 terminal-based lottery game. These changes will be effective on September 13, 2016.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 386—388:

\* \* \* \* \*

3. *Price:* The price of a PICK 3 ticket is based on the amount a player wagers for each play on the ticket. The minimum wager is \$.50 per play. Players can wager up to \$5<sup>00</sup> per play, in increments of \$.50. The Wild Ball option may be exercised, at the discretion of the player, for an amount equivalent to the cost of the base play.

4. *Description of the PICK 3 game:*

(a) PICK 3 is designed to give players the opportunity to win one prize per play. The Wild Ball option to the PICK 3 game is designed to give players additional ways to win prizes in the PICK 3 game.

\* \* \* \* \*

(d) PICK 3 game tickets may be purchased from an authorized retailer or at a Pennsylvania Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 3 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered,

select whether to play the Wild Ball option, and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 3 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, select whether to play the Wild Ball option, and select the play amount by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). Players who select the Wild Ball option can also win the prizes identified in section 10(e) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(f) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing. If a player selects the Wild Ball option, the Wild Ball option will apply to all draws played on the same bet slip.

(g) A PICK 3 game ticket, as well as any Wild Ball options, may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 3 bet slip and ticket characteristics and restrictions:*

(a) *PICK 3 bet slips.*

(1) PICK 3 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 3 bet slip, the player may select up to three numbers, each ranging from 0 to 9, the play type for the number selection, the play amount, and the number of drawings in which the number

selection is played. The player may select the Wild Ball option marking the box for Wild Ball on the bet slip. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

\* \* \* \* \*

(b) *PICK 3 tickets.*

(1) A PICK 3 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the evening drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data. The PICK 3 ticket will also indicate whether the player has selected the Wild Ball option.

\* \* \* \* \*

6. *Time, place and manner of conducting drawings.*

\* \* \* \* \*

(c) *Manner of conducting drawings.*

(1) The Lottery will select, at random, three numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The three numbers selected will be used to determine winners of prizes for each individual drawing identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(2) In a separate drawing, the Lottery will select, at random, one Wild Ball number from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The one Wild Ball number selected will be used to determine winners of Wild Ball prizes for each individual drawing identified in section 10(e) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(3) The validity of a drawing will be determined solely by the Lottery.

\* \* \* \* \*

10. *Description of the Wild Ball option, prizes available to be won and determination of prize winners:*

(a) The Wild Ball option, when purchased as described in section 3 (relating to price), can be used in conjunction with each of the play types described in section 4(b) (relating to description of the PICK 3 game). The Wild Ball option cannot be played independently. A player must have first played one of the play types for the PICK 3 game before the Wild Ball option can be utilized.

(b) The Wild Ball, when selected in the drawing described in section 6(c)(2) (relating to time, place and manner of conducting drawings), may replace any one of the three numbers drawn by the Lottery in order to create a winning combination for the play type on the ticket. If the player's numbers on a ticket match any of the winning combinations using the Wild Ball for that drawing, the player wins the Wild Ball prize, as determined by the player's play type and wager amount, as described below.

(c) If the Wild Ball number is the same as one of the three numbers drawn by the Lottery, and the player's numbers already match the numbers drawn for the player's play type, the player will be awarded the Wild Ball prize plus the PICK 3 prize as identified in section

7(a) (relating to prizes available to be won and determination of prize winners). The player will be awarded a Wild Ball prize for each winning combination created using the Wild Ball for that drawing, as determined by the player's play type and wager amount.

(d) The non-played numbers for Front Pair and Back Pair play types are not eligible to create winning combinations. Non-played numbers for Front Pair and Back Pair play types are indicated by asterisks on the PICK 3 ticket.

(e) *Prizes available to be won and determination of prize winners:*

(1) Holders of a Straight play ticket, as described in section 7(a)(1), upon which two of the three PICK 3 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 3 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Straight play and shall be entitled to a prize of \$100.

(2) Holders of a 3-Way Box play ticket, as described in section 7(a)(2), upon which two of the three PICK 3 drawn numbers plus the Wild Ball number, in place of any one of the PICK 3 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 3-Way Box play and shall be entitled to a prize of \$36.

(3) Holders of a 6-Way Box play ticket, as described in section 7(a)(3), upon which two of the three PICK 3 drawn numbers plus the Wild Ball number, in place of any one of the PICK 3 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 6-Way Box play ticket and shall be entitled to a prize of \$18.

(4) Holders of a Front Pair play ticket, as described in section 7(a)(4), upon which one of the first two PICK 3 drawn numbers plus the Wild Ball number, in place of any one of the first two PICK 3 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Front Pair play and shall be entitled to a prize of \$15.

(5) Holders of a Back Pair play ticket, as described in section 7(a)(5), upon which one of the last two PICK 3 drawn numbers plus the Wild Ball number, in place of any one of the last two PICK 3 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Back Pair play and shall be entitled to a prize of \$15.

(f) All PICK 3 Wild Ball prize payments will be made as a one-time, lump-sum payment.

(g) The Lottery reserves the right to stop play on any number or combination of numbers, in conjunction with the Wild Ball option, at any time during the course of the PICK 3 game.

(h) The Wild Ball prizes available to be won and the determination of Wild Ball prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to Wild Ball drawings as of the date specified in the notice.

(i) The Secretary may alter any prize amount stated in section 10(e)(1)—(5) temporarily for marketing and promotional purposes. Such change will be announced by public notice.

(j) *Probability of winning.* The following table sets forth all possible ways that a Wild Ball prize can be won for a single play with the Wild Ball option selected; the probability of winning each prize for each \$.50 wagered; and the corresponding prize won.

<i>Win With The Following Types of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>	<i>Wild Ball Probability Of Winning Per Play Is 1 In:</i>	<i>Wild Ball Prize Won:</i>
Straight	1000	\$250	333.33	\$100
3-Way Box	333.33	\$80	111.11	\$36
6-Way Box	166.67	\$40	55.56	\$18
Front Pair	100	\$25	50	\$15
Back Pair	100	\$25	50	\$15

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 16-1528. Filed for public inspection September 2, 2016, 9:00 a.m.]

**PICK 4; Change to Game Rules; Terminal-Based Lottery Game**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pick 4 terminal-based lottery game rules that were published at 45 Pa.B. 388 (January 17, 2015).

This amendment offers additional ways to win prizes and additional prizes available to be won by players by adding an optional feature (the “Wild Ball option”) to the Pick 4 terminal-based lottery game. These changes will be effective on September 13, 2016.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 388—390:

\* \* \* \* \*

3. *Price:* The price of a PICK 4 ticket is based on the amount a player wagers for each play on the ticket. The minimum wager is \$.50 per play. Players can wager up to \$5<sup>00</sup> per play, in increments of \$.50. The Wild Ball option may be exercised, at the discretion of the player, for an amount equivalent to the cost of the base play.

4. *Description of the PICK 4 game:*

(a) PICK 4 is designed to give players the opportunity to win one prize per play. The Wild Ball option to the PICK 4 game is designed to give players additional ways to win prizes in the PICK 4 game.

\* \* \* \* \*

(d) PICK 4 game tickets may be purchased from an authorized retailer or at a Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 4 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, select whether to play the Wild Ball option, and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 4 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play,

select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, select whether to play the Wild Ball option, and select the play amount by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). Players who select the Wild Ball option can also win the prizes identified in section 10(d) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(f) A player may purchase plays for up to seven drawings in advance for either the day drawing or the evening drawing. If a player selects the Wild Ball option, the Wild Ball option will apply to all draws played on the same bet slip.

(g) A PICK 4 game ticket, as well as any Wild Ball options, may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 4 bet slip and ticket characteristics and restrictions:*

(a) *PICK 4 bet slips.*

(1) PICK 4 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 4 bet slip, the player may select up to four numbers, each ranging from 0 to 9, the play type for the number selection, the play amount, and the number of drawings in which the number selection is played. The player may select the Wild Ball option by marking the box for Wild Ball on the bet slip. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

\* \* \* \* \*

(b) *PICK 4 tickets.*

(1) A PICK 4 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the evening drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data. The PICK 4 ticket will also indicate whether the player has selected the Wild Ball option.

\* \* \* \* \*

6. *Time, place and manner of conducting drawings.*

\* \* \* \* \*

(c) *Manner of conducting drawings.*

(1) The Lottery will select, at random, four numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The four numbers selected will be used to determine winners of prizes for each individual drawing identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(2) In a separate drawing, the Lottery will select, at random, one Wild Ball number from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The one Wild Ball number selected will be used to determine winners of Wild Ball prizes for each individual drawing identified in section 10(d) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(3) The validity of a drawing will be determined solely by the Lottery.

\* \* \* \* \*

10. *Description of the Wild Ball option, prizes available to be won and determination of prize winners:*

(a) The Wild Ball option, when purchased as described in section 3 (relating to price), can be used in conjunction with each of the play types described in section 4(b) (relating to description of the PICK 4 game). The Wild Ball option cannot be played independently. A player must have first played one of the play types for the PICK 4 game before the Wild Ball option can be utilized.

(b) The Wild Ball, when selected in the drawing described in section 6(c)(2) (relating to time, place and manner of conducting drawings), may replace any one of the four numbers drawn by the Lottery in order to create a winning combination for the play type on the ticket. If the player's numbers on a ticket match any of the winning combinations using the Wild Ball for that drawing, the player wins the Wild Ball prize, as determined by the player's play type and wager amount, as described below.

(c) If the Wild Ball number is the same as one of the four numbers drawn by the Lottery, and the player's numbers already match the numbers drawn for the player's play type, the player will be awarded the Wild Ball prize plus the PICK 4 prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). The player will be awarded a Wild Ball prize for each winning combination created using the Wild Ball for that drawing, as determined by the player's play type and wager amount.

(d) *Prizes available to be won and determination of prize winners:*

(1) Holders of a Straight play ticket, as described in section 7(a)(1), upon which three of the four PICK 4 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 4 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Straight play and shall be entitled to a prize of \$750.

(2) Holders of a 4-Way Box play ticket, as described in section 7(a)(2), upon which three of the four PICK 4 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 4 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 4-Way Box play and shall be entitled to a prize of \$195.

(3) Holders of a 6-Way Box play ticket, as described in section 7(a)(3), upon which three of the four PICK 4 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 4 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 6-Way Box play and shall be entitled to a prize of \$130.

(4) Holders of a 12-Way Box play ticket, as described in section 7(a)(4), upon which three of the four PICK 4 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 4 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 12-Way Box play and shall be entitled to a prize of \$65.

(5) Holders of a 24-Way Box play ticket, as described in section 7(a)(5), upon which three of the four PICK 4 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 4 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 24-Way Box play and shall be entitled to a prize of \$30.

(f) All PICK 4 Wild Ball prize payments will be made as a one-time, lump-sum payment.

(g) The Lottery reserves the right to stop play on any number or combination of numbers, in conjunction with the Wild Ball option, at any time during the course of the PICK 4 game.

(h) The Wild Ball prizes available to be won and the determination of Wild Ball prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to Wild Ball drawings as of the date specified in the notice.

(i) The Secretary may alter any prize amount stated in section 10(d)(1)—(5) temporarily for marketing and promotional purposes. Such change will be announced by public notice.

(j) *Probability of winning.* The following table sets forth all possible ways that a Wild Ball prize can be won for a single play with the Wild Ball option selected; the probability of winning each prize for each \$.50 wagered; and the corresponding prize won.

<i>Win With The Following Types of Play:</i>	<i>Probability Of Winning Per Play Is 1 In:</i>	<i>Prize Won:</i>	<i>Wild Ball Probability Of Winning Per Play Is 1 In:</i>	<i>Wild Ball Prize Won:</i>
Straight	10,000	\$2,500	2,500	\$750
4-Way Box	2,500	\$600	625	\$195
6-Way Box	1,667	\$400	416.67	\$130
12-Way Box	833.33	\$200	208.33	\$65
24-Way Box	416.67	\$100	104.17	\$30

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 16-1529. Filed for public inspection September 2, 2016, 9:00 a.m.]

**PICK 5; Change to Game Rules; Terminal-Based Lottery Game**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pick 5 terminal-based lottery game rules that were published at 45 Pa.B. 390 (January 17, 2015).

This amendment offers additional ways to win prizes and additional prizes available to be won by players by adding an optional feature (the “Wild Ball option”) to the Pick 5 terminal-based lottery game. These changes will be effective on September 13, 2016.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 390—393:

\* \* \* \* \*

3. *Price:*

A PICK 5 play is \$1. The Wild Ball option may be exercised, at the discretion of the player, for an additional \$1 per play.

4. *Description of the PICK 5 game:*

(a) PICK 5 is designed to give players the opportunity to win one prize per play. The Wild Ball option to the PICK 5 game is designed to give players additional ways to win prizes in the PICK 5 game.

\* \* \* \* \*

(c) PICK 5 game tickets may be purchased from an authorized retailer or at a Lottery self-service terminal, also known as a PlayCentral Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and submit a completed PICK 5 bet slip to the authorized retailer. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, select whether to play the Wild Ball option, and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price and a completed PICK 5 bet slip. Alternatively, a player may make their number selections or request the Quick Pick option, choose the type of play, select whether the number selection is for the day drawing or evening drawing, select the drawing date or dates for which the number selection should be entered, select whether to play the Wild Ball option, and select the play amount by manually entering the information into the Lottery self-service terminal.

(d) Players can win a prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). Players who select the Wild Ball option can also win the prizes identified in section 10(e) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(e) A player may purchase plays for up to seven drawings in advance for either the day drawing or the

evening drawing. If a player selects the Wild Ball option, the Wild Ball option will apply to all draws played on the same bet slip.

(f) A PICK 5 game ticket, as well as any Wild Ball options, may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *PICK 5 bet slip and ticket characteristics and restrictions:*

(a) *PICK 5 bet slips.*

(1) PICK 5 bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to make play selections. Using a PICK 5 bet slip, the player may select up to five numbers, each ranging from 0 to 9, the play type for the number selection, and the number of drawings in which the number selection is played. The player may select the Wild Ball option by marking the box for Wild Ball on the bet slip. For additional plays desired, a player must complete their number selections in a separate game area on the bet slip (GAME A, GAME B, GAME C, GAME D, and GAME E).

\* \* \* \* \*

(b) *PICK 5 tickets.*

(1) A PICK 5 ticket shall contain one number selection, the drawing date or range of dates for which the number selection is entered, a designation that the ticket is for the day drawing or the evening drawing, the cost of the play, the total cost of the ticket, the designation of the type of play, and validation data. The PICK 5 ticket will also indicate whether the player has selected the Wild Ball option.

\* \* \* \* \*

6. *Time, place and manner of conducting drawings.*

\* \* \* \* \*

(c) *Manner of conducting drawings.*

(1) The Lottery will select, at random, five numbers from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The five numbers selected will be used to determine winners of prizes for each individual drawing identified in section 7(a) (relating to prizes available to be won and determination of prize winners).

(2) In a separate drawing, the Lottery will select, at random, one Wild Ball number from 0 through 9, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The one Wild Ball number selected will be used to determine winners of Wild Ball prizes for each individual drawing identified in section 10(d) (relating to description of the Wild Ball option, prizes available to be won and determination of prize winners).

(3) The validity of a drawing will be determined solely by the Lottery.

\* \* \* \* \*

10. *Description of the Wild Ball option, prizes available to be won and determination of prize winners:*

(a) The Wild Ball option, when purchased as described in section 3 (relating to price), can be used in conjunction with each of the play types described in section 4(b) (relating to description of the PICK 5 game). The Wild Ball option cannot be played independently. A player must have first played one of the play types for the PICK 5 game before the Wild Ball option can be utilized.



(b) The Wild Ball, when selected in the drawing described in section 6(c)(2) (relating to time, place and manner of conducting drawings), may replace any one of the five numbers drawn by the Lottery in order to create a winning combination for the play type on the ticket. If the player's numbers on a ticket match any of the winning combinations using the Wild Ball for that drawing, the player wins the Wild Ball prize, as determined by the player's play type and wager amount, as described below.

(c) If the Wild Ball number is the same as one of the five numbers drawn by the Lottery, and the player's numbers already match the numbers drawn for the player's play type, the player will be awarded the Wild Ball prize plus the PICK 5 prize identified in section 7(a) (relating to prizes available to be won and determination of prize winners). The player will be awarded a Wild Ball prize for each winning combination created using the Wild Ball for that drawing, as determined by the player's play type and wager amount.

(d) The non-played numbers for Front Pair, Back Pair, Front Three, Back Three, Front Four and Back Four play types are not eligible to create winning combinations. Non-played numbers for Front Pair, Back Pair, Front Three, Back Three, Front Four and Back Four play types are indicated by asterisks on the PICK 5 ticket.

(e) *Prizes available to be won and determination of prize winners:*

(1) Holders of a Straight play ticket, as described in section 7(a)(1), upon which four of the five PICK 5 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Straight play and shall be entitled to a prize of \$12,000.

(2) Holders of a 5-Way Box play ticket, as described in section 7(a)(2), upon which four of the five PICK 5 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 5-Way Box play and shall be entitled to a prize of \$2,400.

(3) Holders of a 10-Way Box play ticket, as described in section 7(a)(3), upon which four of the five PICK 5 drawn numbers plus the Wild Ball drawn number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 10-Way Box play and shall be entitled to a prize of \$1,200.

(4) Holders of a 20-Way Box play ticket, as described in section 7(a)(4), upon which four of the five PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 20-Way Box play and shall be entitled to a prize of \$600.

(5) Holders of a 30-Way Box play ticket, as described in section 7(a)(5), upon which four of the five PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 30-Way Box play and shall be entitled to a prize of \$400.

(6) Holders of a 60-Way Box play ticket, as described in section 7(a)(6), upon which four of the five PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 60-Way Box play and shall be entitled to a prize of \$200.

(7) Holders of a 120-Way Box play ticket, as described in section 7(a)(7), upon which four of the five PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball 120-Way Box play and shall be entitled to a prize of \$100.

(8) Holders of a Front Four play ticket, as described in section 7(a)(8), upon which three of the first four PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the first four PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Front Four play and shall be entitled to a prize of \$1,500.

(9) Holders of a Back Four play ticket, as described in section 7(a)(9), upon which three of the last four PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the last four PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Back Four play and shall be entitled to a prize of \$1,500.

(10) Holders of a Front Three play ticket, as described in section 7(a)(10), upon which two of the first three PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the first three PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Front Three play and shall be entitled to a prize of \$200.

(11) Holders of a Back Three play ticket, as described in section 7(a)(11), upon which two of the last three PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the last three PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Back Three play and shall be entitled to a prize of \$200.

(12) Holders of a Front Pair play ticket, as described in section 7(a)(12), upon which one of the first two PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the first two PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Front Pair play and shall be entitled to a prize of \$30.

(13) Holders of a Back Pair play ticket, as described in section 7(a)(13), upon which one of the last two PICK 5 drawn numbers plus the Wild Ball number, in place of any one of the last two PICK 5 drawn numbers, match the player's numbers, shall be the winner of a Wild Ball Back Pair play and shall be entitled to a prize of \$30.

(f) All PICK 5 Wild Ball prize payments will be made as a one-time, lump-sum payment.

(g) The Lottery reserves the right to stop play on any number or combination of numbers, in conjunction with the Wild Ball option, at any time during the course of the PICK 5 game.

(h) The Wild Ball prizes available to be won and the determination of Wild Ball prize winners may be changed at the discretion of the Secretary and will be announced by public notice. Any such changes will apply prospectively to Wild Ball drawings as of the date specified in the notice.

(i) The Secretary may alter any prize amount stated in section 10(e)(1)–(13) temporarily for marketing and promotional purposes. Such change will be announced by public notice.

(j) *Probability of winning.* The following table sets forth all possible ways that a Wild Ball prize can be won for a single play with the Wild Ball option selected; the probability of winning each prize; and the corresponding prize won.

<i>Win With The Following Types of Play:</i>	<i>Wild Ball Probability Of Winning Per Play Is 1 In:</i>	<i>Wild Ball Prize Won:</i>
Straight	20,000	\$12,000
5-Way Box	4,000	\$2,400
10-Way Box	2,000	\$1,200
20-Way Box	1,000	\$600
30-Way Box	666.67	\$400
60-Way Box	333.33	\$200
120-Way Box	166.67	\$100
Front Four	2,500	\$1,500
Back Four	2,500	\$1,500
Front Three	333.33	\$200
Back Three	333.33	\$200
Front Pair	50	\$30
Back Pair	50	\$30

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 16-1530. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Public Utility Realty Tax Act; Surcharge Rate Notice for the Tax Year Beginning January 1, 2017

Section 1111-A(d) of the Tax Reform Code of 1971 (act) (72 P.S. § 8111-A(d)) requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the *Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in section 1111-A(d) of the act shall be imposed upon gross receipts taxes as provided in section 1111-A(d) of the act for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in section 1111-A of the act for the tax year beginning January 1, 2017, is zero mills. Therefore, no PURTA surcharge under section 1111-A(d) of the act will be imposed for the taxable period beginning January 1, 2017.

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 16-1531. Filed for public inspection September 2, 2016, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meeting: Thursday, September 8, 2016—Council meeting at 10 a.m.

The meeting will be accessible at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and who wish to attend should contact René Greenawalt at (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 16-1532. Filed for public inspection September 2, 2016, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, August 18, 2016, and announced the following:

### Action Taken—Regulation Approved:

Pennsylvania Gaming Control Board # 125-187: Fortune Asia Poker; Table Game Rules of Play (amends 58 Pa. Code Chapter 659a)

Department of Transportation # 18-460: Mechanical, Electrical and Electronic Speed-Timing Devices (amends 67 Pa. Code Chapter 105)

Environmental Quality Board # 7-491: Control of Volatile Organic Compound Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings (amends 25 Pa. Code Chapter 129)

Environmental Quality Board # 7-490: Control of Volatile Organic Compound Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations (amends 25 Pa. Code Chapter 129)

Environmental Quality Board # 7-494: Safe Drinking Water; Revised Total Coliform Rule (amends 25 Pa. Code Chapter 109)

Environmental Quality Board # 7-496: Remining Requirements (amends 25 Pa. Code Chapters 87, 88 and 90)

### Action Taken—Regulation Disapproved: Order Not Yet Issued

\* State Board of Chiropractic # 16A-4323: Distance Education

\* Will advise when order is issued.

## Approval Order

Public Meeting Held  
August 18, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Gaming Control Board  
Fortune Asia Poker; Table Game Rules of Play  
Regulation No. 125-187 (# 3092)*

On March 11, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code Chapter 659a. The proposed regulation was published in the March 21, 2015 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 22, 2016.

This rulemaking changes the name of Asia Poker to Fortune Asia Poker and adds two additional side wagers to the game, the Insurance and Progressive Payout Wagers. In addition, the regulation includes dealing procedures, layout requirements, ranking of hands for the additional side wagers and payout odds.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30) and 13A02(1) and (2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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### Approval Order

Public Meeting Held  
August 18, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson;  
W. Russell Faber; Murray Ufberg, Esq.; Dennis A.  
Watson, Esq.

*Department of Transportation  
Mechanical, Electrical and Electronic  
Speed-Timing Devices  
Regulation No. 18-460 (# 3065)*

On July 8, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking amends 67 Pa. Code Chapter 105. The proposed regulation was published in the July 19, 2014 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 13, 2016.

This rulemaking removes outdated speed-timing device references and updates the Department's regulations to account for new technologies, tools and techniques in the field of speedometer testing and calibration.

We have determined this regulation is consistent with the statutory authority of the Department (75 Pa.C.S. §§ 3368 and 6103) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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### Approval Order

Public Meeting Held  
August 18, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson;  
W. Russell Faber; Murray Ufberg, Esq.; Dennis A.  
Watson, Esq.

*Environmental Quality Board  
Control of Volatile Organic Compound Emissions from  
Miscellaneous Metal Parts Surface Coating Processes,  
Miscellaneous Plastic Parts Surface Coating Processes and  
Pleasure Craft Surface Coatings  
Regulation No. 7-491 (# 3109)*

On July 13, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 129. The proposed regulation was published in the August 8, 2015 *Pennsylvania Bulletin* with a 67-day public comment period. The final-form regulation was submitted to the Commission on July 15, 2016.

This regulation adds reasonably available control technology (RACT) requirements and RACT emission limitations for the control of volatile organic compound emissions from miscellaneous metal parts surface coating

processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 4005(a)(1) and (8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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### Approval Order

Public Meeting Held  
August 18, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson;  
W. Russell Faber; Murray Ufberg, Esq.; Dennis A.  
Watson, Esq.

*Environmental Quality Board  
Control of Volatile Organic Compound Emissions from  
Automobile and Light-Duty Truck Assembly Coating  
Operations and Heavier Vehicle Coating Operations  
Regulation No. 7-490 (# 3110)*

On July 13, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 129. The proposed regulation was published in the August 8, 2015 *Pennsylvania Bulletin* with a 67-day public comment period. The final-form regulation was submitted to the Commission on July 15, 2016.

This regulation adds reasonably available control technology (RACT) requirements and RACT emission limitations for the control of volatile organic compound emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations, as well as related cleaning activities.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 4005(a)(1) and (8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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### Approval Order

Public Meeting Held  
August 18, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson;  
W. Russell Faber; Murray Ufberg, Esq.; Dennis A.  
Watson, Esq.

*Environmental Quality Board  
Safe Drinking Water; Revised Total Coliform Rule  
Regulation No. 7-494 (# 3119)*

On September 22, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 109. The proposed regulation was published in the October 3, 2015 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on July 15, 2016.

This final-form rulemaking amends the EQB’s regulations to incorporate federal requirements needed to obtain primary enforcement authority for the Revised Total Coliform Rule.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 721.4(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting Held  
August 18, 2016

*Commissioners Voting:* George D. Bedwick, Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board  
Remining Requirements  
Regulation No. 7-496 (# 3121)*

On September 23, 2015, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapters 87, 88 and 90. The proposed regulation was published in the October 3, 2015 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 15, 2016.

This rulemaking incorporates Federal remining requirements relating to statistical methods for determining pollution baseline and compliance monitoring for pre-existing discharges at remining operations.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 691.5, 52 P.S. §§ 1396.4(a) and 1396.4b) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 16-1533. Filed for public inspection September 2, 2016, 9:00 a.m.]

**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>
7-535	Environmental Quality Board Stream Redesignations (Sobers Run, et al.) 46 Pa.B. 2970 (June 11, 2016)	7/25/16	8/24/16

**Environmental Quality Board  
Regulation # 7-535 (IRRC # 3150)  
Stream Redesignations (Sobers Run, et al.)  
August 24, 2016**

We submit for your consideration the following comments on the proposed rulemaking published in the June 11, 2016 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

**1. RAF (18) Explain how the benefits of the regulation outweigh any cost and adverse effects.—  
Economic impact.**

The response to Regulatory Analysis Form (RAF) (18) explains that the benefits of clean water outweigh the cost of treatment technology and best management practices. The response also references responses to RAF (15) and (17). These RAF responses cite multiple benefits that include dollar estimates such as \$3.7 billion annually generated by sport fishing in Pennsylvania between the years 1995 to 1997. While these industry-wide evalua-

tions provide useful information, that is not the question the RAF poses. The question posed is directed at the benefits of the amendments in this regulation. For example, how will this regulation incrementally affect the overall \$3.7 billion sport fishing industry or any of the other benefits presented in the RAF?

In regard to costs, the information presented is vague. The RAF (15) response indicates that the increased protection may result in higher design, engineering, construction and treatment costs, and that there are 20 known pollution control facilities affected. The responses to RAF (19), (20) and (23) do not provide any dollar estimates and state either that the costs cannot be determined because they are site-specific or that there are no costs. The RAF (20) response is inconsistent. It states, “No costs will be imposed directly upon local governments,” then states “certain municipalities . . . may be affected,” then concludes that the costs would be site-specific. We are concerned that the impact of the redesignations on existing discharges is not sufficiently explained and the costs are not estimated. In addition, the redesignations limit future land uses, but there is no sufficient explanation or estimation of that impact on current landowners. The RAF asks for a specific estimate

of costs associated with compliance with this regulation. Just because costs are site-specific, does not mean there are no costs or that an estimate could not be derived from other projects.

A conclusion that the benefits of this specific regulation outweigh the costs and adverse effects should be based on numbers specific to this regulation. Therefore, we ask the EQB to amend the RAF responses to provide information specific to this regulation. In support of its determination that benefits outweigh any cost and adverse effects, we ask the EQB to provide more thorough and specific explanations of benefits, costs and adverse effects in the RAF submitted with the final-form regulation.

**2. RAF (22) For each of the groups and entities identified in items (19)–(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.—Economic impact.**

Both the response to RAF (22) and the Preamble's Section F under the subtitle Paperwork Requirements explain that some permits and paperwork will be required. However, the response to RAF (22) did not include the detail requested in RAF (22). We ask the EQB to provide a more thorough response to RAF (22) in the final-form regulation submittal.

**3. RAF (7) Briefly explain the regulation in clear and nontechnical language.—Clarity.**

The first sentence of the second paragraph in this response states, "This proposal modifies Chapter 93 to reflect the recommended redesignation of streams shown on the attached list." We did not find an attachment and are not clear regarding what this response references. The EQB should either include this list with the final-form submittal or amend the response to clarify what document it references.

**4. RAF (15), (16) and (17) Responses relating to small businesses.**

RAF Questions (15), (16) and (17) ask the agency to identify, list and identify the impact on several entities, including small businesses. We ask the EQB to directly address small businesses in these responses.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 16-1534. Filed for public inspection September 2, 2016, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Reinsure the Entire Book of Business of a Domestic Insurer and Subsequent Voluntary Surrender of Pennsylvania Certificate of Authority

Hannahstown Mutual Insurance Company, a domestic mutual property insurance company, has submitted an

application for approval to: (1) reinsure its entire schedule of policies with Conemaugh Valley Mutual Insurance Company, also a domestic mutual property insurance company; and (2) subsequently voluntarily surrender its certificate of authority to do the business of insurance in this Commonwealth. The request for approval of the reinsurance transaction was submitted under section 319 of The Insurance Company Law of 1921 (40 P.S. § 442).

Persons wishing to comment on the transaction are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-1535. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Catholic Order of Foresters (UHAS-130647687); Rate Increase Filing for Various LTC Forms

The Catholic Order of Foresters is requesting approval to increase the premium 40% on 11 Pennsylvania policies with the following form numbers: FCNH, FCLTC and FCLTC 2000.

Unless formal administrative action is taken prior to November 17, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Long Term Care Rate Filings" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-1536. Filed for public inspection September 2, 2016, 9:00 a.m.]

### **Catholic Order of Foresters (UHAS-130647883); Rate Increase Filing for LTC Form FCLTC 2002**

The Catholic Order of Foresters is requesting approval to increase the premium 60% on two Pennsylvania policies with the following form number: FCLTC 2002.

Unless formal administrative action is taken prior to November 17, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Long Term Care Rate Filings" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-1537. Filed for public inspection September 2, 2016, 9:00 a.m.]

### **Pennsylvania Compensation Rating Bureau; Filing for Rate and Rule Manual Revisions**

On August 5, 2016, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (Bureau) a filing that proposes revisions to the Bureau's underwriting guide for classifications 971—Commercial Buildings and 880—Apartment House or Condominium Complex Operation with an end goal of including homeowner association and mobile home park employers in classification 880 instead of classification 971.

As employers moved from classification 971 to 880 would see their loss cost increase by 60.07% (per the classifications' current rating values), the Bureau proposes to create an interim classification, 888—Homeowners' Association until the rating values for classification 880 and 888 are sufficiently similar so that the two classifications can be consolidated (by means of a future filing submitted to the Department for its prior approval).

A specific loss cost for interim classification 888 is not proposed at this time; instead the Bureau intends to file this loss cost as part of its annual loss cost filing for all classifications effective April 1, 2017.

The filing is available for review on the Bureau's web site at [www.pcrb.com](http://www.pcrb.com) in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections to James Di Santo, Insurance Department, Insurance Product Regulation,

1311 Strawberry Square, Harrisburg, PA 17120, [jadisanto@pa.gov](mailto:jadisanto@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-1538. Filed for public inspection September 2, 2016, 9:00 a.m.]

### **Pennsylvania Compensation Rating Bureau; Filing for Rate and Rule Manual Revisions**

On August 16, 2016, the Insurance Department received from the Pennsylvania Compensation Rating Bureau (Bureau) a filing proposing revisions to their underwriting guide. The filing includes the following proposed changes:

- The reclassification of Sod Farms from code 0013 Nursery to code 0006 Field Crop or Vegetable Farm. The currently approved Bureau loss costs for codes 0013 and 0006 are \$3.33 and \$3.50, respectively.
- Revisions to the scope of code 446 Precision Machined Parts Mfg., N.O.C. which may result in some employers presently assigned to code 461 to be eligible for reassignment to code 446. The currently approved Bureau loss costs for codes 461 and 446 are \$2.24 and \$1.30, respectively. Additionally, other employers presently assigned to code 446 may be deemed, upon a new review, to be misclassified resulting in reassignment to another to be determined classification.

- The reclassification of Oil Rig or Derrick Erecting and Dismantling by Contractor from code 655 Iron Erection to code 657 Rigging. The currently approved Bureau loss costs for codes 655 and 657 are \$11.60 and \$6.91, respectively.

- The reclassification of Truck Washing Services, Mobile from code 815 Automobile Service Center to code 971 Commercial Buildings. The currently approved Bureau loss costs for codes 815 and 971 are \$2.90 and \$2.98, respectively.

The filing is available for review on the Bureau's web site at [www.pcrb.com](http://www.pcrb.com) in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections to Dennis J. Sloand, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [desloand@pa.gov](mailto:desloand@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-1539. Filed for public inspection September 2, 2016, 9:00 a.m.]

### **Review Procedure Hearings under the Unfair Insurance Practices Act**

The following insurer 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 Administrative Hearings 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 Millville Mutual Insurance Company; File No. 16-130-199521; Becky Lee Barrick; Doc. No. P16-08-006; October 4, 2016, 9:30 a.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. 16-1540. Filed for public inspection September 2, 2016, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 9 a.m. on Tuesday, September 13, 2016.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,  
*Executive Director*

[Pa.B. Doc. No. 16-1541. Filed for public inspection September 2, 2016, 9:00 a.m.]

# PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Assessment Approval for PENNVEST Funding Consideration

*Scope:* Clean Water and Drinking Water State Revolving Fund Projects for October 19, 2016, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board Meeting Consideration

*Description:* PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Monday, October 3, 2016. Electronic comments should be submitted using the Department's eComment site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For further information about the approval of the following Environmental Assessments or the Clean Water and Drinking Water State Revolving Loan Programs, contact Richard Wright at [riwright@pa.gov](mailto:riwright@pa.gov), the Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059 or visit the Department's web site at <http://www.dep.pa.gov/Business/Water/PointNonPointMgmt/InfrastructureFinance/>.

#### *CWSRF Projects Being Considered*

*Applicant:* City of Johnstown

*County:* Cambria

*Applicant Address:* 401 Main Street, Johnstown, PA 15901

*Project Description:* Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers with new pipe by method of open cut or slip lining in the Moxham Phase II Area of the City of Johnstown. In addition to replacing the collection system, all existing laterals will be replaced from the main to the property line. All current customers will be required to televise or pressure test their privately owned lateral. This will

maximize the inflow/infiltration (I/I) reduction from the private systems. The project will remove excess I/I from the system which will reduce flows to the downstream sanitary sewer overflows (SSO).

*Problem Description:* The City of Johnstown has entered into a Consent Order and Agreement with the Department to reduce the amount of I/I entering the City of Johnstown collection sewer system to eliminate all SSOs. Numerous class 3, 4 and 5 defects have been found within the Moxham Phase II Project area.

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*Applicant:* Lower Yoder Township

*County:* Cambria

*Applicant Address:* 128 J Street, Johnstown, PA 15906

*Project Description:* This project is the second of three phases being implemented within Lower Yoder Township to reduce I/I and eliminate Lower Yoder Township's contribution to SSO activity downstream. Lower Yoder Township plans to replace the existing sewer lines, man-holes and laterals to within 5 feet of each structure if an easement is signed for them to do so. The existing pipe sizes will be used for the construction of the new lines. The collector pipe sizes selected for this project are exclusively 8 inches. There are a total of 480 residential dwellings and 20 commercial dwellings in this basin.

*Problem Description:* Lower Yoder Township has entered into a Consent Order and Agreement with the Department to reduce the amount of I/I entering the sewer system within Lower Yoder Township. Closed circuit television inspections were used to evaluate the condition of the current sewer system. As a result of these inspections, many class 3, 4 and 5 defects were found and a plan was generated to correct these defects. The flow from this project area is contributing to four SSOs downstream both within Lower Yoder Township and within the Johnstown Redevelopment Authority's interceptor system.

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*Applicant:* Greene Township

*County:* Erie

*Applicant Address:* 9333 Tate Road, Erie, PA 16509

*Project Description:* The proposed project includes the construction of approximately 41,875 lineal feet of 6-inch through 12-inch diameter gravity sewer, 1,690 manholes, 1,276 lineal feet of low pressure sewer, 1 pump station and 18 grinder pumps to provide wastewater service to 276 entities. The wastewater will be collected from Greene Township and conveyed through the Millcreek Township Sewer Authority system into the City of Erie system for treatment.

*Problem Description:* This is the second of a six-phase project whereby the most densely populated areas of Greene Township are proposed to receive public wastewater service. This phase will serve 256 residential and 20 commercial entities along Haft, Holman, Horse Shoe Kirsch, Morehouse, Old Wattsburg, Woodrose and Hartman Roads, as well as a portion of State Route 8. This phase will also allow Greene Township to decommission and tie in two existing wastewater treatment plants. They include the Kirsch Road lagoon system and the Greene Township municipal extended aeration package treatment plant. A sanitary survey of this project area revealed a 38.6% confirmed onlot malfunction rate. These

systems leach untreated and partially treated wastewater onto the ground surface and into the waters of the Commonwealth. This project will eliminate the malfunctioning sewage systems thereby improving the areas water quality.

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*Applicant:* Borough of Everett Area Municipal Authority

*County:* Bedford

*Applicant Address:* 10 Mechanic Street, Everett, PA 15537

*Project Description:* The applicant proposes to replace and rehabilitate the existing sewer system to reduce I/I and eliminate two SSOs within their system to comply with the Consent Order and Agreement with the Department. The project involves replacement/rehabilitation of approximately 16,600 feet of the existing sanitary sewers ranging from 8 inches to 18 inches in diameter, replacing/rehabilitating approximately 100 brick or concrete man-holes and installation of a submersible pumping station.

*Problem Description:* Two SSOs in the system need to be eliminated.

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*Applicant:* Moshannon Valley Joint Sewer Authority

*County:* Centre

*Applicant Address:* 829 North 9th Street, Philipsburg, PA 16866

*Project Description:* The Moshannon Valley Joint Sewer Authority would like to implement a headworks project that consists of the construction of a new screening facility and the associated relocation of sewer interceptors adjacent to the plant. The proposed project also includes upgrades to worn out equipment within the plant.

*Problem Description:* The facility currently experiences a large number of operational and maintenance issues associated with rags and other debris in the raw wastewater due to a lack of wastewater screening prior to the treatment facility. This debris causes excessive wear on mechanical equipment, negatively impacts the treatment performance of the biological system and increases the level of maintenance required throughout the facility.

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*Applicant:* Pleasant Hills Authority

*County:* Allegheny

*Applicant Address:* 610 Old Clairton Road, Pittsburgh, PA 15236

*Project Description:* Modifications to the Pleasant Hills Sewage Treatment Plant to enable the facility to treat a peak wet weather flow of 25 million gallons per day.

*Problem Description:* Unauthorized bypasses, SSOs and violations of National Pollutant Discharge Elimination Systems effluent limits.

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*Applicant:* Southmont Borough

*County:* Cambria

*Applicant Address:* 148 Wonder Street, Johnstown, PA 15905

*Project Description:* Proposed construction of sanitary sewer rehabilitation project to replace existing defective



sewers in the Phase II Area of Southmont Borough. Phase II consists of the installation of 29,380 lineal feet of PVC sewer pipe, 188 manholes and 474 wye connections; 39,500 lineal feet of building sewers/sewer laterals shall also be installed.

*Problem Description:* Hydraulic overloading to the Johnstown Redevelopment Authority Sanitary Sewer System and Treatment Facility.

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*DWSRF Projects Being Considered*

*Applicant:* Laporte Borough

*County:* Sullivan

*Applicant Address:* P.O. Box 125, Main Street, Laporte, PA 18626

*Project Description:* Laporte Borough is proposing to replace their existing 150,000-gallon glass lined steel tank with a new 150,000-gallon lined bolted steel tank. In addition, Laporte Borough plans to replace: approximately 2,600 lineal feet of 6-inch waterline with an 8-inch ductile iron (DI) waterline from the water storage tank along Grandview Drive and Muncy Street to the intersection at Main Street; approximately 300 lineal feet of 6-inch waterline with 6-inch DI waterline on Muncy Street between the north side of Main Street through Park Street; and approximately 800 lineal feet of 4-inch waterline with 6-inch DI waterline on Cherry Street (approximately 3,700 lineal feet of total waterline replacement). Fire hydrants will be replaced along the project path with service connections for the existing customers.

*Problem Description:* The existing glass lined water storage tank is corroded and needs significant rehabilitation and replacement was determined to be the best long term cost-effective solution. The existing waterline was installed in the 1940s and is prone to breakage and has lost capacity due to tuberculation and encrustation. The increased waterline size will reduce head loss and improve fire flow capability.

PATRICK McDONNELL,  
*Acting Secretary*

*Department of Environmental Protection*  
*Acting Vice Chairperson*

*Pennsylvania Infrastructure Investment Authority*

PAUL K. MARCHETTI,  
*Executive Director*

*Pennsylvania Infrastructure Investment Authority*

[Pa.B. Doc. No. 16-1542. Filed for public inspection September 2, 2016, 9:00 a.m.]

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## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 19, 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-2016-2558554. Excelsior Transport Company** (7 West Bethany Road, Newmanstown, Lebanon County, PA 17073) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Lebanon County and Berks County, to points in Pennsylvania.

**A-2016-2561641. Ramon Vasquez, t/a Vasquez Transportation** (628 Carson Street, Hazleton, Luzerne County, PA 18201) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, within 20 statute air miles from the City of Hazleton, Luzerne County, to points in Pennsylvania, and return.

**A-2016-2561797. Robert W. Norris, t/a Travel Time Taxi** (P.O. Box 365, Atglen, Chester County, PA 19310) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Chester and Lancaster, to points in Pennsylvania, and return.

**A-2016-2562254. William Kavanaugh** (124 Old Hill Road, Loganton, Clinton County, PA 17747) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Clinton County, to points in Pennsylvania, and return.

**A-2016-2562276. Triune Transportation Services, LLC** (6 Molly Drive, New Oxford, Adams County, PA 17350) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Adams, Dauphin, Lancaster and York, to points in Pennsylvania, and return.

**A-2016-2562286. Walter George Persing** (P.O. Box 3, Allenwood, Lycoming County, PA 17810) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in Pennsylvania.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2016-2562497. Central PA Limousine & Car Service, LLC** (850 Sunbury Road, Shamokin Dam, Snyder County, PA 17876) for the amended right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Pennsylvania, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-1543. Filed for public inspection September 2, 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 September 19, 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. Mahmoud Mahmoud; Docket No. C-2016-2554746

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Mahmoud Mahmoud, Respondent, maintains a residence at 3431 Meadowbrook, Leavittsburg, OH 44430.

2. That on June 4, 2016 at 12:30 AM, PUC Enforcement Officers Christopher Urey and Ryan Balestra observed a vehicle in the South Side of Pittsburgh with an illuminated taxi sign but no PUC number on the vehicle. The license plate, FXQ8147 OH was registered to Respondent, Mahmoud Mahmoud of Leavittsburg, Ohio. The vehicle is a 2002 Honda with vehicle identification number HKR118612H563786. Respondent does not hold a certificate of public convenience issued by this Commission.

3. That Respondent, by having operated a vehicle with a taxi sign at Station Square, Pittsburgh, is holding out to provide transportation of persons between points in the Commonwealth of Pennsylvania for compensation while not having operating authority with this Commission, and violated the Public Utility Code, 66 Pa.C.S. § 1101. The penalty for this violation is \$1,000.00.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Mahmoud Mahmoud, the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/2/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. J & A Transline, LLC; Docket No. C-2016-2555912**

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 J & A Transline, LLC, (respondent) is under suspension effective July 02, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 536 Selfridge Street, Bethlehem, PA 18015.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 22, 2016, at A-8918401.

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-8918401 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: 7/19/2016

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. Red Beard  
Express, LLC; Docket No. C-2016-2556126**

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 Red Beard Express, LLC, (respondent) is under suspension effective July 03, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 316 Sharp Ridge Road, Danville, PA 17821.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 31, 2013, at A-8915869.

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-8915869 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: 7/19/2016

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. Anyama Trucking Incorporated; Docket No. C-2016-2556337**

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 Anyama Trucking Incorporated, (respondent) is under suspension effective July 04, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1010 Serrill Avenue, Yeadon, PA 19050.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 04, 2010, at A-8912715.

4. That respondent has failed to maintain evidence of both Cargo insurance 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-8912715 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: 7/19/2016

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.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-1544. Filed for public inspection September 2, 2016, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Request for Proposals

The Philadelphia Parking Authority will accept sealed proposals for RFP No. 16-21.2, Bottled Water 2016, until 2 p.m. on Friday, September 16, 2016. Information can be obtained from [www.philapark.org](http://www.philapark.org) or call Mary Wheeler at (215) 683-9665.

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 16-1545. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Service of Notice of Requirement to Sell Medallion

#### The Philadelphia Parking Authority, Taxicab and Limousine Division v. EYL Cab Co.; Doc. No. C-16-03-033

Attention EYL Cab Co., last known address of 2301 Church Street, Philadelphia, PA 19124, this notice advises that under the Opinion and Order of Hearing Officer, Hon. Chris R. Wogan that was issued and entered on August 11, 2016, as amended, with the Philadelphia Parking Authority's (Authority) Taxicab and Limousine Division's (TLD) Office of the Clerk, EYL Cab Co.'s medallion taxicab certificate of public convenience (CPC) no. 1000153-01 is hereby cancelled effective August 26, 2016. A CPC is a licensing right which accompanies each medallion and authorizes the operation of one taxicab. Therefore, EYL Cab Co. no longer has operating authority for its medallion no. P-1132.

Be advised that EYL Cab Co. has 6 months from the date of its CPC's cancellation, which is no later than February 26, 2017, to sell medallion no. P-1132 or the medallion will become nontransferable. The TLD is already in possession of the medallion for safekeeping if and until the medallion is sold within the aforementioned time period. See 53 Pa.C.S. § 5713 (relating to property and licensing rights). Refer to Authority regulations at 52 Pa. Code Chapter 27 (relating to air transportation) concerning the sale of rights. An SA-1 "Sale Application" may be obtained on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

Persons with questions concerning this notice should contact Michael McIlmail, Esq., Deputy Manager of Administration, (215) 683-9637, [mmcilmil@philapark.org](mailto:mmcilmil@philapark.org). Questions concerning the SA-1 application process, con-

tact Christine A. Kirlin, Esq., Administrative Counsel,  
(215) 683-9653, ckirlin@philapark.org.

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 16-1546. Filed for public inspection September 2, 2016, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 16-109.0, Removal of K-5 Crane at Packer Avenue Marine Terminal, until 2 p.m. on Wednesday, October 12, 2016. Information (including mandatory prebid information) can be obtained from www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBOLD,  
*Executive Director*

[Pa.B. Doc. No. 16-1547. Filed for public inspection September 2, 2016, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

December 14, 2016      Lawrence Rhoades      1 p.m.  
(Disability Retirement)

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

GLEN R. GRELL,  
*Executive Director*

[Pa.B. Doc. No. 16-1548. Filed for public inspection September 2, 2016, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Brandy Kay Bell, LPN; File No. 15-51-12841; Doc. No. 2109-51-15

On June 20, 2016, Brandy Kay Bell, LPN, license No. PN105047L, last known of Clearfield, Clearfield County, was reinstated and immediately placed on probation for no less than 3 years based on her having met the requirements for reinstatement of a previous State Board of Nursing (Board) order.

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 16-1549. Filed for public inspection September 2, 2016, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Susan Crocetto, LPN; File No. 13-51-06468; Doc. No. 1031-51-15

On June 15, 2016, Susan Crocetto, LPN, license No. PN085350L, last known of Clifton Heights, Delaware County, was indefinitely suspended retroactive to July 22, 2015, based upon her failing to enter a voluntary recovery program and failing to attend her mental and physical examination.

Individuals may obtain a copy of the adjudication by writing to Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 16-1550. Filed for public inspection September 2, 2016, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Wayne A. Dessell, LPN, Respondent; File No.  
14-51-03710; Doc. No. 0020-51-16**

*Notice to Wayne A. Dessell, LPN:*

On January 6, 2016, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law, Act of March 2, 1955, P.L. (1955) 1211, ("Act"). This notice is being filed pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

**Notice**

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary  
Department of State  
2601 North Third Street  
P.O. Box 2649  
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 16-1551. Filed for public inspection September 2, 2016, 9:00 a.m.]