

NOTICES

DEPARTMENT OF AGRICULTURE

Addendum to the Order of Quarantine; Spotted Lanternfly

Recitals

A. Spotted lanternfly, *Lycorma delicatula*, is a new pest to the United States and has been detected in the Commonwealth. This is a dangerous insect to forests, ornamental trees, orchards and grapes and not widely prevalent or distributed within or throughout the Commonwealth or the United States. Spotted lanternfly has been detected in the Commonwealth and has the potential to spread to uninfested areas by natural means or through the movement of infested articles.

B. The Plant Pest Act (Act) (3 P.S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. A plant pest is defined as an organism, including other plants, causing or capable of causing injury or damage to plants or plant products (3 P.S. § 258.2). These powers include the authority, set forth at section 258.21 of the Act (3 P.S. § 258.21), to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Under the authority of section 258.20 of the Act (3 P.S. § 258.20) the Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraph A above, the Department declares Spotted lanternfly, *Lycorma delicatula*, to be a public nuisance.

D. Consistent with the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, where the Department detects or confirms any of the plant pests established in this Order of Quarantine—Spotted lanternfly, *Lycorma delicatula*—the place or area in which any of these plant pests are detected or confirmed shall be subject to the provisions of that Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014.

E. The place or area in which the plant pest is detected or confirmed shall be added to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, through an addendum delineating the specific location and geographic parameters of the area or place. Such Addendum shall be published in the *Pennsylvania Bulletin* and enforcement of the Addendum to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, with regard to that place or area shall become effective immediately.

Order

Under authority of section 21 of the act (3 P.S. § 258.21), and with the Recitals previously listed incorporated into and made a part hereof this Addendum to the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014 by reference, the Department orders the following:

1. *Establishment of Quarantine.*

A quarantine is hereby established with respect to Whitehall, South Whitehall, Upper Saucon and Lower Milford Townships and Allentown City, Lehigh County and Lower Pottsgrove, Upper Fredrick, Marlborough, Montgomery County. This is in addition to, and does not replace, any townships and areas already subject to the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, and any previous Addendums to that Quarantine Order.

2. *All Provisions Apply.*

All of the provisions established in the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, are hereby incorporated herein and made a part hereof this Addendum as if fully set forth herein and shall hereby be made applicable to Whitehall, South Whitehall, Upper Saucon and Lower Milford Townships and Allentown City, Lehigh County and Lower Pottsgrove, Upper Fredrick, Marlborough, Montgomery County.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 16-1722. Filed for public inspection October 7, 2016, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 27, 2016.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-22-2016	Monument Interim Bank Doylestown Bucks County The purpose of Monument Interim Bank, Doylestown, is to merge with Monument Bank, Doylestown, to facilitate the proposed reorganization of Monument Bank into a bank holding company structure whereby Monument Bank will become the wholly-owned subsidiary of Monument Bancorp, Inc., a new holding company in formation.	Effective

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>		
9-9-2016	Northwest Bank Warren Warren County Application for approval to purchase assets and assume liabilities of 18 branches of First Niagara Bank, National Association, Buffalo, NY, located at: <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> 14 Lafayette Square Buffalo Erie County, NY 2070 George Urban Boulevard Depew Erie County, NY 1531 Niagara Falls Boulevard Amherst Erie County, NY 690 Kenmore Avenue Buffalo Erie County, NY 1690 Sheridan Drive Kenmore Erie County, NY 5751 South Park Avenue Hamburg Erie County, NY 4435 Transit Road Clarence Erie County, NY 1035 Payne Avenue North Tonawanda Niagara County, NY 4381 Military Road Niagara Falls Niagara County, NY </td> <td style="width: 50%; vertical-align: top;"> 6409 Transit Road East Amherst Erie County, NY 3105 Niagara Falls Boulevard Amherst Erie County, NY 1248 Abbott Road Lackawanna Erie County, NY 3488 Amelia Drive Orchard Park Erie County, NY 364 Connecticut Street Buffalo Erie County, NY 2300 Grand Island Boulevard Grand Island Erie County, NY 55 East Avenue Lockport Niagara County, NY 805 Main Street Niagara Falls Niagara County, NY 500 Center Street Lewistown Niagara County, NY </td> </tr> </table>	14 Lafayette Square Buffalo Erie County, NY 2070 George Urban Boulevard Depew Erie County, NY 1531 Niagara Falls Boulevard Amherst Erie County, NY 690 Kenmore Avenue Buffalo Erie County, NY 1690 Sheridan Drive Kenmore Erie County, NY 5751 South Park Avenue Hamburg Erie County, NY 4435 Transit Road Clarence Erie County, NY 1035 Payne Avenue North Tonawanda Niagara County, NY 4381 Military Road Niagara Falls Niagara County, NY	6409 Transit Road East Amherst Erie County, NY 3105 Niagara Falls Boulevard Amherst Erie County, NY 1248 Abbott Road Lackawanna Erie County, NY 3488 Amelia Drive Orchard Park Erie County, NY 364 Connecticut Street Buffalo Erie County, NY 2300 Grand Island Boulevard Grand Island Erie County, NY 55 East Avenue Lockport Niagara County, NY 805 Main Street Niagara Falls Niagara County, NY 500 Center Street Lewistown Niagara County, NY	Effective
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9-22-2016	First Commonwealth Bank Indiana Indiana County Application for approval to purchase assets and assume liabilities of 13 branches of FirstMerit Bank, NA, Akron, OH, located at: <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> 6252 Middlebranch Avenue, NE Canton Stark County, OH 1110 30th Street, NW Canton Stark County, OH 4555 Belden Village Street, NW Canton Stark County, OH </td> <td style="width: 50%; vertical-align: top;"> 3100 Atlantic Boulevard, NE Canton Stark County, OH 2917 Whipple Avenue, NW Canton Stark County, OH 5594 Wales Avenue, NW Massillon Stark County, OH </td> </tr> </table>	6252 Middlebranch Avenue, NE Canton Stark County, OH 1110 30th Street, NW Canton Stark County, OH 4555 Belden Village Street, NW Canton Stark County, OH	3100 Atlantic Boulevard, NE Canton Stark County, OH 2917 Whipple Avenue, NW Canton Stark County, OH 5594 Wales Avenue, NW Massillon Stark County, OH	Approved
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<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
	2150 Locust Street S Canal Fulton Stark County, OH	140 Lincoln Way E Massillon Stark County, OH	
	2704 Lincoln Way E Massillon Stark County, OH	100 Central Plaza S Canton Stark County, OH	
	308 East Gorgas Street Louisville Stark County, OH	4200 Park Avenue Ashtabula Ashtabula County, OH	
	22 West Jefferson Street Jefferson Ashtabula County, OH		
9-23-2016	Monument Bank Doylestown Bucks County		Filed

Application for approval to merge Monument Interim Bank, Doylestown, with and into Monument Bank, Doylestown.

The merger will facilitate the proposed reorganization of Monument Bank, Doylestown, into a bank holding company structure whereby Monument Bank will become the wholly-owned subsidiary of Monument Bancorp, Inc., a new holding company in formation.

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-23-2016	Landmark Community Bank Pittston Luzerne County	781 Airport Road Hazle Township Luzerne County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-26-2016	Northwest Bank Warren Warren County	22 North Main Street Union City Erie County	Closed

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 16-1723. Filed for public inspection October 7, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0056537 (Storm Water)	Highway Materials Malvern Plant 680 Morehall Road Frazer, PA 19355	Chester County East Whiteland Township	Unnamed Tributary to Valley Creek (3-F)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0011374—IW	Stanley Black & Decker (former Baldwin Hardware) 1000 Stanley Drive New Britain CT 06053	Berks County/ Reading City	UNT Schuylkill River/ 6-C	Y
PA0086967—IW	Myerstown Water Authority 601 Stracks Dam Road Myerstown, PA 17067	Lebanon County/ Jackson Township	UNT Tulpehocken Creek/3-C	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0043486—IW	Lancaster County Solid Waste Management Authority—Creswell Landfill 1299 Harrisburg Pike PO Box 4425 Lancaster, PA 17604-4425	Lancaster County/ Manor Township	Manns Run/7-J	Y

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?
PA0112275 (Industrial)	Con Lime Bellefonte Facility 965 E College Avenue Bellefonte, PA 16823	Centre County Benner Township	Buffalo Run (9-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.

PA0253359, Industrial, SIC Code 4941, **Cambria Somerset Authority**, 110 Franklin Street, Suite 200, Johnstown, PA 15901-1829. Facility Name: Cambria Somerset Authority. This existing facility is located in Quemahoning Township, **Somerset County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of untreated industrial supply water. In the future, the facility will receive wastewater from a 1,040 MW natural gas combined cycle steam electric power plant known as the CPV Fairview Energy Center, to be discharged through Outfalls 001 and/or 002.

The receiving stream(s), Hinckston Run (001) and Peggys Run (002), is located in State Water Plan watershed 18-E and 18-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 6 MGD.—Interim Limits (prior to commencement of power plant discharge).

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
*Antimony, Total (µg/L)	XXX	XXX	XXX	6.4	9.9	16
*Arsenic, Total (µg/L)	XXX	XXX	XXX	11.4	15.6	28.5
*Cadmium, Total (µg/L)	XXX	XXX	XXX	0.3	0.5	0.8
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.8
*Lead, Total (µg/L)	XXX	XXX	XXX	3.6	5.6	9.0
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
*Mercury, Total (µg/L)	XXX	XXX	XXX	0.06	0.09	0.15
*Selenium, Total (µg/L)	XXX	XXX	XXX	5.7	8.8	14.3
*Thallium, Total (µg/L)	XXX	XXX	XXX	0.3	0.4	0.8

The proposed effluent limits for Outfall 001 are based on a design flow of 6 MGD.—Final Limits (upon commencement of power plant discharge).

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
*Antimony, Total (µg/L)	XXX	XXX	XXX	6.4	9.9	16
*Arsenic, Total (µg/L)	XXX	XXX	XXX	11.4	17.7	28.5
*Cadmium, Total (µg/L)	XXX	XXX	XXX	0.3	0.5	0.8
*Copper, Total (µg/L)	XXX	XXX	XXX	10.2	15.9	15.9

<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>	
Iron, Total	Report	Report	XXX	1.5	3.0	3.8
*Lead, Total (µg/L)	XXX	XXX	XXX	3.6	5.6	9.0
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
*Mercury, Total (µg/L)	XXX	XXX	XXX	0.06	0.09	0.15
*Nickel, Total (µg/L)	XXX	XXX	XXX	59.0	84.0	148
*Selenium, Total (µg/L)	XXX	XXX	XXX	5.7	8.8	14.3
*Silver, Total (µg/L)	XXX	XXX	XXX	3.8	4.3	4.3
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
*Thallium, Total (µg/L)	XXX	XXX	XXX	0.3	0.4	0.8
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 5.9 MGD.—Interim Limits (prior to commencement of power plant discharge).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
*Antimony, Total (µg/L)	XXX	XXX	XXX	5.7	8.9	14.3
*Arsenic, Total (µg/L)	XXX	XXX	XXX	10.1	15.6	25.3
*Cadmium, Total (µg/L)	XXX	XXX	XXX	0.3	0.4	0.8
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.8
*Lead, Total (µg/L)	XXX	XXX	XXX	3.2	5.0	8.0
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
*Mercury, Total (µg/L)	XXX	XXX	XXX	0.05	0.08	0.13
*Selenium, Total (µg/L)	XXX	XXX	XXX	5.1	7.9	12.8
*Thallium, Total (µg/L)	XXX	XXX	XXX	0.2	0.4	0.5

The proposed effluent limits for Outfall 002 are based on a design flow of 5.9 MGD.—Final Limits (upon commencement of power plant discharge).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
*Antimony, Total (µg/L)	XXX	XXX	XXX	5.7	8.9	14.3
*Arsenic, Total (µg/L)	XXX	XXX	XXX	10.1	15.8	25.3
*Cadmium, Total (µg/L)	XXX	XXX	XXX	0.3	0.4	0.8
*Copper, Total (µg/L)	XXX	XXX	XXX	9.3	14.2	14.2
Iron, Total	Report	Report	XXX	1.5	3.0	3.8
*Lead, Total (µg/L)	XXX	XXX	XXX	3.2	5.0	8.0
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
*Mercury, Total (µg/L)	XXX	XXX	XXX	0.05	0.08	0.13
*Nickel, Total (µg/L)	XXX	XXX	XXX	53.0	83.0	133
*Selenium, Total (µg/L)	XXX	XXX	XXX	5.1	7.9	12.8
*Silver, Total (µg/L)	XXX	XXX	XXX	3.8	3.8	3.8
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
*Thallium, Total (µg/L)	XXX	XXX	XXX	0.2	0.4	0.5
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 2.2 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Temperature (°F)	XXX	XXX	XXX	Report	XXX	110

<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>
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Antimony, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Copper, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	Report	Report	XXX
Lead, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	Report	Report	XXX	Report	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Silver, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total (µg/L)	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 201 are based on a design flow of 0.29 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 301 are based on a design flow of 1.82 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX

The permittee did not sample to the quantitation level (QL) values as determined by the Department. As a result, the water quality based effluent limitations marked with a "" may be resampled by the permittee during the comment period. The Department will re-evaluate the applicability of the limits and may impose monitoring or removal of these water quality based effluent limits in the final permit, if appropriate.

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

- The permittee will be required to sample for Pollutant Groups 1, 2, 3, 4 and 5 at Outfalls 001, 002 and Internal Monitoring Point 101 following commencement of the discharge from the CPV Fairview Energy Center power plant.
- No detectable amounts of the 126 Priority Pollutants from chemicals added for cooling tower maintenance
- Operation of the supply water distribution system to ensure that users who have requested not to receive reclaim water do not receive the water in part, or in whole, along the supply pipeline.
- If any modification to the CSA supply pipeline system requires an amendment to any other permit, it is the permittee's responsibility to apply for those permits.

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.

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

PA0026689, Sewage, SIC Code 4952, **Philadelphia Water Department**, 1101 Market Street 5th Floor, Philadelphia, PA 19107-2994. Facility Name: PWD NEWPCP. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Delaware River, Frankford Creek, Pennypack Creek, Tacony Creek, Unnamed Tributary to Delaware River, Unnamed Tributary to Pennypack Creek and Unnamed Tributary to Tacony Creek, is located in State Water Plan watershed 3-J and is classified for Warm Water Fishes, Migratory Fishes, Warm Water Fishes, Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 210 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	Report	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Color (Pt-Co Units)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
CBOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD ₅	36,430	54,645	XXX	25	40	50
					Wkly Avg	
BOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD ₂₀	71,760	XXX	XXX	XXX	XXX	XXX
CBOD ₅ Minimum						
Percent Removal	XXX	XXX	86	XXX	XXX	XXX
Total Suspended Solids	52,540	78,810	XXX	30	45	60
					Wkly Avg	
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
TSS Minimum						
Percent Removal	XXX	XXX	85	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Specific Conductance *						
(µmhos/cm)	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000**
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	35	Report	70
Nitrate as N	XXX	XXX	XXX	Report	Report	XXX
Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Mercury	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
4,4-DDD	XXX	XXX	XXX	Report	XXX	XXX
4,4-DDT	XXX	XXX	XXX	Report	XXX	XXX
4,4-DDE	XXX	XXX	XXX	Report	XXX	XXX
Benzidine	XXX	XXX	XXX	Report	XXX	XXX
Chlordane	XXX	XXX	XXX	Report	XXX	XXX
1,2-Dichloroethane	XXX	XXX	XXX	Report	XXX	XXX
gamma-BHC	XXX	XXX	XXX	Report	XXX	XXX
Heptachlor	XXX	XXX	XXX	Report	XXX	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report	XXX	XXX
Trichloroethylene	XXX	XXX	XXX	Report	XXX	XXX
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report Max	XXX
PCBs (Wet Weather) (pg/L)	XXX	XXX	XXX	XXX	Report Max	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Acute Toxicity— Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity— Pimephales Growth (TUC)	XXX	XXX	XXX	XXX	Report	XXX

* Specific conductance shall be measured from the same sample taken for TDS.

** Shall not exceed in more than 10% samples tested.

The proposed effluent limits for Outfall 061 are based on stormwater.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limitations for Combined Sewer Overflow Outfalls 002—008, 010—052 and 058—060 as follows:

All discharges of floating materials, oil, grease, scum, foam, sheen, and substances which produce color, tastes, odors, turbidity or settle to form deposits shall be controlled to level which will not be initial or harmful to the water uses to be protected or to human, plant or aquatic life.

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

I.

- A. Stormwater Discharge
- B. Necessary Property Rights
- C. Sludge Disposal
- D. 86% CBOD₅ reduction
- E. Toxic Approved Test Methods
- F. TRC
- G. TMDL / WLA Analysis
- H. O&M Plan
- I. Act 11 Notification
- J. Sampler equipment
- K. Effluent and influent sampling
- L. Methods for exceeding 315 MGD flow

II. Stormwater Requirements

III. POTW Pretreatment Program Implementation

IV. Combined Sewer Overflows

V. PCB Minimization Plan and Monitoring

VI. Whole Effluent Toxicity Testing

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

The EPA Waiver is not in effect.

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

PA0026875, Sewage, SIC Code 4952, **Hanover Borough**, 44 Frederick Street, Hanover, PA 17331-3501. Facility Name: Hanover Regional WWTP. This existing facility is located in Hanover Borough, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 5.6 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.28	XXX	0.93
CBOD ₅						
May 1 - Oct 31	467	700	XXX	10	15	20
Nov 1 - Apr 30	934	1,401	XXX	20	30	40
BOD ₅						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,401	2,101	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	70	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	140	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	93	XXX	XXX	2.0	XXX	4.0

The proposed effluent limits for Outfall 002 are based on an emergency discharge flow of 12 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.22	XXX	0.72
CBOD ₅)	Report	Report	XXX	20	30	40
Total Suspended Solids	Report	Report	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	Report	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	Report	XXX	XXX	2.0	XXX	4.0

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

<i>Parameters</i>	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	82,991	XXX	XXX	XXX
Net Total Phosphorus	Report	10,959	XXX	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 002:

<i>Parameters</i>	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	Report	XXX	XXX	XXX
Net Total Phosphorus	Report	Report	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Monitoring Requirements
- Whole Effluent Toxicity (WET) Testing Requirements
- Stormwater Monitoring Requirements

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

The EPA Waiver is not in effect.

PA0055328, SIC Code 4953, **New Morgan Landfill Co. Inc.**, 420 Quarry Road, P O Box 128, Morgantown, PA 19543-0128. Facility Name: Conestoga Landfill. This existing facility is located in New Morgan Borough, **Berks County**.

Description of Existing Activity: The DEP is proposing to add one parameter for outfall 001 to existing permit, Net Total Phosphorus, consistent with DEP's published strategy to implement Chesapeake Bay TMDL and track nutrient loads. Outfalls that are not affected are not shown below.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.075 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	13.1	26.3	XXX	21	42	53
Total Suspended Solids	16.9	55.0	XXX	27	88	110
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen	3.1	6.3	XXX	4.9	10	12.5
a-Terpineol	0.010	0.021	XXX	0.016	0.033	0.041
Benzoic Acid	0.044	0.075	XXX	0.071	0.12	0.18
p-Cresol	0.009	0.016	XXX	0.014	0.025	0.035
Phenol	0.009	0.016	XXX	0.015	0.026	0.038
Total Zinc	0.069	0.125	XXX	0.11	0.20	0.28
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs)	Report Total	64.0				
	Monthly					
Total Annual	XXX	XXX	XXX	XXX		
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Chloride	Report	XXX	XXX	Report	XXX	XXX
Bromide	Report	XXX	XXX	Report	XXX	XXX
Sulfate	Report	XXX	XXX	Report	XXX	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	XXX	XXX
Total Antimony	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Arsenic	XXX	XXX	XXX	Report	XXX	XXX
Total Cadmium	XXX	XXX	XXX	Report	XXX	XXX
Hexavalent Chromium	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	64.0	XXX	Report	XXX
Net Total Nitrogen*	Report	12,500	XXX	XXX	XXX
Net Total Phosphorus*	Report	64.0	XXX	XXX	XXX

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen 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. Credits cannot be used to meet the Net Total Phosphorus effluent mass limit which derives from a Total Maximum Daily Limit on the receiving waterway.

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

The EPA Waiver is not in effect.

PA0010502, Industrial, SIC Code 3489, **U.S. Army Fort Detrick**, 1 Overcash Avenue, Chambersburg, PA 17201-4150. Facility Name: Letterkenny Army Depot. This existing facility is located in Greene Township, **Franklin County**.

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

The receiving stream(s), Rowe Run, Rocky Spring Branch, and Unnamed Tributary of Conococheague Creek, is located in State Water Plan watershed 7-B and 13-C and is classified for Cold Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.29 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	48.0	97.0	XXX	20.0	40.0	50
Total Suspended Solids	24.0	48.0	XXX	10.0	20.0	25
Oil and Grease	36.0	72	XXX	15.0	30.0	30
Total Phosphorus	4.8	9.7	XXX	2.0	4.0	5
Cadmium, Total	0.004	0.005	XXX	0.0015	0.0023	0.0038
Chromium, Total	4.13	6.7	XXX	1.71	2.77	4.25
Copper, Total	0.13	0.2	XXX	0.054	0.084	0.135
Cyanide, Total	Report	Report	XXX	0.65	1.2	1.62
Lead, Total	0.059	0.092	XXX	0.024	0.038	0.061
Nickel, Total	0.73	1.13	XXX	0.3	0.469	0.75
Silver, Total	0.061	0.094	XXX	0.025	0.039	0.063
Zinc, Total	1.07	1.67	XXX	0.443	0.692	1.108
Total Toxic Organics	XXX	XXX	XXX	XXX	2.13	XXX
Bis(2-Ethylhexyl)Phthalate	0.052	0.081	XXX	0.021	0.033	0.054

The proposed effluent limits for Outfall S01 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall S02 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Cadmium, Total	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Cyanide, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Nickel, Total	XXX	XXX	XXX	Report	XXX	XXX
Silver, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX
Total Toxic Organics	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall S03 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- Stormwater Outfall requirements
- PPC plan
- Stormwater BMPs

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

The EPA Waiver is not in effect.

PA0246760, Industrial, SIC Code 4941, **Franklin County Gen Authority**, 5000 Letterkenny Road, Suite 230, Chambersburg, PA 17201. Facility Name: Franklin County Gen Authority WTP. This existing facility is located in Greene Township, **Franklin County**.

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

The receiving stream(s), Dry Swale to Unnamed Tributary of Conococheague Creek, is located in State Water Plan watershed 13-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Daily</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	Max XXX	1.0
Total Suspended Solids	35	70	XXX	30	60	75
Aluminum, Total (MGD)	4.8	9.6	XXX	4	8	10
Iron, Total	2.4	4.8	XXX	2	4	5
Manganese, Total	1.2	2.4	XXX	1	2	2.5

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

- Sedimentation basin cleaning notification
- Collection and disposal of solids
- Chlorine minimization
- Dry stream requirements

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

The EPA Waiver is in effect.

PA0261378, Sewage, SIC Code, **Sheetz Inc.**, 5700 Sixth Avenue, Altoona, PA 16602. Facility Name: Sheetz Clarks Ferry Store 461. This existing facility is located in Reed Township, **Dauphin County**.

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

The receiving stream(s), Susquehanna River, and a concrete Swale to Juniata River is located in State Water Plan watershed 6-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0075 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	5.0	XXX	10
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0075 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)						
Nov 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Oct 31	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
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	38	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	3.8	XXX	XXX	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 002.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
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	38	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	3.8	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 717-705-4732.

The EPA Waiver is in effect.

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

PA0264628, Sewage, SIC Code 8800, **Stephen Manning**, P.O. Box 85, East Smethport, PA 16730. Facility Name: Stephen Manning SRSTP. This proposed facility is located in Keating Township, **McKean County**.

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

The receiving stream(s), Unnamed Tributary to Marvin Creek, is located in State Water Plan watershed 16-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 0216402 A-1, Sewage, **W Mifflin Sanitary Sewer Municipal Authority Allegheny County**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902.

This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Conversion of two existing circular concrete anaerobic digesters to aerobic digesters in the wastewater treatment plant. Aeration equipment will be installed in both tanks and three new blowers will be installed.

WQM Permit No. 0416402, Sewage, **Bill J. Lilly**, 845 Barclay Hill Road, Beaver, PA 15009.

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

Description of Proposed Action/Activity: Construction of a single residence sewage treatment plant consisting of a Norweco Singulair Model 960 Aerobic Unit, a Norweco Bio Film Reactor and a Salcor 3G Ultra-Violet Disinfection Unit.

WQM Permit No. 2616400, Sewage, **Laurel Highlands Council—Boy Scouts of America**, Flag Plaza Scout Center, 1275 Bedford Avenue, Pittsburgh, PA 15219.

This proposed facility is located in Wharton Township, **Fayette County**.

Description of Proposed Action/Activity: The applicant proposed to install an Ultraviolet Disinfection System to replace the existing Chlorine Disinfection System at the Laurel Highlands Council Boy Scouts of America's Heritage Reservation STP.

WQM Permit No. 6316403, Sewage, **First Federal Savings & Loan Association**, 25 East High Street, Waynesburg, PA 15370.

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

Description of Proposed Action/Activity: Installation of a Single Residence Sewage Treatment Plant at 650 Moore Road.

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011516009	Integrated Land Management, Inc. 3 Lucas Lane Malvern, PA 19355	Chester	Willistown Township	Ridley Creek HQ

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

Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown, PA 18104

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023916018	Tom Williams, Jr. Cooper Farms, LLC 1954 O'Brien Court Bethlehem, PA 18015	Lehigh	Coopersburg Borough	UNT to Laurel Run (CWF, MF), EV Wetlands
PAI023916020	Darrel Stein Sealmaster 6853 Ruppsville Road Allentown, PA 18106	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF) Little Lehigh Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050415001	Department of General Services, Building 0-13 Fort Indiantown Gap Annville, PA 17003	Beaver County	Chippewa Township	UNT to North Fork Little Beaver Creek (HQ-CWF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056316001	Brownlee Land Ventures P.O. Box 51 West Middletown, PA 15379	Washington County	Hopewell Township, and Independence Township	UNT to Haynan Run (HQ-WWF)
PAI056316003	First Pennsylvania Resource, LLC 33 Terminal Way Suite 431A Pittsburgh, PA 15219	Washington County	Donegal Township	UNTs to Buck Run (HQ-WWF)

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.

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Inguran, LLC dba ST Genetics 1141 State Road Lincoln Univ., PA 19352	Chester	165.3	1,292.68	Dairy	Hodgeson Run—HQ	New 3-yr
Kish View 4733 East Main St. Belleville, PA 17004	Mifflin	709.6	852.7	Dairy Cows	Unnamed tributary to Tea Creek-HQ-CWF, unnamed tributary to Kishacoquillas Creek-HQ-CWF	renewal
			168.5	Dairy Heifers		
			53.6	Dairy Calves		

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

<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>
Presque Isle Downs 8199 Perry Highway Erie, PA 16509	Erie	237	469.9	Horse	NA	R

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 4816504ma, Public Water Supply.

Applicant	PA American Water 800 W. Hershey Park Drive Hershey, PA.17033
[Township or Borough]	Palmer Township Northampton County
Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Scott Thomas, PE PA American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Application Received	September 14, 2016
Description of Action	Installation of mixture system

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

Permit No. 2116508 MA, Minor Amendment, Public Water Supply.

Applicant	South Middleton Township Municipal Authority
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Municipality	South Middleton Township
County	Cumberland
Responsible Official	Robert L. Kissinger, Manager 345 Criswell Drive Boiling Springs, PA 17007-0008
Type of Facility	Public Water Supply
Consulting Engineer	Howard Butler, P.E. GHD 1240 N Mountain Road Harrisburg, PA 17112
Application Received:	7/29/2016
Description of Action	Interconnection and installation of a pressure reducing valve between the "Main System" and the "Well No. 3 System."

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

Application No. 4116506—Bulk Water Hauler Public Water Supply.

Applicant	Stallion Oilfield Construction, LLC
Township/Borough	City of Williamsport
County	Lycoming
Responsible Official	Robert J. Ryan Deputy General Counsel Stallion Oilfield Construction, LLC 950 Corbindale, Suite 400 Houston, TX 77024
Type of Facility	Public Water Supply
Consulting Engineer	Matthew E. Pierce, P.E. Penn Environmental & Remediation, Inc. 111 Ryan Court Pittsburgh, PA 15205
Application Received	September 21, 2016
Description of Action	Bulk water hauler—add an additional water source (Aqua America, PWSID # 2080028).

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

Permit No. 3016509, Public Water Supply.

Applicant	Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
[Township or Borough]	Cumberland Township
Responsible Official	John W. Golding, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
Type of Facility	Water system

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

Application Received Date September 27, 2016

Description of Action Retrofitting two existing clarifiers at the water treatment plant.

Permit No. 0216532, Public Water Supply.

Applicant **Moon Township Municipal Authority**
1700 Beaver Grade Road
Suite 200
Moon Township, PA 15108

[Township or Borough] Moon Township

Responsible Official John F. Riley, Manager
Moon Township Municipal Authority
1700 Beaver Grade Road
Suite 200
Moon Township, PA 15108

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date September 23, 2016

Description of Action Installation of booster chlorination at the Airport Tank # 5.

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

Permit No. 3716503, Public Water Supply

Applicant **PA American Water Company**

Township or Borough Ellwood City Borough

County **Lawrence County**

Responsible Official William Lage

Type of Facility Public Water Supply

Consulting Engineer William Lage

Application Received Date August 29, 2016

Description of Action Bridge Street Booster Station

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 4816505MA, Minor Amendment.

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

[Township or Borough] Upper Mt. Bethel Twp.,
Northampton County

Responsible Official David R. Kaufman,
Vice President—
Engineering Pennsylvania
American Water Company
800 West Hersheypark Dr.
Hershey, PA 17033

Type of Facility Public Water Supply

Consulting Engineer Craig Darosh, PE
Pennsylvania American
Water Company
4 Wellington Blvd.
Wyomissing, PA 19610

Application Received Date 9/20/2016

Description of Action The applicant proposes the installation of baffling at the Upper Handelong Tanks.

Application No. 2400423, Minor Amendment.

Applicant **Misericordia University**
Facilities Department
301 Lake Street
Dallas, PA 18612

[Township or Borough] Dallas Township
Luzerne County

Responsible Official Mr. Mark Van Etten
Misericordia University
Facilities Department
301 Lake Street
Dallas, PA 18612

Type of Facility Public Water Supply

Consulting Engineer NA

Application Received Date August 12, 2016

Description of Action This project provides for water quality parameter designations.

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

Application No. 3016510MA, Minor Amendment.

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

[Township or Borough] Franklin Township and
Waynesburg Borough

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

Type of Facility Water system

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

Application Received Date September 27, 2016

Description of Action Installation of approximately 23,900 feet of 24-inch diameter transmission main.

Application No. 3013501WMP3, Minor Amendment.

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

[Township or Borough] Washington Township

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

Type of Facility Water system

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

Application Received Date September 15, 2016

Description of Action Harris Vault bulk water station along Byard Road.

Application No. 3013501WMP4, Minor Amendment.

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

[Township or Borough] Amwell Township

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

Type of Facility Water system

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

Application Received Date September 26, 2016

Description of Action Hyel Route 19 bulk water station along Amity Ridge Road.

Application No. 3013501WMP5, Minor Amendment.

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

[Township or Borough] Washington Township

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

Type of Facility Water system

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

Application Received Date September 15, 2016

Description of Action Big Sky Vault bulk water station along Dunn Station Road.

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

Application No. 6106501-MA2, Minor Amendment.

Applicant **Cornplanter Township**

Township or Borough Cornplanter Township

Responsible Official Heather Fields

Type of Facility Public Water Supply

Consulting Engineer Joseph Roddy, P.E./Stiffler McGraw

Application Received Date September 2, 2016

Description of Action Finished Water Storage Painting

Application No. 2595501-MA3, Minor Amendment.

Applicant **Erie City Water Works**

Township or Borough City of Erie

Responsible Official Craig Palmer

Type of Facility Public Water Supply

Consulting Engineer Chad Ellsworth, P.E.

Application Received Date September 15, 2016

Description of Action Install PAX Mixing System and PAX Power Vent

WATER ALLOCATIONS

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

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

WA 54-13C, Water Allocation, Schuylkill County Municipal Authority, 221 S. Centre St., Pottsville, PA 17901, New Castle Township, Schuylkill County. The applicant is requesting the renewal of an allocation for the withdrawal of up to 8.42 MGD, peak day, as follows: 1.6 MGD for the Mt. Laurel Surface Water RWSS (Mt. Laurel Reservoir & Kaufmann Reservoir), 4.42 MGD for the Broad Mtn. Surface Water RWSS (Eisenhuth Reservoir, Pine Run Intake, and Wolf Creek Intake), and 2.4 MGD Indian Run Surface Water RWSS (Indian Run Reservoir). Application received June 17, 2016.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

Gustafson 6H Well Pad, 606 Granville Road, Snyder Township, **Jefferson County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of EXCO Resources (PA), LLC, 260 Executive Drive, Suite 100, Cranberry Township, PA 16066, submitted a Notice of Intent to Remediate. Site has been found to be contaminated with flow back fluids which is suspected to have contaminated soil on the site. The Notice of Intent to Remediate was published in the *Courier Express* on May 5, 2016.

HAZARDOUS WASTE VARIANCE APPLICATION

Application(s) for variance in accordance with Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003)

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

Nulife Glass NY, Inc., 3213 Middle Road, Dunkirk, NY 14048: In accordance with the Solid Waste Management Act, and the regulations promulgated thereto, the Commonwealth of Pennsylvania, Department of Environmental Protection (Department) proposes to deny an application submitted by Nulife Glass NY (Nulife Glass) for a conditional variance from classification as solid waste for cathode ray tubes (CRTs) that are stored by Nulife Glass NY in three warehouses in **Erie County** and one in **Mercer County**. Nulife Glass operates a furnace in Dunkirk, NY. The proposed denial applies only to the warehouse facilities located in Pennsylvania.

This notice announces the opportunity for interested parties to review and comment on the variance application prior to a final decision by the Department. The application was submitted to the Department in accordance with Federal hazardous waste regulations at 40 CFR 260.30(a) (relating to variances from classification as a solid waste), incorporated by reference at 25 Pa. Code § 260a.1 (relating to incorporation by reference, purpose, scope and applicability). This variance provision is applicable to those materials that are accumulated speculatively without sufficient amounts being recycled when, among other criteria, the applicant can demonstrate that sufficient amounts of the material will be recycled or transferred for recycling in the following year.

The specific material for which Nulife Glass has requested a variance is, without limitation: used, intact cathode ray tubes; used, broken cathode ray tubes; intact and broken glass removed from used cathode ray tubes; and glass removed from used cathode ray tubes destined for a lead smelter after processing (collectively, "cathode ray tube materials"). According to its variance application, in Nulife Glass's recycling process, the company receives whole cathode ray tubes ("CRTs"), processes the CRT into its component parts which are panel glass, funnel glass, and metal. The metal is recycled while the panel glass and the funnel glass undergo secondary processing a part of which involves furnace operations for leaded panel glass at its Dunkirk NY facility, and other miscellaneous product recycling and waste generation.

Speculative accumulation is described in 40 CFR 261.1(c)(8). Materials that are accumulated prior to recycling are not speculatively accumulated if a material has a feasible means of being recycled and the amount of materials that is recycled during the calendar year equals

at least 75 percent of the materials by weight or volume accumulated since the beginning of the period. Currently, there are approximately 17 million pounds of CRT materials stored in Pennsylvania warehouses, largely consisting of CRT funnel glass. Storage at these facilities began in May, 2014.

The conditions for meeting the variance may be found under 40 CFR 260.31(a). Without an approved variance for the CRT materials currently being stored in warehouses in Erie and Mercer counties, the CRT materials stored by Nulife Glass would be regulated as hazardous waste.

Standards and criteria for variances from classification as a solid waste

After careful evaluation, the Department has tentatively determined that Nulife Glass does not meet the requirements for approval of a variance from classification as a solid waste.

The CRT materials stored in warehouses in Erie and Mercer counties have been speculatively accumulated without a feasible means of recycling the material or the appropriate amounts being recycled within the relevant time period(s). If the variance is denied, the CRT materials will be considered hazardous waste.

Some of the issues not satisfactorily addressed by Nulife Glass in its variance application include: (1) The manner in which the material is expected to be recycled, when the material is expected to be recycled, and whether this expected disposition or recycling is likely to occur (for example, because of past practice, market factors, the nature of the material, or contractual arrangements for recycling); (2) The reason(s) that the applicant has accumulated the material for one or more years without recycling 75 percent of the weight or volume accumulated at the beginning of the year; and (3) The quantity of material expected to be generated and accumulated before the material is recycled. Nulife Glass has also failed to provide adequate assurances that it has the financial ability to properly dispose of the speculatively accumulated CRT glass in the event that Nulife Glass is required to do so.

Persons wishing to comment on Nulife Glass' variance request and the Department's proposed decision to deny the request are invited to submit comments by (Month, Day, 2016—30-days), to the Department at the following address. For more detailed information on the specific aspects of Nulife Glass' variance request, to review a copy of the request or to submit comments, contact M. Thomas Mellott; Department of Environmental Protection; Division of Hazardous Waste Management; P.O. Box 8471; Harrisburg, PA 17105; (717) 787-6239; mtmellott@pa.gov. Comments received within the comment period will be considered by the Department in making the final decision regarding Nulife Glass' request. Comments 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. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Department as specified previously. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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.

Application No. 101611. Berks Transfer, Inc., 59 Willow Creek Road, P.O. Box 12706, Reading, PA 19612-2706. An application for permit renewal was submitted by Berks Transfer, Inc. for their municipal waste transfer facility located in Ontelaunee Township, **Berks County**. The permit expires on March 11, 2017. The application was deemed administratively complete by the Southcentral Regional Office on September 23, 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.

Permit No. 301347 Covanta Environmental Solutions, LLC (Residual Waste Processing Facility) 280 North East Street, York, PA 17403. Covanta Environmental Solutions, LLC submitted a permit reissuance (change of ownership) application for RecOil, Inc. Residual Waste Processing facility located in the City of York, **York County**. This application was deemed administratively complete by the Southcentral Regional Office on September 23, 2016. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time 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.

Permit No. 301280 Cycle Chem, Inc., 550 Industrial Drive, Lewisberry, PA 17339-9537. The application submitted is to renew the permit for the residual waste processing facility located in Fairview Township, **York County**. The permit expires on April 15, 2017. This application was deemed administratively complete by the South-central Regional Office on September 20, 2016. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time 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

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

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

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

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

22-05024C: Penn State University, Milton S. Hershey Medical Center (500 University Drive, Hershey, PA 17033) for the construction of a Combined Heat & Power (CHP) project at the Medical Center located in Derry Township, **Dauphin County**. The expected increases in facility emissions as a result of the proposed project are 8.5 tpy of CO, 48.9 tpy of NO_x, 5.0 tpy of PM, 4.4 tpy of SO₂, 7.6 tpy of VOCs, and 1.1 tpy of HAPs. 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 the Federal requirements of 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

36-05158B: Perdue AgriBusiness, LLC (PO Box 1537, Salisbury, MD 21802-1537) for the authorization to transfer and use the VOC emission reduction credits (ERCs) described below in order to comply with the offset requirements of Plan Approval No. 36-05158A, Section C, Condition # 021 at the proposed soybean processing facility in Conoy Township, **Lancaster County**. In accordance with 25 Pa. Code Chapter 127, Subchapter E, the Department proposes to authorize the transfer and use of the following ERCs:

(a) 174.0 tons per year (tpy) of VOC ERCs for offset purposes from Element Markets, LLC, Houston, Texas. The 174.0 tpy of VOC ERCs were generated by the source reduction related to wood furniture surface coating sources at Bush Industries, Inc., Orange County, Middletown, NY on May 1, 1992. The ERCs were certified by the New York State Department of Environmental Conservation (NYSDEC) and entered in the NYSDEC's ERC Registry system on December 31, 1996.

(b) 94.0 tons per year (tpy) of VOC ERCs for offset purposes from Garden State Tanning, Inc. a.k.a. GST

AutoLeather, Inc. (GST), Washington County, Maryland. The 94.0 tpy of VOC ERCs were generated by the shutdown of sources at GST on January 1, 2007. The ERCs were certified by the Maryland Department of the Environment (MDE) and entered into the MDE's ERC Registry system on February 12, 2014.

There are no increases in facility emissions as a result of the proposed activity. The proposed facility qualifies as a Title V facility. Based on the above findings, the Department proposes to issue a plan approval for the proposed transfer and use of ERCs.

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

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

08-00001B: Tennessee Gas Pipeline Company, LLC (PO Box 2511, Houston, TX 77252-2511) has submitted an application to the Pennsylvania Department of Environmental Protection (PA DEP) for plan approval to construct a natural gas-fired combustion turbine which will be coupled to a centrifugal compressor, as part of the Susquehanna West Project, at the Compressor Station 319 facility located in Wyalusing Township, **Bradford County**. The proposed construction also includes the ancillary equipment for operation of the new natural gas compression process, such as valves, flanges, connectors, etc.

The proposed combustion turbine is a Solar® Titan 130-20502S equipped with SoLoNO_x™ technology, a lean premix type of combustion technology, also known as Dry Low NO_x Combustion technology. The SoLoNO_x technology is described to be capable of achieving NO_x emission of 9 ppmvd at 15% O₂. TGP also proposes to equip the exhaust of the source with an add-on device that employs oxidation catalyst technology to control volatile organic compounds (VOCs) including formaldehyde and carbon monoxide (CO) in the turbine's exhaust. The source is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The proposed combustion turbine is also subject to the Standards of Performance for Stationary Combustion Turbines of 40 CFR Part 60 Subpart KKKK. The proposed construction also triggers the Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015 as codified in 40 CFR Part 60 Subpart OOOOa. The collection of fugitive emissions components is subject to the leak detection and repair requirements pursuant to 40 CFR Part 60 Subpart OOOOa and BAT. The potential to emit of the proposed combustion turbine is 37.2 tons per year (tpy) for NO_x (expressed as NO₂), 51.9 tpy for CO, 9.2 tpy for SO_x (expressed as SO₂), 4.4 tpy for PM₁₀ and PM_{2.5}, 3.1 for VOCs, 2.0 for HAPs, and 1.2 for formaldehyde.

PA DEP's review of the information submitted by the facility indicates that the proposed construction will comply with all applicable air quality regulatory requirements, including the BAT requirements. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements. The plan approval includes emission restrictions for NO_x, CO, VOCs, SO_x, PM₁₀, PM_{2.5}, and formaldehyde, as follows: 9–15 ppm for NO_x; 2 ppm for CO; 3 ppm for VOCs (as propane); 0.028 lb/MMBtu for SO_x; 0.0066 lb/MMBtu for PM₁₀ and PM_{2.5}; and 0.0017 lb/MMBtu for formaldehyde. Stack testing on the pro-

posed turbine for these pollutants is required no later than 180 days from the date of startup. The facility is required to continuously monitor certain turbine parameters that indicate whether or not the unit is operating continuously in low-NO_x mode during all periods of operation except those in which the ambient temperature is below 0 degrees Fahrenheit and startup and shutdown operations. Additionally, the inlet and outlet oxidation catalyst temperatures and differential pressure across the oxidation catalyst are required to be continuously monitored. The plan approval also includes recordkeeping and reporting conditions. The facility will be also required to monitor on-site equipment for leaks on a monthly basis and perform leak detection and repair program quarterly.

Based on the findings presented above, the Department proposes to issue a plan approval for the proposed construction. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions including the specifications in the application, the plan approval will be incorporated into a State-Only operating permit which will be required to be filed no later than 120 days upon request by the Department. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

PLAN APPROVAL

PUBLIC HEARINGS

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

Contact: Ronald Davis, New Source Review Chief—Telephone: 17-705-4702.

36-05158B: Perdue AgriBusiness, LLC (PO Box 1537, Salisbury, MD 21802-1537) to receive comments for the authorization to transfer and use the VOC emission reduction credits (ERCs) described below in order to comply with the offset requirements of Plan Approval No. 36-05158A, Section C, Condition # 021 at the proposed soybean processing facility in Conoy Township, **Lancaster County**. In accordance with 25 Pa. Code Chapter 127, Subchapter E, the Department proposes to authorize the transfer and use of the following ERCs:

(a) 174.0 tons per year (tpy) of VOC ERCs for offset purposes from Element Markets, LLC, Houston, TX. The 174.0 tpy of VOC ERCs were generated by the source reduction related to wood furniture surface coating sources at Bush Industries, Inc., Orange County, Middletown, NY on May 1, 1992. The ERCs were certified by the New York State Department of Environmental Conservation (NYSDEC) on December 30, 1996 and subsequently entered in the NYSDEC's ERC Registry system.

(b) 94.0 tons per year (tpy) of VOC ERCs for offset purposes from Garden State Tanning, Inc. a.k.a. GST AutoLeather, Inc. (GST), Washington County, MD. The 94.0 tpy of VOC ERCs were generated by the shutdown of sources at GST on January 1, 2007. The ERCs were certified by the Maryland Department of the Environment (MDE) and entered into the MDE's ERC Registry system on February 12, 2014.

There are no increases in facility emissions as a result of the proposed activity. The proposed facility qualifies as a Title V facility. Based on the above findings, the Department proposes to issue a plan approval for the proposed transfer and use of ERCs.

Copies of the plan approval application and other relevant information are available for public review at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the documents may be scheduled by calling 717-705-4732 between 8:00 A.M. and 3:30 P.M., Monday through Friday, except holidays.

The public hearing will be held on November 16, 2016, from 6:30-8:30 PM at the Bainbridge Fire Hall, located at 34 South 2nd Street, Bainbridge, PA 17502. Those wishing to comment orally are requested to contact Brenda Esterline at 717-705-4704 to reserve a time to present any testimony. Testimony must be pre-scheduled by no later than November 9, 2016. Commenters are requested to provide two (2) written copies of their remarks at the time of the hearing. Oral testimony will be limited to ten (10) minutes per person. Organizations are requested to designate a representative to present testimony on their behalf. Written comments may be submitted to the Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, no later than November 26, 2016.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Brenda at the number provided above or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

OPERATING PERMITS

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

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

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

23-00119: Sunoco Partners Marketing & Terminals (100 Green Street, Marcus Hook, PA 19061) for operation of a separation and storage petrochemical facility in Marcus Hook Borough, **Delaware County**. This Permit Modification Application will follow the same procedures that apply to initial permit issuance in accordance with 25 Pa. Code §§ 127.542(b), 127.505 and 127.424. This will satisfy the regulatory requirement (25 Pa. Code § 127.424(e)(3)) and 40 CFR 70.8(c) by allotting the US EPA it's official forty-five (45) day review period as the permitting actions listed below were issued prior to achievement of a Title V status and/or issuance of a Title V operating permit. This modification also addresses some typographical errors and the permanent removal of some sources. This action will incorporate Plan Approval 23-0001AD into the Title V operating permit. Additional permitting actions to be incorporated by reference into the Title V operating permit include: 23-0119; 23 0119A; 23-0119B; 23-0119C; and 23-0119D, and Request for Determinations (RFDs) 5236 and 5597. There will be no changes in actual emissions of any air contaminant, nor will there be any new sources constructed or installed as a result of this action.

The Title V operating permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

36-05013: Lancaster County Solid Waste Management Authority (1911 River Road, Bainbridge, PA 17502-9360) to renew a Title V Operating Permit for the Waste-to-Energy Plant in Conoy Township, **Lancaster County**. Actual emissions from the facility as reported in 2015 were 29.3 tons of CO, 593.7 tons of NO_x, 8.8 tons of SO_x, and 4.1 tons of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart C_b—Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors that are constructed on or before September 20, 1994, 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and the "RACT 2" NO_x requirements in accordance with 25 Pa. Code § 129.97(f).

67-05016: R.H. Sheppard Company, Inc. (P.O. Box 877, Hanover, PA 17331) to issue a Title V Operating Permit renewal for the gray and ductile iron foundry located in Hanover Borough, **York County**. The actual emissions from the facility in 2015 were 119.2 tons CO; 26.8 tons VOC; 8.8 tons PM₁₀; 8.8 tons PM_{2.5}; 5.8 tons NO_x; 2.0 tons SO_x; 2.5 tons benzene; 1.3 ton phenol; 0.7 ton hydrocyanic acid; 0.3 ton toluene; 0.1 ton lead; 4.9 tons total HAPs; 6,354.3 tons CO₂; 0.1 ton CH₄; and 6,379.3 tons CO₂e. The Operating Permit will include emission limits and work practice standards along with testing, 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 ZZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources (Source IDs 103, 109, 110, 111, 112, 112A/B, 112C, 113, 114A, 119, 120, 121, 124, 124A, 125, 126, 127, and 128); 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (Source ID 035); and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Source IDs 501, 502, 503, and 504).

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

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

18-00007: Brodart Company (500 Arch Street, Williamsport, PA 17701) for renewal of the Title V operating permit for their McElhatten facility located in Wayne Township, **Clinton County**. The facility is currently operating under Title V Operating Permit 18-00007. The facility's main sources are twelve (12) surface coating paint booths, two (2) remote reservoir parts cleaners and woodworking operations. The facility has potential emissions of 12.04 tons per year of nitrogen oxides, 0.05 ton per year of sulfur oxides, 10.57 tons per year of carbon monoxide, 330.31 tons per year of particulate matter less than 10 microns in diameter, 128.99 tons per year of volatile organic compounds, and 49.98 tons per year of total hazardous air pollutants (HAPs). The emission limits, throughput limitations and work practice

standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Part 63 Subpart JJ, 40 CFR Part 63 Subpart ZZZZ, 40 CFR Part 63 Subpart DDDDD and 25 Pa. Code Chapters 121–145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

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

60-00005: Elkay Wood Products Company (100 Industrial Park Road, Mifflinburg, PA 17844) to issue a renewal State Only Operating Permit for their facility located in Mifflinburg Borough, **Union County**. The facility is currently operating under State Only Operating Permit 60-00005. The facility's sources include two (2) boilers, lumber drying operation, wood component and assembly process, rough milling process, surface coating process and a parts washer. The facility has the potential to emit 21.46 tons of nitrogen oxides (NO_x) per year, 26.46 tons of carbon monoxide (CO) per year, 34.46 tons of volatile organic compounds (VOCs) per year, 1.75 ton of hazardous air pollutants, 1.10 ton of sulfur oxides per year (SO_x), 65.03 tons of particulate matter (PM/PM₁₀) per year and 8,541 tons of greenhouse gasses (GHGs) per year. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Subpart JJJJJJ of 40 CFR Part 63 and 25 Pa. Code Chapters 121–145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

04-00065: WHEMCO—Steel Casting, Inc. (One 12th street, Midland, PA 15059) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Whemco to authorize the operation of a facility located in in Midland, **Beaver County**.

The foundry produces carbon and alloy steel primarily for making rolling mill rolls, slag pots and other miscellaneous steel casting. The facility currently consists of an electric arc furnace, two coreless induction furnaces,

annealing furnaces, heat-treating activities, ladle heater, shot blasting operations, torch burning operations, scrap burning and various emissions control units. Actual facility-wide emissions for 2015 were estimated by the applicant to be 5.30 tpy of PM₁₀, 16.65 tpy of NO_x, 4.96 tpy of VOCs, and 18.23 tpy of CO.

The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121–145, the Area MACT for Iron and Steel Foundries as established under 40 CFR Part 63, Subpart ZZZZZ and the NSPS of 40 CFR Part 60, Subpart AA, Standards of Performance for Steel Plants.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (04-00065) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

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

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

65-00706: Jeannette Specialty Glass (JSG)/Jeannette Shade and Novelty Co (215 North Fourth Street, Jeannette, PA 15644) for the manufacturing of pressed and blown glass facility located in Jeannette, **Westmoreland County**. The operation of the facility's air contamination source consisting of: a 10 ton continuous tank (furnace), annealing lehrs, and two paint booths. Emissions are controlled through the use of various baghouses. Emissions from this site will not exceed 27 tons per year of NO_x. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

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

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

16-00124: Allegheny Valley Connector LLC Trittsburg Station (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222), the Department intends to issue a Natural Minor Permit to operate a natural gas transmission and distribution station in Redbank Township, **Clarion County**. The sources at the facility include 2 natural gas compressor engines, a tri-ethylene glycol dehydration system, an emergency

generator, miscellaneous process equipment, a parts washer, and a methanol storage tank. One of the engines is subject to the work practice standards in 40 CFR 63 Subpart ZZZZ pertaining to NESHAPs for Stationary Reciprocating Internal Combustion Engines. The other compressor engine and the emergency generator are subject to 40 CFR 60 Subpart JJJJ. The Triethylene Glycol dehydrator is subject to 40 CFR 63 Subpart HH. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. This facility was previously a Title V Facility but reduced emissions to below the major source thresholds with the removal of an older compressor engine. The potential emissions from the facility are: 30.73 TPY CO, 92.99 TPY NO_x, 3.43 TPY PM / PM₁₀ / PM_{2.5}, 0.07 TPY SO_x, 32.16 TPY VOC, 3.61 TPY Formaldehyde, 5.99 TPY Total HAPs, and 16,428 TPY GHGs (CO₂e).

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

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

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

N16000017: (Delta Air Lines, PHL, 8500 Essington Ave, Philadelphia, PA 19153) for the operation of multiple non-road engines at the facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes 8 non-road internal combustion engines at Philadelphia Airport. Each engine is less than 500 HP.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

N16000012: South Eastern Pennsylvania Transportation Authority Callowhill Bus Facility (at 52 and Callowhill Street, Philadelphia, PA 19132), for the operation of a bus maintenance and repair facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes two 4.72 MMBTU/hr and one 1.36 MMBTU/hr boilers firing natural gas and nine 0.83 MMBTU/hr space heaters firing natural gas, one pressure washer and two soil remediation system, two degreasers and a 200 KW emergency generator.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or com-

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

N16000011: South Eastern Pennsylvania Transportation Authority Overbrook Maintenance Facility (at 5320 West Jefferson Street, Philadelphia, PA 19131), for the operation of a Trolley maintenance and repair facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes ten 0.300 MMBTU/hr and five 0.800 MMBTU/hr and one 0.400 MMBTU/hr space heaters firing natural gas, and one pressure washer and two parts washers.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

PLAN APPROVALS

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

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

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

58-00020A: Wrighter Energy, LLC (North Shore Place 1, Pittsburgh, PA 15212) for their facility located in Thompson Twp, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Wrighter Energy, LLC (North Shore Place 1, Pittsburgh, PA 15212) for their facility located in Thompson Twp, Susquehanna County. This Plan Approval No. 58-00020A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-00020A is for the installation and operation of 3 Rolls-Royce Bergen Natural gas fired engines with oxidation catalyst and SCR to control emissions. The company shall be subject to and comply with New Source Performance Standards 40 CFR Part 60 Subpart JJJJ and MACT 40 CFR Part 63 Subpart ZZZZ.

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 18701-1915.

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.: 58-00020A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **General Dynamics Ordnance and Tactical Systems** (156 Cedar Avenue, Scranton, PA 18505-1138) for their facility located in Scranton, **Lackawanna County**. This Plan Approval No. 35-00003A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 35-00003A is for the installation of a new RTO (Regenerative Thermal Oxidizer) to control emissions at their facility. VOC emissions from the plant will remain under their 50 TPY threshold limit, 12-month rolling sum. Malodorous emissions will be controlled by the use of the RTO. The oxidizer will be required to have a destruction efficiency of at least 98%. These limits will meet BAT requirements for this source. A stack test will be required to verify these limits.

The Department will place a condition for the facility to continuously monitor the combustion temperature in the oxidizer. 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.: 35-00003A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of 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.

32061302 and NPDES No. PA0235768. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Knob Creek Mine in Young and Conemaugh Townships, **Indiana County** and related NPDES permit from Western Allegheny Energy, LLC. No additional discharges. The application was considered administratively complete on September 20, 2016. Application received June 27, 2016.

32131303. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Crooked Creek Mine in Washington Township and Creekside Borough, **Indiana County** from Western Allegheny Energy, LLC. No discharges. The application was considered administratively complete on September 20, 2016. Application received May 2, 2016.

03981301 and NPDES No. PA0215198. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Parkwood Mine in Plumcreek and South Bend Townships, **Armstrong County**, Armstrong Township, **Indiana County** and related NPDES permit from Western Allegheny Energy, LLC. No additional discharges. The application was considered administratively complete on September 20, 2016. Application received May 4, 2016.

30841319. Murray American Energy, Inc., (46226 National Road, St. Clairsville, OH 43950). To transfer the permit for the Blacksville Mine No. 1 in Wayne Township, **Greene County** from Consolidation Coal Company. No discharges. The application was considered administratively complete on September 21, 2016. Application received March 7, 2016.

56100701 and NPDES No. PA0235989. Wilson Creek Energy, LLC, (1576 Stoystown Road, PO Box 260, Friedens, PA 15541). To renew the permit for the Milford # 3 CRDA in Milford Township, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on September 21, 2016. Application received April 6, 2016.

32141301 (formerly 32101701) and NPDES No. PA0235890. Consol Mining Company LLC, (CNX Cen-

ter, 1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the O'Donnell No. 4/Manor No. 8 Treatment System in Washington Township, **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on September 22, 2016. Application received June 3, 2015.

03851302 and NPDES No. PA0379302. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit and NPDES Permit for the Rosebud No. 3 Mine in Perry Township, **Armstrong County** and related NPDES permit to add an existing discharge as an outfall. Receiving Stream: Unnamed Tributary "A" to Allegheny River, classified for the following use: WWF. Receiving Stream: Armstrong Run to Allegheny River, classified for the following use: WWF. The application was considered administratively complete on September 26, 2016. Application received March 30, 2016.

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

03950105 and NPDES Permit No. PA0201421. Allegheny Mineral Corp. (P.O. Box 1022, Kittanning, PA 16201). Renewal application for continued treatment to an existing bituminous surface mine, located in West Franklin Township, **Armstrong County**, affecting 439.0 acres. Receiving streams: Patterson Creek and unnamed tributary to Buffalo Creek, classified for the following use: HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 16, 2016.

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

Permit No. 54940203R4. Wilbur White Coal Company, (11 Low Road, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Butler Township, **Schuylkill County** affecting 23.0 acres, receiving stream: Mahanoy Creek, classified for the following uses: warm water and migratory fishes. Application received: September 21, 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.

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

10960304. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES Permit No. PA0227218 in Washington Township, **Butler County**. Receiving streams: South Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 19, 2016.

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

03950401 and NPDES Permit No. PA0096661. Bradys Bend Corporation (209 Cove Run Road, East Brady, PA 16028). NPDES renewal application for continued mining to an existing noncoal underground mine, located in Bradys Bend Township, **Armstrong County**, affecting 17.7 surface acres and 3,804.6 underground acres. Receiving stream: Cove Run, classified for the following use: WWF. The potable water supplies with intake within 10 miles downstream from the point of discharge: Bradys Bend Water & Sewer Authority, and PA American Water. Renewal application received: September 15, 2016.

03010407 and NPDES Permit No. PA0250040. Stitt Coal Company, Inc. (811 Garretts Run Road, Ford City, PA 16226). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Kittanning Township, **Armstrong County**, affecting 301.3 acres. Receiving streams: unnamed tributary to Garretts Run and Garretts Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 19, 2016.

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

Permit No. 40090302C2 and NPDES No. PA0224782. Pennsy Supply, Inc., (1001 Paxton Street, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Dorrance Township, **Luzerne County** affecting 316.75 acres, receiving streams: Balliet Run and unnamed tributary to Big Wapwallopen Creek, classified for the following uses: HQ-cold water fishes and cold water fishes. Application received: September 16, 2016.

Permit No. 58000846. Norman Holzman, Jr., (1463 Wickizer Road, Kingsley, PA 18826), Stage I & II bond release of a quarry operation in Brooklyn Township, **Susquehanna County** affecting 2.0 acres on property owned by Norman Holzman, Jr. Application received: September 22, 2016.

Permit No. 22880302C and NPDES No. PA0594211. Pennsy Supply, Inc., (1001 Paxton Street, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Swatara Township, **Dauphin County** affecting 136.02 acres, receiving stream: Swatara Creek, classified for the following uses: warm water fishes. Application received: September 21, 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. PA0249912 (Mining Permit No. 56060102), Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, renewal of an NPDES permit for bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 47.1 acres. Receiving stream: unnamed tributary to Schrock Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: September 1, 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 outfalls listed below discharge to unnamed tributary to Schrock Run:

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

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

<i>Outfalls: 001 and 003</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)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
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			

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

NPDES No. PA0243477. (Mining permit no. 17030106), Waroquier Coal Company, P.O. Box 128, 3056 Washington Avenue, Clearfield, PA 16830, renewal of an NPDES permit for surface coal mining permit in Beccaria Township, **Clearfield County**, affecting 244.0 acres. Receiving stream(s): Unnamed Tributaries to Dotts Hollow classified for the following use(s): CWF. Clearfield Creek Watershed. Application received: May 5, 2016.

The outfall(s) listed below discharge to: Dotts Hollow

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

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

Parameters	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	9.0
Manganese (mg/l)		4.6	3.2	4.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

NPDES No. PA0278173 (Mining permit no. 65-15-04), David L. Patterson, Jr., 12 Short Cut Road, Smithfield, PA 15478, New NPDES permit for a Government Financed Construction Contract (GFCC) in Salem Township, **Westmoreland County**, affecting 60.2 acres. Receiving stream: UNT to Beaver Run Reservoir to Beaver Run to Kiskiminetas-Conemaugh River, classified for the following use: HQ-CWF. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: November 24, 2015.

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

The stormwater outfall(s) listed below discharge to UNT and Beaver Run Reservoir

Outfall Nos.	New Outfall (Y/N)	Type
001	Y	E&S
002	Y	E&S

The proposed effluent limits for the above listed outfall(s) are as follows: for precipitation events less than or equal to a 10 year/24 hour storm event.

Outfalls: 001, 002, 003, 004, 005 Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request

are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

Type of work: E09-1007. Warrington Township, 852 Easton Road, Warrington, PA 18976, Warrington Township, **Bucks County**, ACOE Philadelphia District.

To remove the accumulation of debris along 225 linear feet situated along an unnamed tributary to the Little Neshaminy Creek associated with the Street Road Gravel Bar Removal. The site is located by the stream crossing at Street Road approximately 1.6 mile north of its intersection with Rt. 611 (Ambler Lat. 40° 14' 40"; Long. 75° 9' 42").

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E39-547. Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062, in Lower Macungie Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 6-foot wide single span pedestrian bridge across Swabia Creek (HQ-CWF, MF), having a 37-foot span and an approximate 3-foot minimum underclearance. The project is located just downstream of the east side of the Gehman Road vehicular bridge that spans Swabia Creek (Allentown West, PA Quadrangle, Latitude: 40°30'57"; Longitude: -75°34'5.7").

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

E02-1738, Glasso Development Company, LP, 4201 Cohasset Lane, Allison Park, PA 15101, West Deer Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Construct and maintain a 167 LF, 48 in-HDPE culvert in an Unnamed Tributary (UNT) to Deer Creek;
2. Place and maintain fill within 0.11 acre of PEM wetlands (aka WL-1);
3. Place and maintain multiple utility line crossings across the aforementioned UNT and wetland under a General Permit No. 5, relating to utility line stream crossings;

For the purpose of developing a residential community located near the intersection of McIntyre Road and Shadow Circle, (Quadrangle: Valencia, PA, Latitude: 40°37'40"; Longitude: -79°54'46") in West Deer Township, Allegheny County. The permanent impacts will be off-set with on-site stream and wetland mitigation.

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

E42-367—National Fuel Gas Supply Corporation and Empire Pipeline, Inc. (Applicant), 1100 State Street, Erie, PA 16501. Northern Access 2016 Project (Project), in Sergeant, Keating, Annin, Eldred, Ceres, and Liberty Townships in **McKean County**, ACOE Pittsburgh District. The proposed Pennsylvania portion of the project starts at the interconnection/tie-in at the existing NFG Midstream Clermont, LLC, facility along SR 146 approximately 1 mile west of Clermont (Crosby, PA Quadrangle N: 41°42'04.84"; W: 78°29'59.98") in Sergeant Township, McKean County extending generally north crossing through portions of Sergeant, Keating, Annin, Eldred, and Ceres Townships, McKean County, to where it will cross the New York border approximately 2 miles west of where SR 44 crosses the state line (Bullis Mills, PA Quadrangle N: 41°59'57.51"; W: 78°17'56.98") in Ceres Township, McKean County.

On May 14, 2016 the Department published a notice at 46 Pa.B. 2428 (May 14, 2016) that it had received an application for a Chapter 105 Joint Permit (E42-367) under the Pennsylvania Dam Safety and Encroachments Act. This issue includes notices for an Erosion and Sediment Control General Permit (ESC00083160002) and a request for State Water Quality Certification (WQ42-001) required by Section 401 of the Clean Water Act under review by the Department and McKean County Conservation District for the Project.

The Project, as proposed in Pennsylvania, consists of installation and maintenance of approximately 28 miles, 24-inch pipeline and appurtenant structures. The proposed project impacts in McKean County include a total of 10,663 linear feet (5,136 linear feet of permanent and 5,527 linear feet of temporary) of impacts to the following surface waters: Bloomster Hollow (CWF) and tributaries; tributaries to Irons Hollow (CWF); Blacksmith Run (CWF) and tributaries; Cloverlot Hollow (CWF) and tributaries; Kent Hollow (CWF) and tributaries; Newell Creek (CWF) and tributaries; Oswayo Creek (CWF) and tributaries; Marvin Creek (CWF) and tributaries; Champlin Hollow (CWF) and tributaries; Open Brook (CWF); Allegheny River (CWF); Rock Run (CWF) and tributaries; Barden Brook (CWF) and tributaries; Potato Creek (TSF) and tributaries; tributaries to Cole Creek (CWF); McCrae Run (CWF) and tributaries; and Pierce Brook (CWF), 20.854 acres (9.837 acres of temporary and 11.017 acres of permanent) of impact to floodways, 5.277 acres of temporary impacts to PEM (1.674 acre), PSS (1.64 acre), and PFO (1.963 acre) wetlands and 7.073 acres of permanent impacts to PEM (2,596 acres), PSS (2,539 acres), and PFO (1,938 acre) wetlands. To compensate for the proposed permanent project impacts in McKean County, the applicant is proposing the enhancement of degraded PEM wetlands with planting of 0.507 acre of shrub habitat and 1.175 acre forested habitat and restoration of all wetlands and stream crossings by returning the area to original contours, replacing native soils and streambed materials, and stabilizing the area. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 28 miles in Pennsylvania between Sergeant Township, McKean County, PA and Ceres Township, McKean County, PA.

For more detailed information regarding the McKean County Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact Lori Boughton at 814-332-6879 to request a file review.

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

E5829-113: Harmony Township, Bluestone Pipeline Company of Pennsylvania, LLC, 1429 Oliver Road, New Milford, PA 18334-7516; Harmony Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 30 inch diameter steel natural gas pipeline and temporary access crossing impacting 34 lineal feet (544 sq. ft.) of an unnamed tributary to Little Roaring Brook (CWF-MF) (Susquehanna, PA Quadrangle; Latitude: 41°59'55", Longitude: -75°32'26"),

2) a 30 inch diameter steel natural gas pipeline and temporary access crossing impacting 12,270 square feet (0.28 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41°59'53", Longitude: -75°32'26"),

3) a 30 inch diameter steel natural gas pipeline and temporary access crossing impacting 5,300 square feet (0.28 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41°59'52", Longitude: -75°32'31"),

4) a 30 inch diameter steel natural gas pipeline and temporary access crossing impacting 11,040 square feet (0.25 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 52", Longitude: -75° 32' 66"),

5) a 30 inch diameter steel natural gas pipeline and temporary access crossing impacting 50 lineal feet (800 sq. ft.) of an unnamed tributary to Little Roaring Brook (CWF-MF) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 50", Longitude: -75° 32' 38"),

6) a 30 inch diameter steel natural gas pipeline by horizontal directional drill crossing impacting 228 square feet (<0.01 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 08", Longitude: -75° 33' 00"),

7) a 30 inch diameter steel natural gas pipeline by horizontal directional drill crossing impacting 153 square feet (<0.01 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 08", Longitude: -75° 33' 00"),

8) a 30 inch diameter steel natural gas pipeline by horizontal directional drill crossing impacting 2,160 square feet (0.05 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 08", Longitude: -75° 33' 00"),

9) a 30 inch diameter steel natural gas pipeline by horizontal directional drill crossing impacting 30 square feet (<0.01 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 08", Longitude: -75° 33' 00"),

10) a 30 inch diameter steel natural gas pipeline and timber mat crossing impacting 1,500 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 00", Longitude: -75° 33' 00"),

11) a timber mat crossing impacting 2,800 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 59' 49", Longitude: -75° 32' 34").

The project consists of constructing a 30" diameter steel natural gas gathering line approximately 1.54 mile long in Harmony Township, Susquehanna County. The project will result in 84 lineal feet of temporary stream impacts and 30,445 square feet (0.70 acre) of temporary wetlands impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

WATER QUALITY CERTIFICATIONS REQUESTS

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481 Telephone: 814-332-6945.

WQ42-001, National Fuel Gas Supply Corporation and Empire Pipeline, Inc. (Applicant), 1100 State Street, Erie, PA 16501. Northern Access 2016 Project (Project), in Sergeant, Keating, Annin, Eldred, Ceres, and Liberty Townships in **McKean County**, ACOE Pittsburgh District. The proposed Pennsylvania portion of the project starts at the interconnection/tie-in at the existing NFG Midstream Clermont, LLC, facility along SR 146 approximately 1 mile west of Clermont (Crosby, PA Quadrangle N: 41°42'04.84"; W: 78°29'59.98") in Sergeant Township, McKean County extending generally north crossing through portions of Sergeant, Keating, Annin,

Eldred, and Ceres Townships, McKean County, to where it will cross the New York border approximately 2 miles west of where SR 44 crosses the state line (Bullis Mills, PA Quadrangle N: 41°59'57.51"; W: 78°17'56.98") in Ceres Township, McKean County.

On March 16, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-115). The FERC Environmental Assessment for the Project, which was issued on July 27, 2016, may be viewed on FERC's web site at www.ferc.gov (search eLibrary; Docket Search; CP15-115).

On April 5, 2016, Applicant requested a State water quality certification from the Department, as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

On May 14, 2016 the Department published a notice at 46 Pa.B. 2428 (May 14, 2016) that it had received a request for Water Quality Certification under Section 401 of the Federal Clean Water Act, the PA Dam Safety and Encroachments Act, and The Clean Streams Law. This issue includes notices for an Erosion and Sediment Control General Permit (ESC00083160002) and Chapter 105 Joint Permit (E42-367) applications under review by the Department and McKean County Conservation District for the Project.

The Project, as proposed in Pennsylvania, includes approximately 28 mile long, 24-inch pipeline for the purpose of transporting natural gas from Sergeant Township, McKean County, PA to the New York border in Ceres Township, McKean County. Pipeline work also includes three mainline valve sites, cathodic protection, and numerous temporary and permanent access roads to support construction and permanent facility access. Numerous stream and wetland crossings will occur along the project route as described below. The project also will utilize one temporary pipe storage yard and one contractor yard along SR 155 south of Port Allegheny Borough in Liberty Township, McKean County. The pipeline route has been co-located to parallel/overlap existing utility ROWs for a total of 17.75 miles in PA.

The Project, as proposed, will require approximately 378 acres of earth disturbance, and crossing of 141 streams (including floodways of streams not crossed by the pipeline) and 1 pond, totaling 10,663 linear feet (5,136 linear feet of permanent and 5,527 linear feet of temporary) of impacts to the following surface waters: Bloomster Hollow (CWF) and tributaries; tributaries to Irons Hollow (CWF); Blacksmith Run (CWF) and tributaries; Cloverlot Hollow (CWF) and tributaries; Kent Hollow (CWF) and tributaries; Newell Creek (CWF) and tributaries; Oswayo Creek (CWF) and tributaries; Marvin Creek (CWF) and tributaries; Champlin Hollow (CWF) and tributaries; Open Brook (CWF); Allegheny River (CWF); Rock Run (CWF) and tributaries; Barden Brook (CWF) and tributaries; Potato Creek (TSF) and tributaries; tributaries to Cole Creek (CWF); McCrae Run (CWF)

and tributaries; and Pierce Brook (CWF), 20.854 acres (9.837 acres of temporary and 11.017 acres of permanent) of impact to floodways, and 12.350 acres of (5.277 acres of temporary and 7.073 acres of permanent) wetland impacts.

The Department anticipates issuing a State water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated trans-

fer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Northwest Regional Office, Lori Boughton, 230 Chestnut Street, Meadville, PA 16335.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final State water quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Lori Boughton, Regional Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department regional office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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

relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department regional office during the 30-day public comment period.

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402)

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>ESCP No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
ESG00083160002	National Fuel Gas Supply Corporation and Empire Pipeline Inc. 11100 State Street Erie, PA 16501	McKean	Sergeant, Keating, Annin, Eldred, Ceres, and Liberty Townships	Bloomster Hollow (CWF) and tributaries; tributaries to Irons Hollow (CWF); Blacksmith Run (CWF) and tributaries; Cloverlot Hollow (CWF) and tributaries; Kent Hollow (CWF) and tributaries; Newell Creek (CWF) and tributaries; Oswayo Creek (CWF) and tributaries; Marvin Creek (CWF) and tributaries; Champlin Hollow (CWF) and tributaries; Open Brook (CWF); Allegheny River (CWF); Rock Run (CWF) and tributaries; Barden Brook (CWF) and tributaries; Potato Creek (TSF) and tributaries; tributaries to Cole Creek (CWF); McCrae Run (CWF) and tributaries; and Pierce Brook (CWF)

ESCGP-2 # ESG14-059-0042
 Applicant Name Vantage Energy Appalachia, LLC
 Contact Person John Moran
 Address 116 Inverness Drive East, Suite 107
 City, State, Zip Englewood, CO 80112
 County Greene County
 Township(s) Center Township
 Receiving Stream(s) and Classification(s) UNT to Hargus Creek (HQ-WWF)/South Fork Tenmile Creek (HQ-WWF). Hargus Creek/South Fork Tenmile Creek. UNT to South Fork Ten Mile Creek.

ESCGP-2 # ESX16-125-0010
 Applicant Name SWN Production Co LLC
 Contact Person Carla Suszkowski
 Address PO Box 12359
 City, State, Zip Spring, TX 77391
 County Washington
 Township(s) Independence
 Receiving Stream(s) and Classification(s) UNTs to Cross Ck (WWF); Cross Ck (WWF)
 Secondary—Cross Ck (WWF); Ohio River

ESCGP-2 # ESX16-125-0017
 Applicant Name EQT Production—Land, PA
 Contact Person Todd Klaner
 Address 2400 Zenith Ridge Rd, Suite 200
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Deemston
 Receiving Stream(s) and Classification(s) Plum Run (TSF), Fishpot Run (WWF)

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0096474 (Storm Water and Hydrostatic Test Water)	Buckeye Terminals LLC Coraopolis/Pittsburgh Terminal Station 3200 University Boulevard Coraopolis, PA 15108	Allegheny County Coraopolis Borough	Ohio River (20-G)	Yes
PA0254851 (Industrial)	Ford City Municipal WTP 1000 Fourth Avenue Ford City, PA 16226	Armstrong County Ford City Borough	Allegheny River (17-E)	Yes
PA0093033 (Sewage)	Elderton STP Cemetery Road Elderton, PA 15736-0262	Armstrong County Elderton Borough	Unnamed Tributary of Crooked Creek (17-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061581 (Industrial)	Sutton Springs 1823 Sutton Road Shavertown, PA 18708-9521	Luzerne County Jackson Township	Huntsville Creek (5-B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083364 (Sewage)	Chambersburg Borough PO Box 1009 Chambersburg, PA 17201	Franklin County/ Greene Township	Conococheague Creek/13-C	Y
PA0080080 (Sewage)	Conewago Valley MHP, Inc. 800 York Road Dover, PA 17315	York County/ Newberry Township	Conewago Creek/7-F	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0033910 (Sewage)	School District Treatment Plant 526 Panther Lane Rome, PA 18837-7892	Bradford County Orwell Township	Johnson Creek (4-D)	Yes
PA0041327 (Sewage)	Schneebeli Earth Science Center Wastewater Treatment Plant 203 Allenwood Camp Lane Montgomery, PA 17752-9219	Lycoming County Clinton Township	Unnamed Tributary to Black Hole Creek (10-C)	Yes
PA0114740 (Industrial)	Roaring Creek Water Treatment Plant Route 54 Coal Township, PA 17866	Northumberland County Coal Township	South Branch Roaring Creek (5-E)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0034924 (Sewage)	Paint Elk STP 800 W Hersheypark Drive Hershey, PA 17033	Clarion County Paint Township	Paint Creek (17-B)	Yes
PA0032468 (Sewage)	Cook Forest State Park PO Box 120 113 River Road Cooksburg, PA 16217-0120	Forest County Barnett Township	Clarion River (17-B)	No
PA0025739 (Sewage)	Port Allegany Borough STP 45 W Maple Street Port Allegany, PA 16743-1318	McKean County Port Allegany Borough	Allegheny River (16-C)	Yes
PA0240231 (Sewage)	Jack L Shaeffer SRSTP 510 Pittsville Road Kennerdell, PA 16374	Venango County Rockland Township	Shull Run (16-G)	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. PA0024252, Storm Water, SIC Code 4226, **Sunoco Partners Marketing & Terminals LP**, 1734 Old Route 66, Delmont, PA 15626.

This existing facility is located in Salem Township, **Westmoreland County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of stormwater and hydrostatic test water.

NPDES Permit No. PA0204935, Industrial, SIC Code 3273, **New Enterprise Stone & Lime Co. Inc.**, PO Box 77, New Enterprise, PA 16664-0077.

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

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater and stormwater.

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

NPDES Permit No. PA0229121 A-1, CAFO, SIC Code 0252, **Cotner Farms Inc.**, 127 Rushtown Road, Danville, PA 17821-7605.

This existing facility is located in Rush Township, **Northumberland County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing CAFO.

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

NPDES Permit No. PA0264547, Sewage, SIC Code 8800, **Genevieve Snyder**, 1622 Pin Oak Road, Rimersburg, PA 16248.

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

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

NPDES Permit No. PA0264555, Sewage, SIC Code 4952, 8800, **Andrew McMichael**, 133 Route 44, Shinglehouse, PA 16748.

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

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

NPDES Permit No. PA0264491, Sewage, SIC Code 4952, 8800, **Ralph Ricciardi**, 2068 Lake Road, Sharpsville, PA 16150.

This proposed facility is located in Jefferson Township, **Mercer County**.

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

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

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

WQM Permit No. WQG02481602, Sewage, SIC Code 4952, **Allen Township**, 4714 Indian Trail Road, Northampton, PA 18067.

This proposed facility is located in Allen Township, **Northampton County**.

Description of Proposed Action/Activity:

An 8-inch diameter sewer extension along Willowbrook Road will connect to the existing Hanover Township (Lehigh County) interceptor to serve a new development. The existing interceptor connects to the Borough of Catasauqua for treatment at its wastewater treatment plant.

WQM Permit No. WQG02391601, Sewage, SIC Code 4952, **Hanover Township**, 2202 Grove Road, Allentown, PA 18109.

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

Description of Proposed Action/Activity:

An 8-inch diameter sewer extension along Willowbrook Road will connect to the existing Hanover Township interceptor to serve a new development. The existing interceptor connects to the Borough of Catasauqua collection system for treatment at its wastewater treatment plant.

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. 4112406 A-1, Sewage, SIC Code 4952, **West Branch Regional Authority**, 127 Girton Drive, Muncy, PA 17756.

This existing facility is located in Clinton Township, **Lycoming County**.

Description of Proposed Action/Activity: Modifications to the Turkey Run Pump Station.

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

WQM Permit No. 1616405, Sewage, **Genevieve Snyder**, 1622 Pin Oak Road, Rimersburg, PA 16248.

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

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

WQM Permit No. 4216404, Sewage, **Andrew McMichael**, 133 Route 44, Shinglehouse, PA 16748.

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

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

WQM Permit No. 4316402, Sewage, **Ralph Ricciardi**, 2068 Lake Road, Sharpsville, PA 16150.

This proposed facility is located in Jefferson Township, **Mercer County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10-5312-R5	Philadelphia Authority for Industrial Development (PAID) 4747 South Broad Street Philadelphia, PA 19112	Philadelphia	City of Philadelphia	Tidal Schuylkill Watershed B/ Management District Zone C WWF-MF
PAI011516005	JEP, LLC 566 Cricke Lane Downingtown, PA 19335	Chester	West Whiteland Township	Broad Run HQ-CWF
PAI011516018	Owen J. Roberts School District 901 Ridge Road Pottstown, PA 19465	Chester	East Coventry Township	Pigeon Run HQ-TSF Schuylkill River (POI 2) HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025210006R	Milford Highlands PA, LLC 301 S. College Street 15th Floor Charlotte, NC 28202	Pike	Milford Township	UNT to Delaware River (HQ-CWF, MF), Deep Brook (EV, MF) Crawford Branch (HQ-CWF, MF) Vandermark (HQ-CWF, MF)
PAI024514012(1)	Saint Luke's Hospital 801 Ostrum Street Bethlehem, PA 18015	Monroe	Stroud Township	UNT to Pocono Creek (HQ-CWF, MF)
PAI024516007	Jimmy Schlier P.O. Box 465 Tannersville, PA 18372	Monroe	Pocono Township	Pocono Creek (HQ-CWF, MF)
PAI023912012(3)	Nestle Purina Pet Care 2050 Pope Road Allentown, PA 18104	Lehigh	South Whitehall Township	Jordan Creek (TSF, MF) UNT to Jordan Creek (HQ-CWF, MF)
PAI023916003	Weisenberg Township 2175 Seipstown Road Fogelsville, PA 18051	Lehigh	Weisenberg Township	Lyon Creek (HQ-CWF, MF) Mill Creek (TSF, MF)
PAI024816004	North Run 1, LLC c/o Mr. Doug Armbruster 740 Centre View Blvd Crestview Hills, KY 41017	Northampton	Lower Nazareth Township	Shoeneck Creek (WWF, MF)
PAI023916010	St. Luke's Hospital c/o Mr. Frank Ford 1736 Hamilton Street Allentown, PA 18104	Lehigh	City of Allentown	Little Lehigh Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050415001	Department of General Services Building 0-13 Fort Indiantown Gap Annville, PA 17003	Beaver County	Chippewa Township	UNT to North Fork Little Beaver Creek (HQ-CWF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056316001	Brownlee Land Ventures P.O. Box 51 West Middletown, PA 15379	Washington County	Hopewell Township, and Independence Township	UNT to Haynan Run (HQ-WWF)
PAI056316003	First Pennsylvania Resource, LLC 33 Terminal Way Suite 431A Pittsburgh, PA 15219	Washington County	Donegal Township	UNTs to Buck Run (HQ-WWF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bristol Township Bucks County	PAG02000916042	Two Farms, Inc. 3611 Roland Avenue Baltimore, MD 21211	Mill Creek Delaware River South WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG02000916037	12800 Tuckahoe Creek Parkway Richmond, VA 23238-1115	Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG02000913038(1)	County Builders, Inc. 76 Griffiths Miles Circle Warminster, PA 18974	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Doylestown Township Bucks County	PAG02000914009(1)	Penn Color, Inc. 400 Old Dublin Pike Doylestown, PA 18901-2399	Pine Urn TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warwick Township Bucks County	PAG02000916034	Adam Sailor 2195 Warwick Road Warrington, PA 18976	Unnamed Tributary to Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Solebury Township Bucks County	PAG02000916021	Charles Ehne 6226 Pikcock Creek Road New Hope, PA 18938	Dark Hollow Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG02004615105	New Hanover Township Authority 2990 Fagleysville Road Gilbertsville, PA 19525	Tributary to Swamp Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG02004616022	Buckman Enterprises LLC 105 Airport Road Pottstown, PA 19464	Possum Hollow Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAG02004616046	Palmer International, Inc. 2036 Lucon Road Skippack, PA 19474	Unnamed Tributary to Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marple Township Delaware County	PAG02002316016	Marple Associates, L.P. 1001 Baltimore Pike Springfield, PA 19064	Langford Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bethel Township Delaware County	PAG02002316019	Middletown Parkview Developers, LLC 1 Raymond Drive Havertown, PA 19083	Green Creek CWF-MF South Branch of Naamans Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG02002314003	Redwood-ERC Concord, LLC c/o Erickson Living Properties, Inc. 701 Maiden Choice Lane Baltimore, MD 21228	Webb Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Moosic Borough Lackawanna County	PAG02003516004	Minooka Motor Sales, Inc. 4141 Birney Avenue Moosic, PA 18507-1301	Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Exeter Borough Luzerne County	PAC400001	Fox Hill Country Club Shane Bradley 454 Tunkhannock Ave. Exeter, PA 18643	Hicks Creek (CWF, MF)	Luzerne Conservation District 570-674-7991

NOTICES

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Littlestown Borough Adams County	PAG02000116007	Littlestown Area School District 162 Newark Street Littlesown, PA 17340	Alloway Creek/ WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Butler Township Adams County	PAG02000116011	Christopher Rossman 13 Country Drive Gettysburg PA 17325	Unnamed Tributaries to Conewago Creek/ WWF Rock Creek/ WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Reading Township Adams County	PAG02000116010	Fletcher Farms LP 18001 Georgia Avenue Olney MD 20832	Conewago Creek/WWF Tributary 08758 Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Greenwich Township Berks County	PAG02000616022	Timothy J. Moyer 679 Luella Drive Kutztown, PA 19530	UNT Maiden Creek/TSF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 (610) 372-4657
Ontelaunee Township Berks County	PAG02000616022	Ryder Systems, Inc. 1 Jefferson Boulevard Warwick, RI 02888	Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 (610) 372-4657
Catherine Township Blair County	PAG02000716006	Randy Brubaker 121 Hemlock Lane Williamsburg, PA 16693	UNT Roaring Run/WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Greenfield Township Blair County	PAG02000716010	Central States Manufacturing, Inc. 302 Jane Place Lowell, AR 72745	Beaverdam Creek/CWF Smoky Run/CWF Wetlands	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Hampden Township Cumberland County	PAG02002116019	Golf Enterprises 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Conodoguinet Creek/WWF	Cumberland County Conservation District 3410 Allen Road Suite 4301 Carlisle, PA 17013-9101 (717) 240-7812

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Silver Spring Township Cumberland County	PAG02002116017	Exeter Property Group 140 Germantown Pike Suite 150 Plymouth Meeting, PA 19462	Hogestown Run/ CWF, MF	Cumberland County Conservation District 3410 Allen Road Suite 4301 Carlisle, PA 17013-9101 (717) 240-7812
Ephrata Township Lancaster County	PAG02003616064	Evangel Assembly of God Church 939 Linden Avenue Ephrata, PA 17522	UNT Conestoga River/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 7117.299.5361, ext. 5
Lancaster City Lancaster County	PAG02003616068	Franklin & Marshall College PO Box 3003 Lancaster, PA 17604	Conestoga River/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 7117.299.5361, ext. 5
Manheim Township Lancaster County	PAG02003616078	Seth Beaver 3001 Lititz Pike Lancaster, PA 17606	Bachman Run (Trib to Little Conestoga Creek)/TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 7117.299.5361, ext. 5
West Lampeter Township Lancaster County	PAG02003616079	Chris Glick 1518 Millport Road Lancaster, PA 17602	UNT Conestoga River/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 7117.299.5361, ext. 5
Strasburg Township Lancaster County	PAG02003616089	Elam King 628 Bunker Hill Road Strasburg, PA 17579	Little Beaver Creek/TSF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 7117.299.5361, ext. 5
Clay Township Lancaster County	PAG02003616104	EKM Entrerprises 25 Wissler Road Lititz, PA 17548	Middle Creek/ WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 7117.299.5361, ext. 5

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Rayne Township	PAG02003216011	Ligonier Construction Company, Inc. P.O. Box 277 Laughlintown, PA 15655	McKee Run (CWF); UNT to Crooked Creek (CWF)	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701-3571 (724) 471-4751

General Permit Type—PAG-05

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Springfield Township Fayette County	PAG056239 A-1	Speedy Meedy's Inc. 111 Woodvale Street Dunbar, PA 15431-1565	Unnamed Tributary of Indian Creek 19-E CWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Wilmington Water Pollution Control Facility New Castle County, Delaware	PAG089601	City of Wilmington Department of Public Works 800 French Street Wilmington, DE 19801	Wilmington Water Pollution Control Facility PO Box 9856 E 12th Street & Hay Road Wilmington, DE 19809	Central Office 717-787-8184
Delaware Township Northumberland County	PAG-08-4820	Lewisburg Area Joint Sewer Authority 697 River Road Lewisburg, PA 17837	Wesner Farm Delaware Township Northumberland County	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-10

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Owego South And Loomis Pipelines Brooklyn, Hartford, Lenox Susquehanna County	PAG102343	Williams Field Service Co. LLC Park Place Corp Center 2 2000 Commerce Drive Pittsburgh, PA 15275	Unnamed Tributary to Martins Creek, Tower Branch, and Martins Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

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.

Permit No. 2316504, Public Water Supply.
 Applicant **Chester Water Authority**
 415 Welsh Street
 P.O. Box 457
 Chester, PA 19013

Township Concord
 County **Delaware**
 Type of Facility PWS
 Consulting Engineer Chester Water Authority
 415 Welsh Street
 P.O. Box 457
 Chester, PA 19013

Permit to Construct September 21, 2016
 Issued

Permit No. 4616516, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 West Hershey Park Drive
 Hershey, PA 17033

Township Upper Providence
 County **Montgomery**
 Type of Facility PWS
 Consulting Engineer Ebert Engineering, Inc.
 P.O. Box 540
 4092 Skippack Pike
 Suite 202
 Skippack, PA 19474

Permit to Construct September 21, 2016
 Issued

Permit No. 4616522, Public Water Supply.
 Applicant **Borough of East Greenville**
 206 Main Street
 East Greenville, PA 18041

Borough East Greenville
 County **Montgomery**
 Type of Facility PWS
 Consulting Engineer Cowan Associates, Inc.
 120 Penn-Am Drive
 P.O. Box 949
 Quakertown, PA 18951

Permit to Construct September 20, 2016
 Issued

Operations Permit # 0916516 issued to: **North Penn Water Authority**, 300 Forty Foot Road, Lansdale, PA 19446, [(PWSID)] East Rockhill Township, **Bucks County** on September 21, 2016 for the temporary emergency use of an interconnection with Perkasie Regional Authority.

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

Permit No. 2400126, Operations Permit Public Water Supply.
 Applicant **Valley Gorge Mobile Home Park**
 316 Susquehanna St.
 White Haven, PA 18661

[Borough or Township] White Haven Borough
 County **Luzerne**

Type of Facility PWS
 Consulting Engineer NA
 Permit to Operate 9/20/2016
 Issued

Permit No. 2406258, Operations Permit Public Water Supply.
 Applicant **Silver Springs Ranch, LLC**
 5148 Nuangola Rd.
 Mountain Top, PA 18707

[Borough or Township] Monroe Township
 County **Luzerne**
 Type of Facility Finished Bulk Water Hauling
 Consulting Engineer Thomas Pullar, PE
 EarthRes Group, Inc.
 P.O. Box 468
 Pipersville, PA 18947

Permit to Operate 9/19/2016
 Issued

Permit No. 6616501MA, Public Water Supply.
 Applicant **Aqua Pennsylvania, Inc.**
 1 Aqua Way
 White Haven, PA 18661

[Borough or Township] Clinton Township
 County **Wyoming**
 Type of Facility PWS
 Consulting Engineer Mr. Chad Angle, PE
 GHD, Inc.
 1240 N. Mountain Rd.
 Harrisburg, PA 17110

Permit to Construct 9/14/2016
 Issued

Permit No. 2450076, Operations Permit Public Water Supply.
 Applicant **Cresson Point Properties, LLC**
(Estates at Hamilton Hills)
 P.O. Box 53
 Ashfield, PA 18212

[Borough or Township] Hamilton Township
 County **Monroe**
 Type of Facility PWS
 Consulting Engineer NA
 Permit to Operate 9/20/2016
 Issued

Permit No. 5816505MA, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 West Hershey Park Dr.
 Hershey, PA 17033

[Borough or Township] Great Bend Township
 County **Susquehanna**
 Type of Facility PWS
 Consulting Engineer Jeremy Nelson, PE
 Pennsylvania American Water
 2699 Stafford Ave.
 Scranton, PA 18505

Permit to Construct Issued 9/14/2016
Permit No. 2408001, Operations Permit Public Water Supply.

Applicant **Hazleton City Authority**
 400 East Arthur Gardner
 Parkway
 Hazleton, PA 18201-7359

[Borough or Township] City of Hazleton

County **Luzerne**

Type of Facility PWS

Consulting Engineer John Synoski, PE
 Hazleton City Authority
 400 East Arthur Gardner
 Parkway
 Hazleton, PA 18201-7359

Permit to Operate Issued 9/26/2016

Permit No. 4816503, Public Water Supply.

Applicant **Pennsylvania American Water Company**
 800 W. Hersheypark Dr.
 Hershey, PA 17033

[Borough or Township] Nazareth Borough

County **Northampton**

Type of Facility PWS

Consulting Engineer Craig Darosh, PE
 Pennsylvania American Water
 Co.
 4 Wellington Blvd., Suite 2
 Wyomissing, PA 19610

Permit to Construct Issued September 26, 2016

Permit No. 2359008, Operations Permit Public Water Supply.

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

[Borough or Township] South Abington Township

County **Lackawanna**

Type of Facility PWS

Consulting Engineer Mr. James Shambaugh, PE
 Gannett Fleming, Inc.
 P.O. Box 67100
 Harrisburg, PA 17106-7100

Permit to Operate Issued 9/20/16

Application No. 3516507MA, Public Water Supply.

Applicant **PA American Water (City Of Scranton)**
 800 W. Hershey Park Drive
 Hershey, PA 17033

[Township or Borough] City Of Scranton
Lackawanna County

Responsible Official Mr. David Kaufman
 Vice President-Engineering

Type of Facility Public Water Supply

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

Construction Permit Issued May 9, 2016

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

Operation Permit No. 4290005 issued to: **McConnellsburg Borough Water Authority (PWS ID No. 4290005)**, Todd Township, **Fulton County** on 9/23/2016 for facilities approved under Construction Permit No. 2915501.

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

Permit No. 5515503—Operation—Public Water Supply.

Applicant **Middleburg Municipal Authority**

Township/Borough Middleburg Borough

County **Snyder**

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

Type of Facility Public Water Supply

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

Permit Issued September 20, 2016

Description of Action Operation of Well # 3 as an additional source of supply, with treatment including gas chlorine disinfection, blending to reduce sulfate and total dissolved solids concentrations, and 4-log virus inactivation via detention piping.

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

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5260036**) South Huntingdon Township, **Westmoreland County** on September 22, 2016 for the operation of facilities approved under Construction Permit # 2615509MA.

Permit No. 6316508MA, Minor Amendment. Public Water Supply.

Applicant **Tri-County Joint Municipal Authority**

26 Monongahela Avenue
 PO Box 758
 Fredericktown, PA 15333

[Borough or Township] East Bethlehem Township and Centerville Borough

County **Washington**

Type of Facility Vestaburg waterline project
 Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205
 Permit to Construct Issued September 26, 2016

Permit No. 6316509MA, Minor Amendment. Public Water Supply.

Applicant **Tri-County Joint Municipal Authority**
 26 Monongahela Avenue
 PO Box 758
 Fredericktown, PA 15333

[Borough or Township] Centerville Borough

County **Washington**

Type of Facility Diamond Avenue waterline project

Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Permit to Construct Issued September 26, 2016

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

Permit No. 3716501, Public Water Supply

Applicant **Wampum Borough**
 Township or Borough Wampum Borough
 County **Lawrence**
 Type of Facility Public Water Supply
 Consulting Engineer Carl R. Petrus, P.E.
 Petrus Engineering
 26 Nesbitt Road
 Suite 256
 New Castle, PA 16105

Permit to Construct Issued September 20, 2016

Permit No. 2470501-MA6, Public Water Supply

Applicant **St. Marys Area Water Authority**
 Township or Borough City of St. Marys
 County **Elk**
 Type of Facility Public Water Supply
 Consulting Engineer Michael Sherrieb
 KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Permit to Construct Issued September 23, 2016

Operation Permit issued to Aqua Pennsylvania Inc., PWSID No. 6420018, Mt. Jewett Borough, **McKean County.** Permit Number 4215503 issued September 23, 2016 for the operation of the Aqua Pennsylvania—Mt. Jewett Public Water Supply system. This permit is issued in response to an operation inspection conducted by Department of Environmental Protection personnel on September 7, 2016.

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA65-584B, Water Allocations. Municipal Authority of the Borough of Derry, 620 North Chestnut Street, Derry, PA 15627, **Westmoreland County.** Rescission of the right to purchase 250,000 gallons of water per day from Highridge Water Authority.

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

WA 25-817A, Water Allocations. North East Township, P.O. Box 249, North East, PA 16428, North East Township, **Erie County.** Permit grants the Township the right to purchase 900,000 gallons per day as a 30-day peak monthly flow rate from the Borough of North East.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Birdsboro Borough	202 E. Main St. Birdsboro, PA 19508	Berks

Plan Description: Approval of a revision to the official plan of Birdsboro Borough, Berks County. The project is known as the Birdsboro Power LLC Development. The plan provides for a new natural gas power plant to generate peak wastewater flows of 450,000 gallons per day and be served by the Birdsboro Borough's sewers and wastewater treatment plant. Prior to accepting wastewater from this project, the NPDES permit renewal application will have to be amended to include this proposed indirect discharger to the municipal sewer system. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The proposed development is located along Armorcast Road, east of the junction with North Furnace Street. The DEP Code Number for this planning module is A3-06802-032-3 and the APS Id is 919874.

Southwest Regional Office, Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Plan Location: Commercial Mining Wastewater Treatment Plant at Archer Rd & Penn Hill Rd. intersection, Prosperity, PA 15329.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Morris Township	473 Sparta Road Prosperity, PA 15329	Washington

Plan Description: The approved plan provides for the installation of a Wastewater Treatment Plant to be located at the intersection of Archer Rd & Penn Hill Rd., Morris Township, Washington County. The facility is intended to treat 24,000 gallons per day of sanitary waste

from a proposed office and bathhouse. The proposed discharge is to an unnamed tributary of Tenmile Creek designated under Chapter 93 as a Trout Stock Fisheries. This approval was granted in part based on the Department's Water Quality Antidegradation Implementation Guidance policy. The approved sewage facility plan, evaluated all non-discharge alternatives and determined no environmentally sound and cost effective non-discharge alternative is available under subsection (b)(1)(i)(A).

The Department's review of the sewage facility plan has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of Consol Pennsylvania Coal Company, LLC.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
East Lampeter Township	2250 Old Philadelphia Pike Lancaster PA 17602	Lancaster

Plan Description: The planning module for the Stephen S. Fisher, DEP Code No. A3-369404-2, APS Id 923726, consisting of construction of a second dwelling on a 10 acre lot is disapproved. The proposed development is located at 100 Hartman Bridge Road in East Lampeter Township. This plan is disapproved because the resolution of adoption did not specifically stipulate the use of composting toilets as a way to mitigate excess nitrate levels. In addition, the composting toilet planning checklist was not completed and signed by the applicant. The plot plan also did not include proper language regarding the use of composting toilets until public sewers are available.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Hoff VC HSCA Site, New Hanover Township, Montgomery County Public Notice of proposed Consent Order and Agreement

The Department of Environmental Protection (Department), under the authority of the Pennsylvania Hazardous Sites Cleanup Act (HSCA), 35 P.S. § 6020.1113, has entered into a Consent Decree with Ethan Good, the Green Lane Trust, Good Oil Company and Shady Lane Estates, Ltd. (Good Parties). The Consent Decree will resolve the Department's response cost recovery claims related to its remediation of hazardous substances which have impacted the Hoff VC HSCA Site (Site). The Site includes residential and commercial properties located in the area of Hoffmansville Road, and Layfield Road in New Hanover Township, Montgomery County, PA.

During the 1970s and 1980s, Swann Oil Company (Swann Oil) used the property located at 334 Layfield Road in New Hanover Township, Montgomery County for the retail distribution of heating oil (Property). The Property is located in the Site. While operating the

Property, Swann Oil used chlorinated solvents to clean its trucks. In 1991, Shady Lane Estates, Ltd., a business owned and managed by Ethan Good, purchased the Property. Good Oil Co., another company owned and operated by Mr. Good, leased the Property from Shady Lane Estates, Ltd. and operated an onsite retail fuel delivery business until sometime in 1998. In 2010, Shady Lane Estates, Ltd. transferred the Property to the Green Lane Trust, which is a bona fide family trust administered by Mr. Good.

In 2012, the Department investigated the Property as well as nearby residential and commercial wells. Samples of the wells on and in the vicinity of the Property had levels of volatile organic compounds (VOCs) in amounts which exceeded the 2 Maximum Contaminant Levels for safe drinking water established by the United States Environmental Protection Agency pursuant to the Federal Safe Drinking Water Act, 42 U.S.C.A. §§ 300f et seq. The Department's samples of surface water, including an unnamed tributary to Swamp Creek, which traverses the Property, also had VOC contamination. The Department has determined that the Property is a source of hazardous substance contamination impacting the Site.

The past and present conditions on the Property and the Site constitute a "release" of hazardous substances as defined in Section 103 of HSCA, 35 P.S. § 6020.103. The prior historic releases during the Swann Oil Co.'s ownership and the potential ongoing release and threatened release of hazardous substances during the Good Parties' respective ownership and operation of the Property, caused the Department to incur "response costs" as this term is defined in Section 103 of HSCA, 35 P.S. § 6020.103.

The Department's response actions included the construction of a public waterline to connect impacted residents to a potable water supply as well as other investigative and remedial measures to abate the release and threatened release of hazardous substances in the Site area. The Department incurred Two Million, Two Hundred Seventy-Five Thousand, and Nineteen Dollars and Nine Cents (\$2,275,019.09) in response costs for the installation of the public waterline. The Department will incur additional response costs to remove and remediate hazardous substances which remain on Property.

To resolve the Department's claim for response costs, the Good Parties agreed to the Court's entry of a judgment against them in the amount of Two Million, Two Hundred Seventy-Five Thousand, and Nineteen Dollars and Nine Cents (\$2,275,019.09). The Good Parties agreed to secure this debt by granting the Department a first mortgage lien on the Property and they agreed to obtain additional property and general liability insurance coverage for the Property. The Department and the Good Parties memorialized their agreement in the form of a Consent Decree including standard terms and conditions common to all Department Consent Orders and Agreements.

This notice is provided under Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, "settlement shall become final upon the filing of the Department's response to significant written comments." The Consent Decree, which contains the specific terms of the agreement is available for public review and comment. The agreement can be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, located at 2 East Main Street in Norristown, PA 19401, by contacting either Colin Wade (484) 250-5722 or Gina M. Thomas, Esquire at (484) 250-5930. Mr. Wade and Ms. Thomas may also be

contacted electronically at cowade@pa.gov and githomas@pa.gov, respectively. A public comment period on the Consent Order and Agreement will extend for 60 days from today's date. Persons may submit written comments regarding the agreement within 60 days from today's date, by submitting them to Mr. Wade at the above address.

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:

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

Reading Housing Authority/Oakbrook Boiler House, 500 McClellan Street, Reading, PA 19611, Reading City, **Berks County**. Element Environmental Solutions, Inc., 61 Willow Street, Adamstown, PA 19501, on behalf of Reading Housing Authority, 400 Hancock Boulevard, Reading, PA 19611, submitted a Remedial Investigation/Final Report concerning remediation of site soils and groundwater contaminated with # 6 fuel oil. The

combined report is intended to document remediation of the site to meet the Residential Statewide Health and Site Specific Standards.

Harley-Davidson Motor Company, Inc., 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110 on behalf of Harley-Davidson Motor Company Operations, Inc., 1425 Eden Road, York, PA 17402, submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site groundwater contaminated with VOCs and chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard.

Max-Mile Car Care Center, 145 Guy Street, Hallam, PA 17406, Hallam Borough, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Jump Start Garage, 2739 Black Bear Road, Needmore, PA 17238, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from a LUST. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

A Duie Pyle I-180 E MM 6.4 Diesel Fuel Cleanup, Delaware Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of A Duie Pyle, 650 Westtown Road, West Chester, PA 19381, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former C Cor Property, College Township, **Centre County**. ARRIS International Plc, Royal Palm 1, Suite 610, 1000 South Pine Island Drive, Plantation, FL 33324, on behalf of Decibel Partners, LP, 60 Decibel Road, State College, PA 166801, has submitted a Combined Remedial Action/Risk Assessment/Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard.

Former Westfield Tannery, Westfield Borough, **Tioga County**. SSM Group, Inc., 1047 N. Park Road, Reading, PA 19610, on behalf of Tioga County Development Corp, 114 Main Street, Wellsboro, PA 16901, has submitted a Final Report concerning remediation of site soil contaminated with Lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Gustafson 6H Well Pad, 606 Granville Road, Snyder Township, **Jefferson County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of EXCO Resources (PA), LLC, 260 Executive Drive, Suite 100, Cranberry Township, PA 16066, submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, zinc, vanadium, ammonia as N, chloride, and strontium. The report is intended to document remediation of the site to meet a combination of the Site-Specific and Statewide Health Standards.

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.

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

South Oakview Road & Lincoln Highway East, 2090 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Franchise Realty Interstate Corp., DBA as McDonald's Restaurant, 2090

Lincoln Highway East, Lancaster, PA 17602, and Elk Environmental Services, 1420 Clarion Street, Reading, PA 19601, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved on September 22, 2016.

Stuckey Ford, 609 Broad Street, Hollidaysburg, PA, Blair Township, **Blair County**. P. Joseph Lehman, Inc., PO Box 419, Hollidaysburg, PA 16648, on behalf of Stuckey Ford, PO Box 489, Hollidaysburg, PA 16648, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with used motor and leaded gasoline from unregulated underground storage tanks. The Report was disapproved by the Department on September 23, 2016.

Worley & Obetz, Inc./Janet Trish Property, 5829 Waltersdorff Road, Spring Grove, PA 17362, North Codorus Township, **York County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Worley & Obetz, Inc., 85 White Oak Road, Manheim, PA 17545-0429, and Janet Trish, 5829 Waltersdorff Road, Spring Grove, PA 17362, submitted a Final Report concerning remediation of site soil contaminated with # 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on September 23, 2016.

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

Gustafson 6H Well Pad, 606 Granville Road, Snyder Township, **Jefferson County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of EXCO Resources (PA), LLC, 260 Executive Drive, Suite 100, Cranberry Township, PA 16066, submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, zinc, vanadium, ammonia as N, chloride, and strontium. The Report was disapproved by the Department on September 19, 2016.

Portion of 1525 Pittsburgh Avenue, 1525 Pittsburgh Avenue, City of Erie, **Erie County**. Partner Engineering & Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355, on behalf of AMERCO Real Estate Company, 2727 North Central Avenue, Phoenix, AZ 85004, submitted a Final Report concerning the remediation of site groundwater contaminated with vinyl chloride. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 22, 2016.

Damascus Tube, 795 Reynolds Industrial Park Road, 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 arsenic, lead, manganese, nickel, PCE, TCE and site groundwater contaminated with 1,1-dichloroethane, 1,1-DCE, cis-1,2-DCE, PCE, 1,1,1-trichloroethane, 1,1,2-trichloroethane, TCE, and vinyl chloride. The Report/Plan was approved by the Department on September 23 2016.

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

Norfolk Southern Railway Company—New Brighton Former Derailment Site, 1st Avenue and adjacent to 4th Street and 2nd Avenue (railroad right-of-way and community park adjacent to Beaver River), Borough of New Brighton, **Beaver County**. AECOM Technical Services, Inc., 681 Anderson Drive, Foster Plaza, Suite 400, Pittsburgh, PA 15220 on behalf of Norfolk Southern Railway Company, 1200 Peachtree St., NE—Box 13, Atlanta, GA 30309 submitted a Final Report concerning the remediation of site soils and groundwater contaminated with methanol, benzene, toluene, ethylbenzene, and xylenes from train derailment. The Final report demonstrated attainment of a residential Statewide Health standard for groundwater and a nonresidential Statewide Health standard for soil between the rail tracks and was approved by the Department on September 19, 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.

New Applications Received

Munoz Trucking Corp., 40-48 Porete Avenue, North Arlington, NJ 07031. License No. PA-AH 0850. Effective Sep 26, 2016.

Renewal Applications Received

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. License No. PA-HC 0260. Effective Sep 26, 2016.

Transport Rollex Ltee, 910 Boulevard Lionel-Boulet, Varennes, QC J3X 1P7. License No. PA-AH 0544. Effective Sep 28, 2016.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. License No. PA-HC 0260. Effective Sep 27, 2016.

MUNICIPAL WASTE GENERAL PERMITS

Permit(s) Renewed 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 17105-8472.

General Permit Renewal Number WMGM036A. WeCare Organics, LLC, 9293 Bonta Bridge Rd., Jordan, NY 13080. General Permit Number WMGR036A authorizes the blending of sewage sludge generated by municipal sewage collection and treatment systems or treatment works and lime material for use as a soil conditioner or soil amendment by land application on mine reclamation sites at the Blackwood Site, Route 125, Tremont, **Schuylkill County**. The general permit was renewed by Central Office on August 31, 2016.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division

of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit Renewal Number WMGM036B. WeCare Organics, LLC, 9293 Bonta Bridge Rd., Jordan, NY 13080. General Permit Number WMGR036B authorizes the blending of sewage sludge generated by municipal sewage collection and treatment systems or treatment works and lime material for use as a soil conditioner or soil amendment by land application on mine reclamation sites at the Deemer Estates Site, SR 3009, Bell Township, **Clearfield County**. The general permit was renewed by Central Office on August 31, 2016.

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

General Permit Renewal Number WMGM036C. WeCare Organics, LLC, 9293 Bonta Bridge Rd., Jordan, NY 13080. General Permit Number WMGR036C authorizes the blending of sewage sludge generated by municipal sewage collection and treatment systems or treatment works and lime material for use as a soil conditioner or soil amendment by land application on mine reclamation sites at the Hartman Mine # 66 Site, Burnside Township, **Center County**. The general permit was renewed by Central Office on August 31, 2016.

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

General Permit Renewal Number WMGM036D. WeCare Organics, LLC, 9293 Bonta Bridge Rd., Jordan, NY 13080. General Permit Number WMGR036D authorizes the blending of sewage sludge generated by municipal sewage collection and treatment systems or treatment works and lime material for use as a soil conditioner or soil amendment by land application on mine reclamation sites at the Woolridge Site, State Game Lands 100, Karthaus Township, **Clearfield County**. The general permit was renewed by Central Office on August 31, 2016.

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

General Permit Renewal Number WMGM036E. WeCare Organics, LLC, 9293 Bonta Bridge Rd., Jordan, NY 13080. General Permit Number WMGR036E authorizes the blending of sewage sludge generated by municipal sewage collection and treatment systems or treatment works and lime material for use as a soil conditioner or soil amendment by land application on mine reclamation sites at the Pine Glen Site, Shortdog Lane, Moshannon, **Centre County**. The general permit was renewed by Central Office on August 31, 2016.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Regional Solid Waste Manager, 400 Waterfront Drive, Southwest Region: Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

Permit ID No. 301071. MAX Environmental Technologies, Inc., 1815 Washington Road, Pittsburgh, PA 15241-1498. MAX Environmental Technologies, Inc., Yukon Facility, 233 MAX Lane, Yukon, PA 15698. A major modification authorizing the vertical expansion of the residual waste landfill located in South Huntingdon Township, **Westmoreland County**, was issued by the Southwest Regional Office on September 21, 2016.

Permits renewed 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.

Permit No. 100345 Delaware County Solid Waste Authority, 583 Longview Road, Boyertown, PA 19512-7955 The permit for Rolling Hills Landfill, which expires on January 6, 2017, was renewed until January 6, 2025. The permit renewal was issued on September 21, 2016 for Solid Waste Permit No. 100345 for the operation of the Rolling Hills Landfill in accordance with Article V of the Solid Waste Management Act, 35 P.S. Sections 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

AIR QUALITY

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

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP3-40-017A: Kriger Construction, Incorporated (859 Enterprise Street, Dickson City, PA 18519) on September 20, 2016, for the construction and operation of a portable stone crushing plant at the facility located in Hanover Township, **Luzerne County**.

GP5-58-039: Williams Field Services Co., LLC (310 State Route 29, Tunkhannock, PA 18657) on September 20, 2016 a general operating permit renewed for the operation of natural gas compressor station at the facility located in Forest Lake Township, **Susquehanna County**.

GP9-40-017A: Kriger Construction, Incorporated (859 Enterprise Street, Dickson City, PA 18519) on September 20, 2016, for the installation and operation of I. C. Engines at the facility located in Hanover Township, **Luzerne County**.

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

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

GP14-59-222: Wellsboro Small Animal Hospital, P.C. (12043 Route 287, Middlebury Center, PA 16935) on September 23, 2016 to authorize the operation of a model IE43-PP Jr. Matthews International animal crematorium pursuant to the General Plan Approval and General Operating Permit for Human or Animal Crematories (BAQ-GPA/GP-14) at their facility in Middlebury Township, **Tioga County**.

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

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

GP14-33-207: Peaceful Pets Cremation Svcs. (314 North Findley St., Punxsutawney, PA 15767) on September 14, 2016, for the authority to operate one (1) Industrial Engineering animal crematory, model Power-Pak IE43 rated 100 lbs/hr (BAQ-GPA/GP-14) located at their facility in Young Township, **Jefferson County**.

GP5-43-331D: Lauren Mtn. Midstream/Lake Wilhelm Comp Station (Park Place Corporate Center 2, 2000 Commerce Dr., Pittsburgh, PA 15275) on September 21, 2016, for the authority to operate a 945 bhp Caterpillar G3512LE engine and oxidation catalyst, a 4.0 mmscfd dehydrator, a .375 mmbtu/hr reboiler, storage tanks, and facility fugitive emission. (BAQ-GPA/GP-5) located at their facility in Deer Creek Township, **Mercer County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

09-0096I: Abington Reldan Metals, LLC (550 Old Bordentown Road, Fairless Hills, PA 19030) on September 22, 2016, for replacing Baghouse (Source ID C04B) associated with Thermal Destructor 4 at their facility located in Falls Township, **Bucks County**.

46-0040C: National Label Co., Inc. (2025 Joshua Road, Lafayette Hill, PA 19444) On September 27, 2016 for installation of an eight (8) color label gravure press and regenerative thermal oxidizer in Whitemarsh Township, **Montgomery County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0166C: Harleysville Materials, LLC. (427 Whitehorse Pike, Berlin, NJ 080209-0619) On September 5, 2016 to extend the temporary operation of a diesel-fired 1,017 BHP electric generator engine located in Lower Salford Township, **Montgomery County**.

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

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

06-03117G: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 17606-3266) on September 19, 2016, for the construction and temporary operation of a micronizing mill controlled by a fabric collector and final filter, at the custom milling facility located in Exeter Township, **Berks County**. The plan approval was extended.

06-03117H: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 17606-3266) on September 19, 2016, for the construction and temporary operation of a fabric filter for nuisance dust control, as well as of a micronizing mill controlled by a fabric collector, at the custom milling facility located in Exeter Township, **Berks County**. The plan approval was extended.

36-05015F: Dart Container Corporation of PA. (60 East Main Street, Leola, PA 17201) on September 22, 2016, for the construction of three (3) water-based flexographic printing presses at the Leola Plant in Upper Leacock Township, **Lancaster County**. The plan approval was extended.

07-05003D: Norfolk Southern Railway Co. (200 North 4th Avenue, Altoona, PA 16601) on September 22, 2016, for the construction of one (1) natural gas-fired 1.56 megawatt (MW) reciprocating internal combustion engine and the installation of a catalytic oxidation unit to control CO, VOC and HAP emissions generated from the operation of the engine. The plan approval also authorizes the construction of approximately 181 small natural gas-fired space heaters to provide additional heating in areas where it is not economical to provide heat through the operation of the new engine. As part of the project, three (3) existing 80 MMBtus per hour coal fired boilers will be decommissioned. The Juniata Locomotive Shops are located in the City of Altoona, **Blair County**. The plan approval was extended.

06-05069Y: East Penn Manufacturing Co., Inc. (P.O. Box 147, Lyon Station, PA 19536) on September 22, 2016, for modifying the A-4 Facility production lines at the lead-acid battery manufacturing facility in Richmond Township, **Berks County**. The plan approval was extended.

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

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

19-00028A: White Pines Corp. (515 State Route 442, Millville, PA 17846) on September 13, 2016, to extend the authorization an additional 180 days until March 12, 2017, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the facility in Pine Township, **Columbia County**. The extension authorization allows continued leachate pretreatment operation at the facility. The plan approval has been extended.

17-00063D: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on September 2, 2016, to extend the authorization an additional 180 days until March 4, 2017, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the grain storage silos located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

18-00030A: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on September 23, 2016 to extend the authorization to operate paper making machines at their facility located in Castanea Township, **Clinton County** on a temporary basis to March 22, 2017. The plan approval has been extended.

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

Contact: Alan Binder, P.E., New Source Review Chief—Telephone: 412-442-4168.

PA-63-00549A: Arden Landfill, Inc. (200 Rangos Lane, Washington, PA 15301) on September 23, 2016, to extend the temporary operation period for the landfill gas renewable energy facility at the Arden Landfill located in Chartiers Township, **Washington County**. The new expiration date is February 28, 2017.

30-00218C: Bayles Energy, LLC (North Shore Place I, 358 North Shore Dr., Suite 201, Pittsburgh, PA 15212) On September 20, 2016, for the construction of a 22 MW natural-gas fired electric generating station located in Greene Township, **Greene County**, consisting of three (3) 9,708 bhp (7.2 MWs) 4 stroke lean burn Rolls Royce Bergen B-35:40V16AG2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR).

PA-63-00983A: Columbia Gas Transmission, LLC (1700 MacCorkle Avenue, SE Charleston, WV 25314-1518) on September 23, 2016, to grant plan approval extension for approximately 180 days to obtain State Only Operating Permit for the Redd Farm Compressor Station located in Amwell Township, **Washington County**.

26-00597A: Bullskin Stone & Lime, LLC (117 Marcia Street, Latrobe, PA 15650) On September 23, 2016 for the continued operation of a stationary nonmetallic mineral processing plant at the existing Bullskin No. 1 Mine located in Bullskin Township, **Fayette County**.

PA-03-00253A: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-9642) on September 21, 2016, to transfer the ownership from Western Allegheny Energy, LLC to Rosebud Mining Company and extend the period of temporary operation for the 800,000 tons per year Parkwood Mine Coal Preparation Plant in Plumcreek Township, **Armstrong County**. The new expiration date is February 28, 2017.

26-00588: Laurel Mountain Midstream Operating, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective September 28, 2016, to extend the period of temporary operation of the

three Caterpillar G3516B natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, and a Solar Mars 100 gas-fired turbine rated at 15,525 bhp authorized under plan approval PA-26-00588 at Shamrock Compressor Station located in German Township, **Fayette County**.

26-00588A: Laurel Mountain Midstream Operating, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective September 28, 2016, to extend the period of temporary operation of the new dehydrator and emergency generator authorized under plan approval PA-26-00588A at Shamrock Compressor Station located in German Township, **Fayette County**. One Solar Titan 130 turbine rated at 19,553 HP and originally authorized to be installed at this facility under PA-26-00588A is no longer authorized as the 18-month period to commence construction specified under 25 Pa. Code § 127.13(b) has passed.

32-00429A: Reparex Fabricated Systems, Inc. (PO Box 705, Latrobe, PA 15650) On September 23, 2016, to allow continued operation of the reinforced plastic composite manufacturing facility located in Green Township, **Indiana County**.

65-00979A: Laurel Mountain Midstream Operating, LLC (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) Extension effective September 28, 2016, to extend the period of temporary operation of the Caterpillar G3612LE lean burn natural gas-fired compressor engine rated at 3,550 bhp and controlled by an oxidation catalyst authorized under plan approval PA-65-00979A at the Herminie Compressor Station located in South Huntingdon Township, **Westmoreland County**.

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

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

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

40-00020: PA DPW/ White Haven Center (827 Oley Valley Road, White Haven, PA 18661-3043) The Department issued a renewal Title V Operating Permit on September 21, 2016, for a Residential Care facility in Foster Township, **Luzerne County**.

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

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

36-05140: Valley Proteins, Inc. (693 Wide Hollow Road, East Earl, PA 17519-9645) on September 16, 2016, for the rendering plant located in East Earl Township, **Lancaster County**. The Title V permit was renewed.

06-05040: East Penn Manufacturing Co. (PO Box 147, Lyon Station, PA 19536) on September 22, 2016, for the secondary lead smelting facility located in Richmond Township, **Berks County**. The Title V permit was renewed.

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4150/5226.

03-00180: Dominion Transmission, Inc. (500 Dominion Blvd., Glen Allen, VA, 23060). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it has issued a renewal Title V Operating Permit (TV-03-00180) to Dominion Transmission, Inc. for the operation of the South Bend Compressor Station located in South Bend Township, **Armstrong County**.

The main sources of emissions at the facility include six 2,000 bhp stationary reciprocating internal combustion compressor engines, one 813 bhp stationary reciprocating internal combustion engine driving an emergency electric generator, a 8.0 mmbtu/hr salt bath heater, a 5.5 mmbtu/hr boiler, a 10,000 gallon produced fluids storage tank, a parts washer, and fugitive VOC emissions from facility valves, pumps, flanges, etc. All of the combustion emission sources are natural gas-fired.

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 61, 63, and 70, and Pa. Code Title 25, Article III, Chapters 121—145. The renewal Title V Operating Permit was issued final on September 23, 2016.

TVOP-32-00129: (500 Dominion Blvd.—2N, Glen Allen, VA 23060) on September 20, 2016 a Title V Operating Permit renewal to Dominion Transmission, Inc. for Rochester Mills Compressor Station located in North Mahoning Township, **Indiana County**.

03-00125: The Peoples Natural Gas Company (1201 Pitt St., Pittsburgh, PA 15221-2029). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it has issued a renewal Title V Operating Permit (TV-03-00125) to The Peoples Natural Gas Company, LLC (Peoples) for the operation of the Valley Compressor Station, located in Cowanshannock Township, **Armstrong County**.

The main sources of emissions at the facility include a 660 bhp Ingersoll-Rand Model # KVG-62 compressor engine, a 1,320 bhp Ingersoll-Rand model # KVS-48 compressor engine, a 600 bhp Cooper Bessemer model # GMV-6 compressor engine, a 400 bhp Cooper Bessemer model # GMV-4 compressor engine, and a CAT model # G3406TA emergency generator engine. The station also operates miscellaneous process equipment, a TEG Dehydration Boiler, a TED Dehydration Still, miscellaneous combustion equipment, two (2) 55-gallon parts washers, and a 2,000 gallon ethylene glycol 50/50 storage tank. The dehydration boiler is controlled by a thermal oxidizer.

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 61, 63, and 70, and Pa. Code Title 25, Article III, Chapters 121 through 145. The renewal Title V Operating Permit was issued final on September 23, 2016.

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

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

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

15-00138: Aqua Pennsylvania, Inc. (762 West Lancaster Avenue, Bryn Mawr, PA 19010) On September 22,

2016, for operation of seven (7) units of diesel-fired emergency generators and one (1) unit of natural gas-fired boiler at their Pickering Water Treatment Plants located in Schuylkill Township, **Chester County**.

46-00108: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) On September 27, 2016 for renewal of the State Only Operating Permit for a stone crushing plant located in Marlborough Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

01-05019: Acme Composites (262 Church Street, Hanover, PA 17331-8991) on September 22, 2016, for the fiberglass automotive aftermarket accessories manufacturing facility located in Conewago Township, **Adams County**. The State-only permit was renewed.

06-03005: Akzo Nobel Coatings, Inc. (150 Columbia Street, Reading, PA 19601-1748) on September 19, 2016, for the powder coating manufacturing facility located in Reading City, **Berks County**. The State-only permit was renewed.

06-03072: Animal Rescue League of Berks County, Inc. (58 Kennel Road, Birdsboro, PA 19508-8302) on September 19, 2016, for the animal crematory at the facility located in Cumru Township, **Berks County**. The State-only permit was renewed.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

24-00083: Mersen USA, St. Marys—PA Corporation (215 Stackpole Street, Saint Marys, PA 15857-1401) on September 26, 2016 for renewal of the Title V Operating Permit. The facility is located in the City of Saint Marys, **Elk County**. The facility manufactures Carbon and Graphite Products. The facility's emitting sources include: Billet Unloading Station; Pulverizers; Mills; Crushers Furnaces; Blenders; Sizing Operations; Mixers; Ovens; Graphitizers; Dryers; Machining Operations; Press Jolters; Miscellaneous Sources controlled by baghouses which exhaust outside; Parts Cleaners; Vacuum Hoses; and, Weigh Stations. The facility is a major facility due to potential PM₁₀ (Particulate matter particle size is less than or equal to ten micron) emissions, Carbon Monoxide (CO) emissions, and Sulfur Dioxide (SO_x) emissions more than 100 tons per year. Therefore, the facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is also subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 CFR Part 64. Appropriate permit conditions to address the applicable CAM requirements were included in the previous permit. The facility provided the following potential emissions in the permit application: Particulate Matter (PM_{2.5})—10.98 Tons per year (TPY); PM less than ten microns (PM₁₀)—18.40 TPY; Oxides of Sulfur (SO_x)—83.11 TPY; Carbon Monoxide (CO)—205.91 TPY; Oxides of Nitrogen (NO_x)—11.65 TPY; Volatile Organic Compound (VOC)—7.59 TPY; and Hazardous Air Pollutants (HAP) Less than one ton per year.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215 685 9476.

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

N16-000: Equinix LLC (401 N. Broad Street, Philadelphia, PA 19108), for the operation of a data center in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 800 kW diesel fuel fired emergency generator (EG1), and two (2) 1,500 kW diesel fuel fired emergency generators (EGA & EGB).

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.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

06-05112: WBLF Acquisitions Co., LLC (455 Poplar Neck Road, Birdsboro, PA 19508-8300) on September 19, 2016, for the Western Berks Landfill located in Cumru Township, **Berks County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05112C.

36-05017: Conestoga Wood Specialties Corp. (245 Reading Road, East Earl, PA 17519-0158) on September 19, 2016, for the wood cabinet manufacturing facility located in East Earl Township, **Lancaster County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-05079E.

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

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

59-00003: LEDVANCE LLC (One Jackson Street, Wellsboro, PA 16901), issued an amendment of the Title V operating permit on September 16, 2016 for their facility located in Wellsboro Borough, **Tioga County**. This operating permit amendment is for the change of ownership of the facility from Osram Sylvania Inc.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

24-00165: Elkhorn—Whitetail Gas Processing (5422 Highland Road, Lamont, PA 16365) for its facility located in Jones Township, **Elk County**. The De minimis emission increase is for construction of a 4SRB Caterpillar G398TA engine with control. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit issuance on December 22, 2011.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
9-15-16	Caterpillar G398TA engine (Source 107) with control (C107)	0.466	0.03	0.74	0.60	2.41
Total Reported Increases		0.466	0.03	0.74	0.60	2.41
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

56981301 and NPDES No. PA0215121. Quecreek Mining, Inc., (1576 Stoystown Road, PO Box 260, Friedens, PA 15541). To revise the permit for the Quecreek No. 1 Mine in Lincoln and Somerset Townships, **Somerset County** and related NPDES permit to permit second mining in open areas. No additional discharge. The application was considered administratively complete on March 18, 2016. Application received November 25, 2015. Permit issued September 15, 2016.

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

33-13-17 and NPDES Permit No. PA0259667. P. and N. Coal Company, Inc. (P.O. Box 332, Punxsutawney, PA 15767) Proposal to enter into a Government Financed Construction Contract on a 20.3 acre site in Rose & Clover Townships, **Jefferson County**. The proposal includes the incidental removal of coal and the reclamation of 9.9 acres of poorly revegetated and inadequately reclaimed highwall. Receiving streams: Rattlesnake Run. Application received: February 11, 2016. Contract Issued: September 20, 2016.

16060102. Terra Works, Inc. (49 South Sheridan Road, Clarion, PA 16214) Transfer of an existing bituminous surface mine from Glenn O. Hawbaker, Inc. in Beaver & Licking Townships, **Clarion County**, affecting 29.0 acres. Receiving streams: Unnamed tributaries to the Clarion River. Application received: January 6, 2016. Permit Issued: September 22, 2016.

16000101. Terra Works, Inc. (49 South Sheridan Road, Clarion, PA 16214) Transfer of an existing bituminous surface mine from Glenn O. Hawbaker, Inc. in Licking & Richland Townships, **Clarion County**, affecting 83.6 acres. Receiving streams: Two unnamed tributaries to the Clarion River. Application received: January 6, 2016. Permit Issued: September 22, 2016.

Noncoal Permits Issued

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

Permit No. 56150301, Keystone Lime Company, Inc., P.O. Box 278, Springs, PA 15562 commencement, operation and restoration of a large noncoal (industrial minerals) operation located in Addison and Elk Lick Townships, **Somerset County**, affecting 149.1 acres. Receiving streams: Christner Run, Zehner Run and Big Shade Run classified for the following use: high quality cold water fishes and cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2015. Permit issued: September 20, 2016.

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

42082805. HRI, Inc. (1750 West College Avenue, State College, PA 16801). Final bond release for a small industrial minerals surface mine in Lafayette Township, **McKean County**. Restoration of 5.0 acres completed. Receiving streams: Camp Run. Application Received: August 18, 2016. Final bond release approved: September 21, 2016.

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

Permit No. 58162801. Rockstar Quarries, LLC (75 Johnson Hill Lane, Wyalusing, PA 18853), commencement, operation and restoration of a quarry operation in Apolaccon Township, **Susquehanna County** affecting 9.0 acres, receiving stream: no discharge to Choconut Creek. Application received: May 20, 2016. Permit issued: September 19, 2016.

Permit No. PAM116035. Rockstar Quarries, LLC (75 Johnson Hill Lane, Wyalusing, PA 18853), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58162801 in Apolaccon Township, **Susquehanna County**, receiving stream: no discharge to Choconut Creek. Application received: May 20, 2016. Permit issued: September 19, 2016.

Permit No. 66150802. CK Stone, LLC (69 Vago Road, Tunkhannock, PA 18657), commencement, operation and restoration of a quarry operation in Nicholson Township, **Wyoming County** affecting 10.0 acres, receiving stream: no discharge to unnamed tributary to the South Branch

Tunkhannock Creek Watershed. Application received: September 30, 2015. Permit issued: September 20, 2016.

Permit No. PAM115034. CK Stone, LLC (69 Vago Road, Tunkhannock, PA 18657), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66150802 in Nicholson Township, **Wyoming County**, receiving stream: no discharge to unnamed tributary to the South Branch Tunkhannock Creek Watershed. Application received: September 30, 2015. Permit issued: September 20, 2016.

Permit No. 58162508. Center Street Rentals, LLC (58 Bridge Street, Tunkhannock, PA 18657), commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County** affecting 10.0 acres, receiving stream: no discharge to East Branch Tunkhannock Creek. Application received: June 23, 2016. Permit issued: September 20, 2016.

Permit No. PAM116026. Center Street Rentals, LLC (58 Bridge Street, Tunkhannock, PA 18657), NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58162508 in Lenox Township, **Susquehanna County**, receiving stream: no discharge to East Branch Tunkhannock Creek. Application received: June 23, 2016. Permit issued: September 20, 2016.

Permit No. PAM111007R. Geary Enterprises Concrete, (326 Post Hill Road, Falls, PA 18615), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66880302 in Falls Township, **Wyoming County**, receiving stream: Buttermilk Creek. Application received: August 24, 2015. Renewal issued: September 22, 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

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

33164001. P. and N. Coal Company, Inc. (P.O. Box 332, Punxsutawney, PA 15767) Blasting activity permit for blasting on the Baxter GFCC in Rose & Clover Townships, **Jefferson County**. This blasting activity permit will expire on April 1, 2017. Permit Issued: September 20, 2016.

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

08164105. M & J Explosives, LLC (P.O. Box 1248, Carlisle, PA 17013). Blasting for a well pad located in Franklin Township, **Bradford County** with an expiration date of September 13, 2017. Permit issued: September 19, 2016.

57164101. M & J Explosives, LLC (P.O. Box 1248, Carlisle, PA 17013). Blasting for well pad located in Cherry Township, **Sullivan County** with an expiration date of September 13, 2017. Permit issued: September 19, 2016.

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

Permit No. 15164108. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Hillendale Project in East Brandywine Township, **Chester County** with an expiration date of December 31, 2017. Permit issued: September 23, 2016.

Permit No. 23164103. Brubacher Excavating, Inc., (P.O. Box 528, Bowmansville, PA 17507), construction blasting for Promenade at Granite Run in Middletown Township, **Delaware County** with an expiration date of September 12, 2017. Permit issued: September 23, 2016.

Permit No. 58164111. Meshoppen Blasting, Inc., (P.O. Box 127, Meshoppen, PA 18630), construction blasting for SWN 92 Bolles Pad in Franklin Township, **Susquehanna County** with an expiration date of September 21, 2017. Permit issued: September 23, 2016.

Permit No. 64164106. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Garage on Boulder Point Road in Paupack Township, **Wayne County** with an expiration date of September 18, 2017. Permit issued: September 23, 2016.

Permit No. 64164107. John H. Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for Bill Arrigan house foundation in Preston Township, **Wayne County** with an expiration date of December 31, 2017. Permit issued: September 23, 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.

The project proposes to have the following impacts

ID	Steam Name	Chapter 93 Classification	Temporary Impact area Length (LF)	Permanent Impact area Length (Sq Ft)	Latitude/ Longitude
Structure	W.Br. Susq River	WWF, MF	0	1,296	41° 11' 45" 77° 10' 32"

The total estimated permanent floodway disturbance for the project is approximately 1,296 SF of permanent impacts. There are no proposed waterway impacts.

The proposed construction will not permanently impact cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge, or historical sites. West Branch of the Susquehanna River is classified with a designated use of Warm Water Fishery (WWF).

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

E11-354, Borough of Ebensburg, 300 West High Street, Ebensburg, PA 15931, Ebensburg Borough, Cambria County, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain a 4.5 foot high dike with a 16 linear foot base width within a UNT to Howell's Run through which a 16 linear foot long 18 inch diameter smooth lined corrugated plastic pipe will be installed to convey this UNT's normal stream flows;
2. Construct and maintain a 7 linear foot concrete weir along the left descending bank of the aforementioned UNT, perpendicular to the aforementioned dike, to direct the 100 year design flows into a 4 foot wide by-pass channel that will be constructed to direct these flows back into the aforementioned UNT at a new location below and downstream of the intersection of Beech Street and Julian Street;
3. Construct and maintain a 50 foot long concrete energy dissipater within the floodway and along the aforementioned UNT to Howell's Run, in association with the aforementioned bypass channel;
4. Construct and maintain a 53 foot long R-5 rip-rap apron at an existing culvert outlet located underneath Julian Street within the aforementioned UNT to Howell's Run;

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E41-676. Charles T. Nork, 1607 Quenshukney Road, Linden, PA 17744. Recreational structure in Piatt Township, **Lycoming County**, ACOE Baltimore District (Linden, PA Quadrangle Lat: 41° 11' 45"; Long: -77° 10' 32").

Charles T. Nork has applied for a Small Projects—Joint Permit Application to construct, operate and maintain recreational structure in the floodway of the West Branch Susquehanna River in Piatt Township, Lycoming County. The project is proposing to construct an elevated recreational structure measuring 36' by 36' in the floodway of the West Branch of the Susquehanna River.

5. Restabilize 46 linear feet of stream, opposite the aforementioned concrete energy dissipater along the UNT to Howell's Run;

For the purpose of stabilizing the outlet of the existing culvert and to redirect flood flows to protect residential properties downstream. As mitigation for the project, 100 LF of stream channel will be planted with Red Osier Dogwood live stakes. The project is located near the intersection of Beech Street and Julian Street (Quadrangle: Ebensburg Latitude: 40° 29' 32"; Longitude: -78° 43' 42") located in the Borough of Ebensburg, Cambria County. The project cumulatively impacts 112 linear feet of the UNT to Howell's Run (CWF).

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

E37-198, Plenary Walsh Keystone Partners, 2000 Cliff Mine Rd., Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Mahoning Township, **Lawrence County**, ACOE Pittsburgh District.

To construct and maintain a 6' diameter, 84' long reinforced concrete pipe replacement for the existing S.R. 0224, Section P30 (West State Street) wetland crossing and associated impact to 0.026 acre of wetland (Edinburg, PA Quadrangle N: 41°, 00', 29.1"; W: -80°, 28', 6.84")

ENVIRONMENTAL ASSESSMENTS

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

D26-001EA. Mr. Steve Leiendecker, Pennsylvania Game Commission, 4820 Route 711, Bolivar, PA 15923, Dunbar Township, **Fayette County**, USACOE Pittsburgh District.

Project proposes to remove the breached remains of Number 1 Dam on State Game Lands # 51 for the purpose of eliminating a threat to public safety and restoring the stream channel to a free-flowing condition.

The project is located across Dunbar Creek (HQ-CWF) (South Connellsville, PA Quadrangle, Latitude: 39.9534; Longitude: -79.5785).

D26-002EA. Mr. Steve Leiendecker, Pennsylvania Game Commission, 4820 Route 711, Bolivar, PA 15923, Dunbar Township, **Fayette County**, USACOE Pittsburgh District.

Project proposes to remove the breached remains of Number 2 Dam on State Game Lands # 51 for the purpose of eliminating a threat to public safety and restoring the stream channel to a free-flowing condition. The project is located across Dunbar Creek (HQ-CWF) (South Connellsville, PA Quadrangle, Latitude: 39.9517; Longitude: -79.5786).

D26-044EA. Mr. Steve Leiendecker, Pennsylvania Game Commission, 4820 Route 711, Bolivar, PA 15923, Dunbar Township, **Fayette County**, USACOE Pittsburgh District.

Project proposes to remove the breached remains of Number 3 Dam on State Game Lands # 51 for the purpose of eliminating a threat to public safety and restoring the stream channel to a free-flowing condition. The project is located across Dunbar Creek (HQ-CWF) (South Connellsville, PA Quadrangle, Latitude: 39.9489; Longitude: -79.5785).

D28-102EA. Raymond Zomok, Chief, Division of Design, Department of Conservation and Natural Resources, 8th Floor RCSOB, P.O. Box 8451, Harrisburg, PA 17105-8769, Lurgan Township, **Franklin County**, USACOE Baltimore District.

Project proposes to remove the Gunter Valley Dam for the purpose of eliminating a threat to public safety and restoring approximately 3,500 feet of stream channel to a free-flowing condition. In addition, two small downstream dams will be removed. The proposed restoration project includes construction of habitat enhancement structures in the stream channel through the former reservoir. The project is located across Trout Run (EV, MF) (Roxbury, PA Quadrangle, Latitude: 40.1338; Longitude: -77.6758).

EA67-016CO. Eugene E. Costello, 130 Pleasant View Drive, Eppers, PA 17319, Newberry Township, **York County**, USACOE Baltimore District.

Project proposes to construct a non-jurisdictional dam impacting approximately 50 linear feet of stream channel. The dam is located across a tributary to Fishing Creek (TSF) (Steelton, PA Quadrangle; Latitude: 40.1505, Longitude: -76.8007).

Water Quality Certification under Section 401 of the Federal Clean Water Act for the Orion Project

Natural Gas Pipeline Project and Related Mitigation; FERC Docket No. CP16-4-000; PADEP File No. WQ02-002

On September 20, 2016, the DEP issued Section 401 Water Quality Certification to Tennessee Gas Pipe Line Company, LLC for the Orion Project. The Pennsylvania Department of Environmental Protection (PADEP) certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The PADEP further certifies that the construction, operation and maintenance of the projects complies with Commonwealth water quality standards and that the construction, operation and maintenance of the projects does not violate applicable Commonwealth water quality standards provided that the construction, operation and

maintenance of the projects complies with the conditions for this certification, including the criteria and conditions of the following permits:

1. *Discharge Permit*—Tennessee Gas Pipe Line Company, LLC shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Tennessee Gas Pipe Line Company, LLC shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Tennessee Gas Pipe Line Company, LLC shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permit for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Tennessee Gas Pipe Line Company, LLC.

5. *Operation*—For each Project under this certification, Tennessee Gas Pipe Line Company, LLC shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Tennessee Gas Pipe Line Company, LLC.

6. *Inspection*—The Projects, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this Certification, including all required permits required, and Pennsylvania's Water Quality Standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Projects.

7. *Transfer of Projects*—If Tennessee Gas Pipe Line Company, LLC intends to transfer any legal or equitable interest in the Projects which is affected by this Certification, Tennessee Gas Pipe Line Company, LLC shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be

addressed to the Department of Environmental Protection, Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

9. *Reservation of Rights*—PADEP may suspend or revoke this Certification if it determines that Tennessee Gas Pipe Line Company, LLC has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Tennessee Gas Pipe Line Company, LLC's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Tennessee Gas Pipe Line Company, LLC from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or state law or regulation.

11. *Severability*—The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, 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 Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the board within 30 days. You do not need a lawyer to file an appeal with the board.

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

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515002(1)	Sunoco Pipeline, LP 525 Fritztown Road Sinking Spring, PA 19608	Washington County	Independence Township, Hopewell Township, Mount Pleasant Township, and Chartiers Township	Camp Run (HQ-WWF), Brashears Run (HQ-WWF), UNT to Indian Camp Run (HQ-WWF), Indian Camp Run (HQ-WWF), Sugarcamp Run (HQ-WWF), UNT to Sugarcamp Run (HQ-WWF), UNT to Hanen Run (HQ-WWF), Hanen Run (HQ-WWF), Opossum Hollow (HQ-WWF), UNT to Dunkle Run (HQ-WWF), UNT to Cross Creek (HQ-WWF), Cross Creek (HQ-WWF), UNT to Brush Run (HQ-WWF), UNT to Georges Run (WWF), Georges Run (WWF), UNT to Chartiers Run (WWF), Chartiers Run (WWF)

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

ESCGP-2 # ESX10-081-0011(02)
 Applicant Name XTO Energy Inc
 Contact Person Stacey Vehovic
 Address 395 Airport Rd
 City, State, Zip Indiana, PA 15701
 County Lycoming
 Township(s) Penn
 Receiving Stream(s) and Classification(s) Jakes Run (CWF)
 Secondary—Little Muncy Ck (CWF)

ESCGP-2 # ESX29-081-16-0015
 Applicant Name Seneca Resources Corp
 Contact Person Douglas Kepler
 Address 5800 Corporate Dr, Suite 300
 City, State, Zip Pittsburgh, PA 15237
 County Lycoming
 Township(s) Eldred
 Receiving Stream(s) and Classification(s) UNT to Mill Ck (WWF)
 Secondary—Mill Ck (WWF)

ESCGP-2 # ESG29-105-15-0007(01)
 Applicant Name JKLM Energy LLC
 Contact Person Scott Blauvelt
 Address 2200 Georgetown Dr, Suite 500
 City, State, Zip Sewickley, PA 15143
 County Potter
 Township(s) Ulysses
 Receiving Stream(s) and Classification(s) UNTs to Cushing Hollow (HQ-CWF)
 Secondary—Cushing Hollow (HQ-CWF)

ESCGP-2 # ESG29-117-16-0032
 Applicant Name Talisman Energy USA Inc
 Contact Person Scott Puder
 Address 337 Daniel Zenker Dr
 City, State, Zip Horseheads, NY 14845
 County Tioga
 Township(s) Ward
 Receiving Stream(s) and Classification(s) Fall Brook (CWF)

ESCGP-2 # ESG29-081-14-0030(01)
 Applicant Name NFG Midstream Trout Run LLC
 Contact Person Duane Wassum
 Address 6363 Main St
 City, State, Zip Williamsville, NY 14221
 County Lycoming
 Township(s) Lewis & Gamble
 Receiving Stream(s) and Classification(s) UNT to Lycoming Ck (HQ-CWF); UNT to Mill Ck (EV)
 Secondary—Lycoming Ck (EV); Mill Ck (EV)

ESCGP-2 # ESG29-081-16-0019
 Applicant Name EXCO Resources (PA) LLC
 Contact Person Brian Rushe
 Address 260 Executive Dr, Suite 100
 City, State, Zip Cranberry Twp, PA 16066
 County Lycoming
 Township(s) Mifflin
 Receiving Stream(s) and Classification(s) Tarkiln Run (EV); UNT to Mud Run (EV)
 Secondary—First Fork Larrys Ck (EV); Mud Run (EV)

SPECIAL NOTICES

Proposed State Water Quality Certification Required by Section 401 of the Clean Water Act for the Leach Xpress Project

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita Coleman, 412-442-4149.

WQ05-012, Columbia Gas Transmission, LLC (Applicant), 5151 San Felipe Street, # 2400; Houston, TX 77056. Leach Xpress Project (Project), in Richhill Township, **Greene County**, ACOE Pittsburgh District. Within Pennsylvania, the proposed project starts approximately 0.4 mile south of Majorsville, WV (Majorsville, PA Quadrangle N: 39°, 57', 36"; W: -80°, 31', 09") and ends at 0.75 mile north west of the intersection of Fry Hill Road and Coal Rock Road (Majorsville, PA Quadrangle N: 39°, 56', 22"; W: -80°, 31', 09").

On June 8, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-514-000). The FERC Environmental Assessment for the Project, which was issued on September 1, 2016, may be viewed on FERC's web site at www.ferc.gov (search eLibrary; Docket Search; CP15-514-000).

On March 25, 2016, Applicant requested a State water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Project consists of four new natural gas pipelines, totaling 160.67 miles, through West Virginia, Pennsylvania and Ohio. Within Pennsylvania, the Project, as proposed, includes approximately 1.74 mile of 36-inch pipeline, for the purpose of transporting natural gas from Majorsville, PA to the Pennsylvania-West Virginia state line. The Project, as proposed, will require approximately 29.83 acres of earth disturbance, and impacts to 868 linear feet of Unnamed Tributaries of Enlow Fork (WWF), Unnamed Tributaries of Dunkard Creek (WWF), and Dunkard Creek (WWF), 1.98 acre of floodway, 0.09 acre of temporary PEM wetland impacts.

PADEP anticipates issuing a State water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration,

Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the PADEP during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Rita Coleman, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—PADEP may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final State water quality certification, PADEP will consider all relevant and timely comments, suggestions or objections submitted to PADEP within 30 days of this notice. Comments should be directed to Rita Graham at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

Application for an Erosion And Sediment Control General Permit for Earth Disturbance Activities Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities

National Fuel Gas Supply Corporation and Empire Pipeline, Inc., Northern Access 2016 Project

ESG00083160002—National Fuel Gas Supply Corporation and Empire Pipeline, Inc. (Applicant), 1100 State Street, Erie, PA 16501. Northern Access 2016 Project (Project), in Sergeant, Keating, Annin, Eldred, Ceres, and Liberty Townships in **McKean County**, ACOE Pittsburgh District. The proposed Pennsylvania portion of the project starts at the interconnection/tie-in at the existing NFG Midstream Clermont, LLC, facility along SR 146 approximately 1 mile west of Clermont (Crosby, PA Quadrangle N: 41°42'04.84"; W: 78°29'59.98") in Sergeant Township, McKean County extending generally north crossing through portions of Sergeant, Keating, Annin, Eldred, and Ceres Townships, McKean County, to where it will cross the New York border approximately 2 miles west of where SR 44 crosses the state line (Bullis Mills, PA Quadrangle N: 41°59'57.51"; W: 78°17'56.98") in Ceres Township, McKean County.

Today's *Pennsylvania Bulletin* includes notices for a request for State Water Quality Certification (WQ42-001) required by Section 401 of the Clean Water Act and a Chapter 105 Joint Permit (E42-367) application under Pennsylvania's Dam Safety and Encroachments Act which are under review by the PADEP.

The Project, as proposed in Pennsylvania, includes approximately 28 mile long, 24-inch pipeline for the purpose of transporting natural gas from Sergeant Township, McKean County, PA to the New York border in Ceres Township, McKean County. Pipeline work also includes three mainline valve sites, cathodic protection, and numerous temporary and permanent access roads to support construction and permanent facility access. Numerous stream and wetland crossings will occur along the project route as described below. The project will utilize one temporary pipe storage yard and one contractor yard along SR 155 south of Port Allegheny Borough in Liberty Township, McKean County. The pipeline route has been co-located to parallel/overlap existing utility Right of Ways (ROW) for a total of 17.75 miles in PA.

The proposed project will require approximately 378 acres of earth disturbance and crossing of 141 streams (including floodways of streams not crossed by the pipeline) and 1 pond, totaling 10,663 linear feet (5,136 linear feet of permanent and 5,527 linear feet of temporary) of impacts to the following surface waters: Bloomster Hollow

(CWF) and tributaries; tributaries to Irons Hollow (CWF); Blacksmith Run (CWF) and tributaries; Cloverlot Hollow (CWF) and tributaries; Kent Hollow (CWF) and tributaries; Newell Creek (CWF) and tributaries; Oswayo Creek (CWF) and tributaries; Marvin Creek (CWF) and tributaries; Champlin Hollow (CWF) and tributaries; Open Brook (CWF); Allegheny River (CWF); Rock Run (CWF) and tributaries; Barden Brook (CWF) and tributaries; Potato Creek (TSF) and tributaries; tributaries to Cole Creek (CWF); McCrae Run (CWF) and tributaries; and Pierce Brook (CWF), 20.854 acres (9.837 acres of temporary and 11.017 acres of permanent) of impact to floodways, and 12.350 acres of (5.277 acres of temporary and 7.073 acres of permanent) wetland impacts.

For more detailed information regarding the McKean County Erosion and Sediment Control General Permit related to this proposed project, which is available in the DEP regional office, please contact Lori Boughton at 814-332-6879 to request a file review.

[Pa.B. Doc. No. 16-1724. Filed for public inspection October 7, 2016, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Interim Final Technical Guidance Document

DEP ID: 800-0810-001. **Title:** Guidelines for Implementing Area of Review Regulatory Requirement for Unconventional Wells. **Description:** This interim final guidance informs unconventional well operators engaged in hydraulic fracturing activities how to comply with the requirements of The Clean Streams Law (35 P.S. §§ 691.1—691.1001), 58 Pa.C.S. (relating to oil and gas) regarding the 2012 Oil and Gas Act, 25 Pa. Code Chapter 78a (relating to unconventional wells) and other applicable laws. This interim final guidance has been developed to facilitate appropriate risk mitigation for unconventional well operators and includes a risk-based classification scheme for offset well locations and commensurate levels of monitoring; sections addressing com-

munication incident management, reporting and resolution; and operational alternatives and technical considerations for different anticipated scenarios. This interim final guidance also provides an outline of the Department's well adoption permitting process.

Written Comments: Interested persons may submit written comments on this interim final guidance by December 7, 2016. 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 at www.ahs.dep.pa.gov/eComment. Written comments should be submitted to ecomment@pa.gov or the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Seth Pelepko, (717) 772-2199, mipelepko@pa.gov.

Effective Date: October 8, 2016

Interim Final Technical Guidance Document

DEP ID: 800-0810-002. **Title:** Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations. **Description:** This interim final guidance provides guidance to well operators for ensuring compliance with legal requirements related to restoration and replacement of private water supplies adversely impacted by unconventional operations. This interim final guidance is intended to memorialize existing Department policy relating to the restoration or replacement of private water supplies adversely impacted by unconventional operations with a water supply of adequate quantity and/or quality for the purposes served by impacted water supply sources under section 3218 of the 2012 Oil and Gas Act (58 Pa.C.S. § 3218 (relating to protection of water supplies)). The interim final guidance addresses the application of the presumption of liability under that section, provision of temporary water supplies as well as permanent restoration or replacement of water supplies.

Written Comments: Interested persons may submit written comments on this interim final guidance by December 7, 2016. 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 at www.ahs.dep.pa.gov/eComment. Written comments may be submitted to ecomment@pa.gov or the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Kurt Klappowski, (717) 783-9893, kklappowski@pa.gov.

Effective Date: October 8, 2016

(Editor's Note: See 46 Pa.B. 6431 (October 8, 2016) for a final-form rulemaking relating to this notice.)

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1725. Filed for public inspection October 7, 2016, 9:00 a.m.]

Bid Opportunity

OSM 40(2198)201.1, Abandoned Mine Reclamation Project, East Avoca, Avoca Borough, Luzerne County. The principal items of work and approximate quantities include drilling drainage borehole 210 linear feet and furnishing and installing steel casing pipe 225 linear feet.

This bid issues on October 28, 2016, and bids will be opened on December 1, 2016, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection's web site at www.dep.pa.gov/ConstructionContracts. Bid documents and drawings can also be obtained upon payment of \$22, plus \$13 for postage, which includes sales tax, by calling (717) 787-7820. Auto-Cad Map 3D format drawings can also be purchased on a compact disc (CD) for an additional \$5 per CD. Money will not be refunded. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1726. Filed for public inspection October 7, 2016, 9:00 a.m.]

Radiation Protection Advisory Committee Rescheduled Meeting

The October 13, 2016, meeting of the Radiation Protection Advisory Committee (Committee) has been rescheduled to Thursday, November 17, 2016, at 9 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the next scheduled meeting of the Committee can be directed to Joseph Melnic at jmelnic@pa.gov or (717) 783-9730. The agenda and meeting materials for the November 17, 2016, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (select "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-9730 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. 16-1727. Filed for public inspection October 7, 2016, 9:00 a.m.]

Small Water Systems Technical Assistance Center Board Meeting Cancellation

The October 11, 2016, meeting of the Small Water Systems Technical Assistance Center Board has been cancelled. The next regular meeting is scheduled for Monday, November 14, 2016, beginning at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8467.

Questions concerning the cancellation of the October 11, 2016, meeting or the November 14, 2016, meeting should be directed to Dawn Hissner, Bureau of Safe Drinking Water at dhissner@pa.gov or (717) 772-2189. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <https://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Small Water Systems Technical Assistance Center").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Dawn Hissner at (717) 772-2189, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1728. Filed for public inspection October 7, 2016, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Office Space to the Commonwealth Luzerne County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Environmental Protection with 18,603 usable square feet of office space in Luzerne County. Downtown locations will be considered. For more information on SFP No. 94837, which is due on November 28, 2016, visit www.dgs.pa.gov or contact Erica Dreher, Bureau of Real Estate, (717) 317-5315, edreher@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-1729. Filed for public inspection October 7, 2016, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has 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 ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Main Line Endoscopy Center, East	28 Pa. Code § 553.31 (relating to administrative responsibilities) 28 Pa. Code § 559.2 (relating to director of nursing)

The request listed previously is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of 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. 16-1730. Filed for public inspection October 7, 2016, 9:00 a.m.]

Health Policy Board Meeting Cancellation

The Health Policy Board meeting scheduled for Wednesday, October 12, 2016, in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120 has been cancelled.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Erik Huet, Executive Policy Spe-

cialist, Office of Policy at (717) 547-3311 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1731. Filed for public inspection October 7, 2016, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospital listed has filed a request for exception 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 request for exception relates 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>
Tyrone Hospital	28 Pa. Code § 138.18(b) (relating to EPS studies)

The following hospitals are requesting exceptions 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>
CHOP and the Children's Seashore House of Children's Hospital of Philadelphia	2.2-3.1.4.2(3)	Airborne infection isolation (AII) room	2014
Main Line Hospital Bryn Mawr Rehabilitation	2.6-2.2.2.2	Space requirements	2014
Washington Hospital	2.2-3.5.2.1(1) 2.2-3.5.3.1(2)	Space requirements (AII procedure rooms) General (location—pre-procedure and recovery patient areas)	2014 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 of Health

[Pa.B. Doc. No. 16-1732. Filed for public inspection October 7, 2016, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exceptions

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Bonham Nursing Center
477 Bonnieville Road
Stillwater, PA 17878
FAC ID # 022802

Golden LivingCenter—Stroud
221 East Brown Street
East Stroudsburg, PA 18301
FAC ID # 194002

Little Flower Manor of the Diocese of Scranton
200 South Meade Street
Wilkes-Barre, PA 18702
FAC ID # 384202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1733. Filed for public inspection October 7, 2016, 9:00 a.m.]

Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, October 27, 2016, from 10 a.m. to 3 p.m. at the Clarion Hotel and Conference Center Harrisburg West, 148 Sheraton Drive, New Cumberland, PA 17070.

The SPBP Advisory Council will provide program guidance and recommendations to the SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and program management.

For additional information, contact John Haines, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (800) 922-9384.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact John Haines at the previously listed contact information, or for speech or hearing impaired persons contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without prior notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1734. Filed for public inspection October 7, 2016, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on September 15, 2016, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2" maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2" feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
PA 93	From I-80 to the West County Road intersection	Luzerne	1.5
West County Road # 40	From PA 93 to 355 West County Road	Luzerne	1.8

The County of Luzerne approved the access route within their respective jurisdiction.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-1735. Filed for public inspection October 7, 2016, 9:00 a.m.]

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation (Department) approved on September 21, 2016, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2" maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2" feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 3017	From SR 100 (PA 100) to SR 6222 (Hamilton Boulevard)	Lehigh	0.30

The Department approved the access route within its respective jurisdiction.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-1736. Filed for public inspection October 7, 2016, 9:00 a.m.]

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation (Department) approved on September 21, 2016, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2" maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2" feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 6100	From SR 6222 (Hamilton Boulevard) to SR 222 (US 222)	Lehigh	0.80

The Department approved the access route within their respective jurisdiction.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-1737. Filed for public inspection October 7, 2016, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

City of Johnstown, Cambria County. The parcel contains 15,880 square feet of improved property situated between Strayer Street and Spickler Avenue. The estimated fair market value is \$10,000.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Thomas A. Prestash, PE, District Executive, Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

Questions regarding this property may be directed to Joseph Tagliati, Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648, (814) 696-7215.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-1738. Filed for public inspection October 7, 2016, 9:00 a.m.]

Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, October 13, 2016, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Ellen E. Sweeney, (717) 787-2913, ellsweeney@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-1739. Filed for public inspection October 7, 2016, 9:00 a.m.]

GAME COMMISSION

Chronic Wasting Disease—Cervid Parts Importation Ban # 10

Executive Order

Whereas, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the family Cervidae (deer, elk or moose, and other susceptible species, collectively called cervids); and

Whereas, The specific cause of CWD is believed to be prions (abnormal infectious protein particles) that are known to be concentrated in the nervous system and lymphoid tissues of infected cervids; and

Whereas, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

Whereas, CWD has been designated a "dangerous transmissible disease" of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301 et seq.) at 3 Pa.C.S. § 2321(d); and

Whereas, CWD is known to be transmissible from infected to uninfected cervids by contact with or ingestion of CWD-infected or contaminated cervid parts or materials; and

Whereas, CWD is of particular concern to the Commonwealth of Pennsylvania because it has the potential to have a detrimental impact on both Pennsylvania's wild and captive cervid populations; and

Whereas, the Pennsylvania Game Commission (PGC) has determined that importation of potentially infectious parts or materials from cervids harvested in CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania poses an unacceptable risk of further exposure of CWD to the state; and

Whereas, The Game and Wildlife Code (Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated

thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

Whereas, 58 Pa. Code § 137.34 provides specific emergency authority to the Executive Director of the PGC to ban the importation of certain cervid parts from other states or nations to prevent the introduction or spread of CWD into the Commonwealth of Pennsylvania; and

Whereas, Previous executive orders concerning cervid parts importation restrictions were issued by the Commission on December 19, 2005, May 27, 2009, July 30, 2010, July 20, 2011, October 16, 2012, May 12, 2014, October 27, 2015, November 11, 2015 and July 22, 2016.

Now Therefore, I, R. Matthew Hough, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. The importation of any high-risk parts or materials from cervids harvested in any CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania is hereby strictly prohibited.

2. For the purposes of this Order, CWD-endemic States or Canadian Provinces shall be defined as any States or Canadian Provinces where CWD has been detected in wild or captive cervid populations. At present, this includes the following specific States and Canadian Provinces: Alberta, Arkansas, Colorado, Illinois, Iowa, Kansas, Maryland (only Allegany and Washington Counties), Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York (only Madison and Oneida Counties), North Dakota, Ohio (only Holmes County), Oklahoma, Saskatchewan, South Dakota, Texas, Utah, Virginia (only Frederick, Shenandoah, Warren, and Clarke Counties), West Virginia (only Hampshire, Hardy and Morgan Counties), Wisconsin, and Wyoming.

3. For the purposes of this Order, the term cervid shall include any member of the family Cervidae (deer), specifically including the following species: black-tailed deer, caribou, elk, fallow deer, moose, mule deer, red deer, sika deer, white-tailed deer, and any hybrids thereof.

4. For the purposes of this Order, high-risk parts or materials shall be defined as any parts or materials, derived from cervids, which are known to accumulate abnormal prions. This includes any of the following:

- a. Head (including brain, tonsils, eyes, and lymph nodes);
- b. Spinal Cord/Backbone (vertebra);
- c. Spleen;

d. Skull plate with attached antlers, if visible brain or spinal cord material is present;

e. Cape, if visible brain or spinal cord material is present;

f. Upper canine teeth, if root structure or other soft material is present;

g. Any object or article containing visible brain or spinal cord material; and

h. Brain-tanned hide.

5. This Order shall not be construed to limit the importation of the following cervid parts or materials into the Commonwealth of Pennsylvania:

a. Meat, without the backbone;

b. Skull plate with attached antlers, if no visible brain or spinal cord material is present;

c. Tanned hide or rawhide with no visible brain or spinal cord material present;

d. Cape, if no visible brain or spinal cord material is present;

e. Upper canine teeth, if no root structure or other soft material is present; and

f. Taxidermy mounts, if no visible brain or spinal cord material is present.

6. The requirements and restrictions of this Order are to be construed as separate from and in addition to any previous or future Executive Orders concerning response to CWD within the Commonwealth or the Establishment of Disease Management Area 2 Permits.

7. This Order shall not be construed in any manner to limit the PGC's authority to establish additional importation, exportation, possession, transportation or testing requirements on cervid parts or materials.

8. Nothing in this Order shall be construed to extend to the regulation of captive cervids held under 3 Pa.C.S. Chapter 27 (relating to the Domestic Animal Law) or the requirements of a lawful quarantine order issued by PDA.

9. The previous executive order concerning cervid parts importation restrictions issued on July 22, 2016 is hereby rescinded in its entirety and replaced by this Order.

10. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 23rd day of September, 2016.

R. MATTHEW HOUGH,
Executive Director

[Pa.B. Doc. No. 16-1740. Filed for public inspection October 7, 2016, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
4-97	Department of Community and Economic Development Local Earned Income Tax 46 Pa.B. 4179 (July 30, 2016)	8/29/16	9/28/16

**Department of Community and Economic
Development Regulation # 4-97 (IRRC # 3156)**

Local Earned Income Tax

September 28, 2016

We submit for your consideration the following comments on the proposed rulemaking published in the July 30, 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 Department of Community and Economic Development (Department) to respond to all comments received from us or any other source.

1. Section 151.1. Definitions.—Clarity.

Out-of-state employer

This term is defined as “an employer that does not have a place of business in this Commonwealth.” Does the regulation need to also address an out-of-state employer that does have a place of business in Pennsylvania? Do the definition and regulation adequately address Pennsylvania residents who work for an out-of-state employer at a place of business outside of Pennsylvania? We ask the Department to review this definition and explain how the regulation adequately covers all possible employment circumstances.

2. Section 151.5. Publication of a Policy and Procedure Manual.—Clarity.

This section discusses material that will be placed on the Department’s website. We suggest including the website address so that the reader can easily locate the documents.

3. Section 151.11. Registration of employers.—Clarity.

Subsection (a)

This subsection references and reflects the statute at 53 P.S. § 6924.512(1). We note the statute includes a time limit of “. . . within 15 days after becoming an employer. . . .” The regulation should include the 15 day time limit.

Subsection (b)

The second sentence of this subsection states “On or after January 1, 2012. . . .” We question whether the date of January 1, 2012 is still needed today. The Department should review this subsection and consider deleting this date.

4. Section 151.21. Mandatory education for tax officers.—Clarity.

Both Subsections (a) and (b) require the person to “achieve a passing grade” on the respective certification exams. The regulation is not clear on what constitutes a passing grade. We recommend including in the regulation the specific grade required to pass the certification exams in both subsections.

5. Section 151.22. Minimum number of persons required to receive mandatory education and meet the qualifications and requirements for tax officers.—Clarity.

Minimum number of persons

This section requires a tax officer to designate at least one person for every five counties to satisfy the mandatory education requirements. Can the tax officer designate itself so that the minimum would be one or is the tax officer required to designate a second person?

Example

The beginning of this section requires the tax officer to designate at least one person for every five counties to satisfy certain education requirements whereas the example requires at least 4 employees. Could there be a circumstance where the tax officer itself and three employees could satisfy this requirement in the example? We recommend reviewing the example to be sure it accurately reflects the stated requirement.

6. Section 151.23. Duties of a tax collection committee in selecting a tax officer.—Consistency with statute; Need; Economic impact; Clarity.

Subparagraph (1)(i)

The statute at 53 P.S. § 6924.508(f)(1) states, “The Department shall, *by regulation, establish the qualifications and requirements a tax officer must meet* prior to being appointed and must meet for continuing appointment.” (Emphasis added.) We recommend deleting Subparagraph (1)(i) of the regulation because it relies on the Department’s Policy and Procedure Manual to set qualifications for tax officers. To be consistent with the statute, the Department should establish the qualifications and requirements a tax officer must meet in the regulation.

Subparagraph (1)(ii)

There are two concerns with this subparagraph. First, this subparagraph requires a written statement prepared by an “accountant professional.” The Pennsylvania Institute of Certified Public Accountants (PICPA) commented that the phrase “accountant professional” should be replaced by the phrase “Certified Public Accountant or Public Accountant.” We agree.

Second, PICPA believes that the phrase “exists as a solvent entity” is inconsistent with the statute and the American Institute of Certified Public Accountants Code of Professional Conduct. We recommend that the Department review this phrase in consultation with PICPA to establish an acceptable standard.

Subparagraph (1)(iii)

This subparagraph requires a Statement on Standards for Attestation Engagements (SSAE) 16 audit “or other fiscal control audit.” It is not clear what would meet the alternative of the “other fiscal control audit.” We recommend deleting this phrase or, if needed, replacing it with a clear alternative standard.

Reappointment of a tax officer

The Pennsylvania State Association of Boroughs (PSAB) commented that Paragraphs (2), requiring at least five references, and (3), requiring an onsite visit, are not needed if the same tax officer is being reappointed by the tax collection committee. PSAB recommends bifurcating the appointing and reappointing requirements. The Department should consider amending the requirements in the circumstance that the tax committee reappoints the same tax officer.

7. Section 151.41. Rules for mediation.—Statutory authority, Legislative intent; Reasonableness.

\$500 filing fee for mediation

Under Subparagraph (1)(iv), the Department proposes to charge a \$500 filing fee for mediation. The \$500 filing fee is also mentioned in Subparagraph (3)(i). The PSAB “adamantly opposes” the fee and questions the statutory authority for the fee. The Pennsylvania State Association of Township Supervisors also expressed concerns with the fee.

The statute provides that “Costs incurred by the department for mandatory mediation under this section shall be equitably assessed by the department against the parties to the mediation.” 53 P.S. § 6924.505(k)(2)(viii). While the statute provides a mechanism for the Department to recover costs incurred, the Department has not established how a flat fee would meet the statute. Additionally, the Department has not established how a flat fee meets the statutory requirement to equitably assess its costs against the parties to the mediation. We recommend deleting the \$500 flat fee from Subparagraphs (1)(iv) and (3)(i). The Department should also explain in the Preamble how it will otherwise equitably assess the costs against the parties.

Timeline

The statute at 53 P.S. § 6924.505(2)(iii) states, in part, that the “mediation efforts shall be completed no later than 30 days following *the notice* that the dispute has met the threshold requirement. . . *unless the time period is extended by mutual agreement of the parties to the mediation.*” Emphasis added. Paragraphs (4) and (5) establish a timeline to complete the mediation “within 20

days but no later than 30 days following the Department’s determination” and rely on a mediator appointed by the Office of General Counsel. We have three concerns.

First, the statute provides the ability to extend the time period by mutual agreement, but this is not included in Paragraphs (4) and (5). We recommend adding the option to extend the time period to Paragraphs (4) and (5).

Second, the Department provides written notice of its determination to all parties under Subparagraph (3)(iii), which by statute begins the 30 day period. However, Paragraphs (4) and (5) differ from the statute by stating “no later than 30 days following the Department’s determination.” To be consistent with the statute, Paragraphs (4) and (5) should state no longer than 30 days following the Department’s written notice provided in Subparagraph (3)(iii).

Third, the Department should explain how the regulation will accomplish the statutory requirement to complete the mediation in 30 days, unless the time period is extended by mutual agreement.

8. Section 151.61. Withdrawal and establishment of a new tax collection committee.—Clarity.

The second sentence of Subsection (d) discusses election of the chairperson, vice chairperson and secretary and also discusses duly appointed voting delegates. The regulation is not clear regarding whether the Secretary is a duly appointed voting delegate. The Department should amend this subsection to clarify whether the secretary is a voting delegate or not.

9. Miscellaneous Clarity

- Paragraph 151.41(3) refers to “the threshold conditions for mandatory mediation.” We recommend adding a cross-reference in Paragraph (3) to Subparagraph (1)(iii) to clarify the threshold conditions to be met.

- Section 151.51 consists of a single paragraph, but includes the phrase “unless otherwise specified in this section.” We recommend deleting this phrase.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1741. Filed for public inspection October 7, 2016, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at www.irrc.state.pa.us.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-5125	State Board of Nursing General Revisions	9/26/16	11/17/16

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1742. Filed for public inspection October 7, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Gerald Wayne Snyder, Jr.; Doc. No. SC16-09-012

Notice is hereby given of the Order to Show Cause issued on September 27, 2016, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(1), (15) and (20) and 678-A(b) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (15) and (20) and 310.78(b)).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1743. Filed for public inspection October 7, 2016, 9:00 a.m.]

Appeal of ARFA Real Estate Holdings, LLC under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 16-0014(F); Doc. No. UT16-09-009

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedures) and any other relevant provisions of law.

A prehearing telephone conference shall be held on November 13, 2016 at 9:30 a.m. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed on or before October 31, 2016, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before November 10, 2016.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1744. Filed for public inspection October 14, 2016, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's 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 Stephanie Wolfgang; File No. 16-119-200541; Safe Auto Insurance Company; Doc. No. P16-09-010; November 2, 2016, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1745. Filed for public inspection October 7, 2016, 9:00 a.m.]

OFFICE OF THE BUDGET

Commonwealth Financing Authority Certification for Fiscal year 2016-2017

I, Randy C. Albright, Secretary of the Budget, hereby certify in accordance with, and as required by, section 1543(e) of the Act of April 1, 2004 (P.L. 163, No. 22), 64 Pa.C.S. § 1543(e), and section 1753.1-E of the Act of April 9, 1929 (P.L. 343, No. 176), that:

(1) sufficient surplus revenue will exist in the General Fund for Commonwealth Fiscal Years 2017-2018 and 2018-2019 to pay any liabilities which will be payable by the Commonwealth from the General Fund during those Fiscal Years if the Commonwealth Financing Authority incurs an additional \$250,000,000 of indebtedness; and,

(2) the aggregate amount of liabilities which will be incurred by the Commonwealth for its Fiscal Years 2016-2017, 2017-2018 and 2018-2019 payable from the General Fund as a result of the activities of the Commonwealth Financing Authority are \$95,614,000, \$95,622,000 and \$95,617,000 respectively.

RANDY C. ALBRIGHT,
Secretary

[Pa.B. Doc. No. 16-1746. Filed for public inspection October 7, 2016, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Holding Company Level Transfer

A-2016-2568664. AccessLine Communications Corporation, Oak Hill Capital Partners III, LP, Oak Hill Capital Management Partners III, LP and Madison Dearborn Capital Partners VII-A, LP, Madison Dearborn Capital Partners VII-C, LP, Madison Dearborn Capital Partners VII Executive-A, LP. Joint application of AccessLine Communications Corporation, Oak Hill Capital Partners III, LP, Oak Hill Capital Management Partners III, LP and Madison Dearborn Capital Partners VII-A, LP, Madison Dearborn Capital Partners VII-C, LP, Madison Dearborn Capital Partners VII Executive-A, LP, for approval of a holding company level transfer of AccessLine Communications Corporation and for certain financing arrangements.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 24, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: AccessLine Communications Corporation; Oak Hill Capital Partners III, LP; Oak Hill Capital Management Partners III, LP; Madison Dearborn Capital Partners VII-A, LP; Madison Dearborn Capital Partners VII-C, LP; Madison Dearborn Capital Partners VII Executive-A, LP

Through and By:

Oak Hill and AccessLine: Glenn S. Richards, Esquire, Christine A. Reilly, Esquire, Pillsbury Winthrop Shaw Pittman LLP, 1200 Seventeenth Street, NW, Washington, DC 20036

MDP: John Povilaitis, Esquire, Brian C. Wauhup, Esquire, Buchanan Ingersoll & Rooney, PC, 409 North Second Street, Suite 500, Harrisburg, PA 17101-1357; and Yaron Dori, Esquire, Michael Beder, Esquire, Ani Gevorkian, Esquire, Covington & Burling LLP, One City Center, 850 Tenth Street, NW, Washington, DC 20001

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1747. Filed for public inspection October 7, 2016, 9:00 a.m.]

Implementation of Act 11 of 2012

Public Meeting held
September 15, 2016

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

Implementation of Act 11 of 2012; M-2012-2293611

Supplemental Implementation Order

By the Commission:

On February 14, 2012, Governor Corbett signed into law Act 11 of 2012 (Act 11), which, inter alia, amended Chapter 13 of the Pennsylvania Public Utility (Code) by incorporating a new Subchapter B, Sections 1350 through 1360 of the Code, which deals with distribution (and collection) systems and allows certain utilities to petition the Commission to implement an additional rate mechanism, known as a distribution system improvement charge (DSIC) to recover the costs related to the repair, replacement or improvement of eligible distribution property. See 66 Pa.C.S. §§ 1350—1360.

By a Tentative Supplemental Order entered November 5, 2015, in the proceeding in Implementation of Act 11 of 2012, Docket Number M-2012-2293611 (“November 5th Tentative Supplemental Implementation Order” or “TSIO”), the Commission acknowledged that various discrete issues regarding the implementation of the DSIC surcharge mechanism that were not fully addressed in previous DSIC-related orders had arisen. Accordingly, via TSIO, the Commission solicited comments so as to take further steps to adopt procedures regarding additional implementation issues that have developed over time.

Background

On February 14, 2012, Governor Corbett signed into law Act 11 of 2012 (Act 11), which, inter alia, amended Chapter 13 of the Pennsylvania Public Utility (Code) so as to allow water and wastewater utilities, electric distribution companies (EDCs), and natural gas distribution companies (NGDCs) or a city natural gas distribution operation to implement a DSIC surcharge mechanism which would allow them to offset the additional depreciation and to recover the prudent capital costs associated with certain non-revenue producing, non-expense reducing capital expenditures related to the repair, replacement or improvement of eligible distribution property.

Specifically, Act 11 was passed in order to reduce the historical regulatory lag of recovering the costs related to capital infrastructure expenditures by providing ratemaking flexibility for utilities seeking timely recovery of prudently incurred costs related to the repair or replacement of distribution infrastructure between rate cases and before new base rates have become effective. In particular, Act 11 incorporated new statutory provisions in Chapter 13, based on the existing DSIC that has been used for over 15 years in the water utility industry,¹ to accelerate the pace of water pipeline replacement and improvements. Under Act 11, the DSIC mechanism is also now available to EDCs, NGDCs, wastewater utilities, and city natural gas operations and will allow those utilities to recover the reasonable and prudently incurred costs related to the acceleration of the repair, improvement and replacement of utility infrastructure on a timelier basis, subject to reconciliation, audit and other consumer protections.²

On May 11, 2012, the Commission in Implementation of Act 11 of 2012 entered a Tentative Implementation Order (May 11th Tentative Implementation Order) at Docket Number M-2012-2293611, soliciting comments on proposed procedures and guidelines necessary to implement Act 11, including a DSIC process for investor-owned energy utilities, city natural gas distribution operations, and wastewater utilities and to facilitate a transition from the Section 1307(g) water DSIC procedures to Act 11 DSIC procedures. After reviewing the comments filed in response to the May 11th Tentative Implementation Order, the Commission issued the August 2nd Final Implementation Order at the above-referenced docket, which established the procedures and guidelines necessary to implement Act 11 and included a Model Tariff for DSIC filings.

Subsequently, to date, the Commission has approved sixteen petitions to implement a DSIC surcharge mechanism under the Act 11 legislation. Petitions were filed and approved for six EDCs, seven NGDCs, one city natural gas distribution operation, and two wastewater companies.³ However, since those utilities have initiated their DSIC mechanisms, various implementation issues that were not specifically addressed in our August 2nd Final Implementation Order have arisen.

Hence, the Commission issued its November 5th Tentative Supplemental Implementation Order, in order to solicit comments on the manner it should resolve additional implementation issues regarding the DSIC mechanisms that had arose upon the Commission approving various DSIC Orders of eligible jurisdictional utilities.⁴ The Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the Energy Association of Pennsylvania (EAP), Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power

Company and West Penn Power (collectively referred to as “the FE Companies” or “FE”), PP&L Electric Utilities Corporation (PPL), Pennsylvania American Water Company (PAWC), Aqua Pennsylvania, Inc. (Aqua), York Water Company (York Water) filed comments to the TSIO. The Commission has reviewed the filed comments and also held in person meetings with various stakeholders to fully discuss all of the issues. Per this Order, the Commission is addressing and resolving the additional DSIC-related implementation issues.

Discussion

The DSIC mechanism allows a utility to add to customer rates the recovery of the fixed costs (i.e., depreciation and pretax return) for (1) any eligible plant associated with a repair, replacement or improvement that was not previously reflected in the utility’s rates and rate base and (2) has been placed into service as a repair, replacement or improvement during the three-month period ending one month (i.e., quarterly with a one month lag) prior to the effective date of the DSIC mechanism. See 66 Pa.C.S. § 1357(a)(1)(ii). Thereafter, in order to continue to recover the fixed costs of eligible property that is placed into service and associated with an acceleration of its repair, replacement or improvement program through its DSIC mechanism, the utility must provide quarterly DSIC updates that reflect the eligible property that has been placed in service during the three-month period ending one month prior to the effective date of the DSIC update. See 66 Pa.C.S. § 1357(a)(2). Accordingly, the utility is permitted to recover on an ongoing basis (i.e., every three months) the fixed costs of eligible property placed into service that is associated with a repair, replacement or improvement.

Section 1358(d) of the Code provides that the Commission may establish procedures to adjust the DSIC rate, when applicable, by order or regulation. See generally 66 Pa.C.S. § 1358(d)(2). As more fully explained below, the Commission sought comments and is addressing the following additional issue areas regarding the implementation, operation and computation of the DSIC:

- requiring quarterly financial reports for all utilities that use the DSIC mechanism;
- filing and computation issues for when the DSIC is reset to zero;
- treatment of over/under collections, or E-factor, after the DSIC is reset to zero;
- computation issues for determining the DSIC rate cap; and
- requirement to file an LTIP by water utilities that use the DSIC.

A. Uniform Financial Earnings Reports Requirement

1. Quarterly Financial Earnings Reports

In the TSIO, the Commission proposed that all jurisdictional utilities that have implemented a DSIC mechanism, including those utilities that are not required to file earnings reports under 52 Pa. Code § 71.3, should begin to file quarterly earnings reports with the Commission regardless of the amount of their overall operating revenues.

Comments

No party filed objections to this proposal.

Resolution

66 Pa.C.S. § 1358 directs the Commission to use financial earning reports to monitor the rates of return

¹ The separate DSIC provisions in Section 1307(g) providing for a sliding scale of rates for water utilities have been deleted in lieu of the general DSIC provisions established in Act 11.

² See generally 66 Pa.C.S. § 1350 et seq.

³ At present, Petitions to implement a DSIC mechanism have been approved by the Commission for the following companies: PPL Electric Utilities (PPL), PECO, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power, Columbia Gas of Pennsylvania (Columbia), Peoples Natural Gas Company—Equitable Division (PNGC—Equitable), Peoples Natural Gas Company, LLC (Peoples Gas), People’s TWP, UGI—Penn Natural Gas, UGI—Central Penn Gas, PECO—Gas, Philadelphia Gas Works (PGW), Little Washington Wastewater Company (LWWC) and Pennsylvania American Wastewater Company (PAWC).

⁴ We note that certain DSIC issues and related accounting parameters are implicated in the implementation of the newly enacted Section 1329 of the Public Utility Code, 66 Pa.C.S. § 1329, Act 12 of 2016, HB 1326, that involves the acquisition of water and/or wastewater utility systems that are owned by municipalities or municipal authorities. These issues are being addressed in the related Section 1329 implementation proceeding at Docket No. M-2016-2543193. See generally Implementation of Section 1329 of the Public Utility Code, Docket No. M-2016-2543193, Tentative Order entered July 21, 2016.

for companies that have implemented a DSIC mechanism to determine if the utility has experienced earnings above its allowed rate of return or “overearnings.” See 66 Pa.C.S. § 1358(b)(3). In practice, the Commission compares the filed return on equity (ROE)⁵ figure from schedule D-2 of the financial earnings report to the allowable equity return rate for the computation of the DSIC rate to determine if the utility can continue to recover under its DSIC mechanism the fixed costs of the eligible property that is reflected in its next quarterly DSIC update or if its DSIC rate must be adjusted. See generally 66 Pa.C.S. § 1358(b)(3). Pursuant to the statutory directive in Act 11, the DSIC rate is then reset to zero if, in any quarter, the data reflected in the utility’s most recent quarterly financial earnings report show that the utility will earn an overall rate of return that would exceed the allowable rate of return used to calculate its fixed costs under the DSIC mechanism. See 66 Pa.C.S. § 1358(b)(3).

The Commission regulations at 52 Pa. Code § 71.3 set forth different filing report requirements for certain fixed utilities based upon overall revenues. See 52 Pa. Code § 71.3. Currently, some utilities file twelve-month financial earnings reports on a quarterly basis and some file one twelve-month financial earnings report on an annual basis. See 52 Pa. Code § 71.3(a)(b). *Id.* The Commission notes that the jurisdictional utilities that are required to file only an annual financial report for the previous 12-month calendar year in accordance with 52 Pa. Code § 71.3(b) do not submit their respective annual financial report to the Commission until March 31st of the following year, within ninety days after the end of the 12-month period ending December 31st. As a result, if that utility has experienced any overearnings for some portion of the preceding year, under the current financial earnings reporting regimen, these utilities will continue to recover the fixed costs of eligible property under their DSIC mechanisms throughout the year. The same scenario could also apply to utilities that have annual intrastate gross revenues in excess of \$1M but that are not even required to file earnings reports with the Commission.

Consequently, certain utilities with DSIC mechanisms would continue to reap the benefit of their DSIC mechanism even though they may have experienced overearnings. As Section 1358(b)(3) of the Code directs, a utility’s DSIC rate should be reset to zero at the time they begin to experience an overearning; thus, permitting a utility to continue to reap the benefit of its DSIC mechanism even though it has experienced overearnings is contrary to the consumer protection embedded within the Act 11 statute and also unfair to consumers and those utilities that are required to file quarterly financial earnings reports. Accordingly, the Commission directs that all jurisdictional utilities that have implemented a DSIC mechanism, including those utilities that are not required to file earnings reports under 52 Pa. Code § 71.3 because their annual revenues do not exceed \$1 million, begin to file quarterly earnings reports with the Commission. This new quarterly filing earnings report requirement for all jurisdictional utilities having a DSIC mechanism will commence with the March 31, 2017 quarterly filing going forward.

⁵ In particular, the allowable cost of equity for the computation of the DSIC rate shall either be the equity return rate in the utility’s most recent fully litigated base rate proceeding or, if that proceeding was over two years ago, the Commission uses the equity return rate used in the quarterly earnings report it prepares which sets forth the achieved return on equity for each company, the last allowed return for that utility, a market return as determined through the analysis of the barometer group data and the most recent returns allowed, per industry, by the Pennsylvania Public Utility Commission and by other regulatory bodies. This report is referred to as the Quarterly Report on the Earnings of Jurisdictional Utilities.

2. *Exemption from Filing an Earnings Report During the Pendency of a Base Rate Case*

In the TSIO, the Commission requested comment on eliminating the exemption under 52 Pa. Code § 71.4(c), which exempts a utility from filing a quarterly financial earnings report when the utility has a pending general rate increase (base rate case) under 66 Pa.C.S. § 1308(d) or 1310 (relating to voluntary changes in rates; rates fixed on complaint; investigation of costs of production; and temporary rates) for companies with an active and positive DSIC rate.

Comments

The EAP, the First Energy Companies, Aqua and PAWC stated they are opposed to eliminating the 71.4(c) exemption. The OCA and the OSBA both support the elimination of the quarterly earnings report exemption under 52 Pa. Code § 71.4.

Resolution

We acknowledge the commentators’ observations that utilities provide detailed information on future earnings in base rate cases as evidence to verify that the utility is under-earning and to support the request for a general rate increase and requiring them to file quarterly “high-level” earnings reports during the pendency of a rate case is redundant, unnecessary and burdensome. Thus, we agree with the EAP, the First Energy Companies’ and PAWC’s comments regarding the quarterly earnings report exemption under 52 Pa. Code § 71.4(c). The Commission declines to eliminate this exemption and thus, utilities with an active and positive DSIC rate do not have to file quarterly earnings reports during the pendency of a base rate case.

B. *Customer Protections—DSIC Rate Reset to Zero*

In the TSIO, the Commission proposed procedures on the manner in which a utility should reset its DSIC rate to zero when it meets the circumstances set forth in 66 Pa.C.S. § 1358(b)(1)—(3). Specifically, the DSIC rate is required to be reset to zero on the effective date of new base rates that provide for the prospective recovery of the annual fixed costs of eligible property that were previously recovered under the utility’s DSIC mechanism. 66 Pa.C.S. § 1358(b)(1). Additionally, if a utility’s quarterly financial earnings report reflects an overearning for that particular quarter, the utility is required to reset its DSIC rate to zero. 66 Pa.C.S. § 1358(b)(3).

1. *DSIC Rate Reset to Zero*

a. *DSIC Rate Reset to Zero Upon Effective Date of New Base Rates*

In the TSIO, the Commission proposed that utilities requesting a general rate increase under Section 1308(d) of the Code incorporate a reference to the DSIC rate being reset to zero within the tariff supplement initiating the general rate increase request.

Comments

EAP agreed that the tariff supplement to initiate a Section 1308(d) general rate increase should also state that the DSIC will be reset to zero upon the effective date of the new rates. EAP Comments at 4. PPL supports this proposal and recommends that it be adopted. PPL Comments at 5. Additionally, the First Energy Companies stated that they did not oppose the Commission’s proposition of providing advance notice in the tariff supplement as to when its DSIC rate will be reset to zero. FE Comments at 4. Both Aqua and York Water state that they agree that a utility should incorporate a reference to

resetting its DSIC rate to zero in the tariff supplement requesting an increase in base rates under Section 1308(d) of the Code. Aqua Comments at 6; York Water Comments at 2.

Resolution

The Commission notes that no party opposed this proposal. Further, the Commission determines that incorporating a reference that the DSIC rate will be reset to zero within the tariff supplement requesting a general rate increase provides sufficient advance notice of the DSIC reset upon the effective date of new base rates. Generally, when a utility requests a general rate increase under Section 1308(d) of the Code, the Commission suspends the filed tariff supplement by operation of law and sends it to the Office of Administrative Law Judge (OALJ) for hearings and investigation on the lawfulness of the rate. Thereafter, upon the conclusion of the base rate case proceeding before the OALJ, the utility is directed via an order to file a compliance tariff supplement pursuant to Section 1308(a) to effectuate the proposed rate increase. Accordingly, the Commission directs that as a part of a Section 1308(a)-compliance tariff, utilities should incorporate a reference to the DSIC rate being reset to zero simultaneously with the effective date of the new base rates.

In those [rare] instances where a utility files for a non-general rate increase, which is a rate increase that is less than three percent of total gross intrastate revenue, and it is not subjected to the suspension and investigation process, the Commission directs the utility to incorporate a reference to resetting the DSIC rate within the 1308(a) tariff supplement reflecting the non-general rate increase. This obviates the need to file a subsequent Section 1308(a) tariff supplement to reset the DSIC rate to zero upon the effective date of the non-general base rates.

b. Stay-Out Period After Effective Date of New Base Rates

When a utility with a DSIC mechanism files for a general rate increase under Section 1308(d) of the Code, 66 Pa.C.S. § 1308(d), and new base rates become effective, the utility is required to reset its DSIC rate to zero as of the effective date of the new base rates. 66 Pa.C.S. § 1358(b)(1). After resetting the DSIC rate to zero following the effective date of new base rates, only the fixed costs of new eligible property set forth in the quarterly DSIC update that was not previously reflected in base rates or recovered in the utility's rates (i.e., previously recovered under the DSIC mechanism) may be recovered through the DSIC mechanism. 66 Pa.C.S. § 1358(b)(2). Thus, in order for a utility to begin to recover again the fixed costs of eligible property placed in service that is associated with a repair, replacement or improvement after the DSIC rate has been reset to zero because of new base rates, it must submit a quarterly DSIC update that reflects only eligible property that meets the above criteria (has not been previously reflected in the utility's rates or rate base). See generally 66 Pa.C.S. §§ 1357(a)(2), 1357(d)(3) and 1358(b)(2). The Commission refers to this as a "stay-out" period because the utility cannot utilize its DSIC mechanism until the costs associated with new eligible property and incorporated within the DSIC quarterly update reflects costs that have not been accounted for or recovered in the utility's rates or rate base.

The Commission sought comment on what should be the criterion to determine whether the prospective recovery amount has been surpassed which would trigger the elapsing of the stay-out period. The Commission proposed

that in each base rate case, the actual rate filing as well as the final order must specify the total aggregate dollar amount associated with the prospective eligible property placed in service for the forecast year.

Comments

The OSBA agrees with the Commission's proposal but requests clarification on whether the aggregate dollar amount refers to gross plant or net plant totals. OSBA Comments at 3. The OSBA states that the Commission should clarify that it is referring to net plant, rather than gross plant, and notes that any settlement of a base rate case will need to specify that amount. *Id.* The OCA proffered two clarifications: (1) only the fixed costs of new, additional investment will be eligible for recovery in a positive DSIC rate and (2) the final order establishing new base rates should specify the total aggregate dollar amount that is associated with the DSIC-eligible property that is used to set rates. OCA Comments at 7.

The OCA explains that both of these clarifications recognize that the base rate used to determine revenue requirement can be a contested issue in the rate case that is resolved through settlement or litigation. OCA Comments at 8. The OCA states that if the Commission adopts its clarification, it will support the Commission's proposal for resuming a positive DSIC rate after a base rate case, because, in OCA's view, these proposals will help the parties and Commission to monitor and ensure that costs recovered in base rates are not also recovered in the DSIC rate. *Id.* The OCA states that these proposal are consistent with the base rate case settlements where the Commission has approved terms specifying that the DSIC "stay-out" would continue until eligible property account balances exceed the levels agreed upon for purposes of the settlement. *Id.* Lastly, the OCA also supports the Commission's proposal that utilities continue to file DSIC quarterly updates, even during the entirety of the stay-out period. *Id.*

The FE Companies state that they are not opposed to the Commission's proposal that the total dollar amount of eligible property placed in service as determined in the rate case final order should be the criterion to determine when the stay-out provision after a base rate case has elapsed. FE Companies at 5. However, the FE Companies state opposition to the requirement that utilities should continue to file quarterly DSIC updates reflecting the eligible property placed into service that was associated with a repair replacement or improvement during the stay-out period even though they are unable to recover. *Id.* The EAP states no opposition to the Commission's proposal adopting the level of DSIC eligible property as the criterion for determining the length of the stay-out period. EAP Comments at 6. Nevertheless, EAP notes that none of its member companies seeks to "double-recover" costs and, therefore, does not see a need for a utility to continue to provide DSIC quarterly update information during the stay-out period. *Id.*

Additionally, Aqua states that it disagrees with the Commission's recommendation that utilities should continue to file quarterly DSIC updates during the stay-out period. Aqua Comments at 7. Aqua states that the continuous filing of DSIC quarterly update is not necessary to monitor or verify when the criterion was reached to determine if the stay-out period has been surpassed. *Id.* Aqua proposes that when a utility company has come to the end of its FPFTY and files its first quarterly DSIC update, the utility company should include a statement acknowledging the satisfaction of the stipulation criterion for reinstating the DSIC rate. *Id.*

York Water states that the amounts identified in rates should be the total amounts projected to be spent in DSIC-eligible accounts rather than specifically identifying replacement versus new infrastructure in those accounts. York Comments at 2. Additionally, York Water states that it disagrees with this proposal and suggests various options that it asserts accomplish the same goal. York Water Comments at 2.

Resolution

The Commission believes that the length of the “stay-out” period should be able to be determined based upon whether the applicable total aggregate costs, or gross plant, associated with the DSIC-eligible property that is used to set base rates has been exceeded. The base rates established in a general rate case are designed to recover all prudent costs for capital, labor, materials, and input services used in the production function. The calculation of rates is developed on the device of a “test year,” which is a 12-month period that is to be representative of operating conditions when the rates being established will be in effect. The test year can consist of a future test year or a fully projected future test year (FPFTY) as its baseline for setting new base rates. See 66 Pa.C.S. § 315. As such, a utility requesting to establish new base rates pursuant to a filing under Section 1308(d) of the Code, is seeking to recover the costs of all DSIC-eligible plant in service, plus the DSIC-eligible plant that is projected to be in service either within 9 to 21 months depending on if the utility has used a future test year or a FPFTY to calculate its rates. In other words, if a utility has used a future test year or a FPFTY as the basis for the projection of the costs of all the DSIC-eligible plant that it will place in service, the new base rates should provide for the prospective recovery of the annual costs of all the DSIC-eligible property placed into service and that was previously being recovered under the utility’s DISC mechanism.

The Commission determines that if a utility has surpassed the prospective recovery amount associated with all of the DSIC-eligible plant placed in service and which was previously reflected in the utility’s base rates or projected to be in service as a result of using a future test year or FPFTY, it is then eligible to begin to recover again the fixed costs associated with any new repair, replacement or improvement of DSIC-eligible property reflected in that quarterly DSIC update. The Commission directs that the total aggregate costs that are associated with the DSIC-eligible property projected to be in service and used to set the base rates for the utility should be specified in the final order issued in the proceeding to establish the utility’s new rates, whether the final order results from a litigated proceeding or “black-box” settlement. The Commission recognizes the importance of including this criterion in the final order establishing the new base rates. The Commission notes the OSBA’s request for clarification on this issue and states that we are referring to gross plant, rather than net plant, and notes that any settlement of a base rate case should specify that amount correlating to gross plant. Accordingly, the utility should specify the total aggregate cost, that is, the gross plant cost before any depreciation or amortization, that is associated with the eligible property (i.e., new or additional investment) that is to be placed in service, as this is a portion of the baseline for setting the new base rates.

The primary purpose of a DSIC update is to reflect the additional eligible property that has been placed in service during the prior quarter and for which the utility

is seeking cost recovery for under its DSIC mechanism. Thus, as set forth in the Code, in order to continue to recover the fixed costs of eligible property that is placed into service and associated with a repair, replacement or improvement through its DSIC mechanism, the utility must provide quarterly DSIC updates that reflect the eligible property that has been placed in service during the three-month period ending one month prior to the effective date of the DSIC update. See 66 Pa.C.S. §§ 1357(a)(2) and 1357(c)(3). As noted above, the Commission, utilities and interested parties will use the DSIC quarterly updates to determine whether the prospective recovery amount in the final order setting the utility’s rates has been surpassed so as to indicate when the stay-out period has elapsed and the utility may again continue to recover the fixed costs of eligible property reflected in the quarterly DSIC update. Hence, quarterly DSIC updates are integral to the utility identifying the relevant eligible property and the proper calculation of the fixed costs associated with that eligible property. See 66 Pa.C.S. § 1357(d)(2). In order to accurately track the criterion, the Commission directs that utilities should continue to file quarterly DSIC updates reflecting the eligible property placed into service that was associated with a repair, replacement or improvement during the stay-out period even though they are unable to recover such costs. The Commission believes that the continuous filing of DSIC updates will help it to monitor and verify when the criterion has been met that indicates when the stay-out period has elapsed and the utility may again continue to recover the fixed costs of eligible property so as not to allow for the double-recovery of the fixed costs of eligible property under its DSIC mechanism.

c. Resetting DSIC Rate to Zero Due to Overearnings

In the TSIO, the Commission noted that there is a lag period between the filing dates of the quarterly earnings report and the filing dates of the quarterly DSIC updates. Certain jurisdictional fixed utilities are required to file quarterly reports for the 12-month period ending on March 31st, June 30th, September 30th and December 31st of each year. The first three 12-month period quarterly financial earnings reports for the year, the March 31st, June 30th, September 30th reports, are due to be filed within sixty (60) days of the end of the 12-month reporting period while the fourth quarter 12-month period quarterly financial earnings report, the December 31st report, is due within ninety (90) days of the quarter ending December 31st of each year.

However, quarterly DSIC updates become effective on April 1st, July 1st, October 1st and January 1st of each year. Thus, if the data reflected in the utility’s most recent quarterly financial earnings report show that it has experienced an overearnings for that quarter, presumably its DSIC rate will be reset to zero until the following quarter or three months reflected in that next quarterly DSIC update. 66 Pa.C.S. § 1358(b)(3). Accordingly, in the TSIO, the Commission proposed that because of this lag time between the utility addressing the overearnings indicated in its quarterly financial earnings report and resetting its DSIC rate to zero, utilities should file a tariff supplement reflecting a zero DSIC rate simultaneously with the filing of their next quarterly DSIC update, effective upon ten-day’s notice, if the utility is overearning.

Comments

PPL expressed support for this proposal and recommended that the Commission adopt it. PPL Comments at 5. York Water states that it concurs that the tariff

supplement to reset the DSIC rate to zero because of overearnings should be filed simultaneously with the next quarterly DSIC update. York Water Comments at 2. The OCA also summarily agreed with the Commission's proposal on this issue. However, to deal with the lag time between the quarterly DSIC updates and the filing of the financial earnings report, the OCA recommended that the tariff supplement to reset the DSIC rate become effective on one day's notice or, in the alternative, recommended that the Commission change the deadline for filing the annual financial report for the twelve months ending December 31 to 60 or 75 days.

Resolution

As mentioned above, the Commission has directed that all utilities with a DSIC mechanism should begin to file their 12-month financial earnings reports on a quarterly basis—March 31st, June 30th, September 30th and December 31st. However, the Commission notes it has also directed the utilities with a DSIC mechanism to schedule the effective dates of their proposed DSIC updates, and the corresponding period for eligible plant additions that will be reflected in each update, to align quarterly with the months of April, July, October, and January (April 1st, July 1st, October 1st and January 1st). Consequently, there is a lag time between the utility addressing the overearnings indicated in the quarterly financial earnings report and resetting its DSIC rate to zero. Historically, it seems utilities have not reset the DSIC rate to zero to address the overearnings until the following Act 11 quarterly DSIC update was filed. This seems plausible as it may be likely that the utility does not already have an indication or knowledge that it has experienced overearnings until the time it files its quarterly financial earnings report.

However, to be consistent with the consumer protection goals of Section 1358(b)(2) of the Code, the utility should immediately address the overearnings and reset its DSIC rate to zero as this is a protection to ensure that consumers are not charged a DSIC when the utility is overearning. Consequently, we are modifying the initial proposal that was in the TSIO on this issue. To effectuate fully this valid consumer protection provision, the Commission directs utilities that determine they are overearning to file a tariff supplement reflecting a zero DSIC rate effective upon one-day's notice immediately after filing or simultaneously with the filing of the quarterly financial earnings report indicating that the utility is overearning, instead of waiting until the utility files the next quarterly DSIC update resetting the rate to zero in order to address the overearnings. Thus, in order to facilitate this reset to zero, the Commission directs that utilities with a DSIC mechanism incorporate an interim tariff rate adjustment clause in the earnings report section of their respective DSIC tariffs. See Model Tariff as Appendix A.

d. Cumulative Nature of DSIC Mechanism after Resetting DSIC Rate to Zero Due to Overearnings

As indicated above, for investor-owned utilities, a reset of the DSIC rate to zero is required if, in any quarter, data filed with the Commission in the utility's most recent annual or quarterly earnings report show that the utility will earn a ROR that would exceed the allowable ROR used to calculate its fixed costs under the DSIC. See 66 Pa.C.S. § 1358(b)(3). The Commission acknowledges that an ongoing, uninterrupted DSIC mechanism appears to be cumulative in its effect. Thus, the utility is continually able to recover the fixed costs of all eligible property less depreciation that it has placed into service that is associated with a repair, replacement or improvement

that is reflected in its quarterly DSIC update and that has not previously been reflected in the utility's rate base pursuant to a base rate proceeding. See generally 66 Pa.C.S. § 1357(d)(2). However, the Commission had questions regarding whether the cumulative nature of the DSIC mechanism is affected when a utility's overearnings lasts more than two or more successive quarters and then ceases. The Commission sought comments on whether the utility may recover the current fixed costs associated with its cumulative investment in eligible property less depreciation in a future quarter in which the utility is no longer in an overearning status? The Commission also sought comment on whether it should require the utility to file a tariff supplement under Section 1308 of the Code to address successive overearnings in order for the utility to continue to use its DSIC mechanism to recover the fixed costs of the eligible property it has placed in service.

Comments

York Water states that it agrees with the Commission's proposal that the DSIC recovery for quarters subsequent to the period of overearnings may include the cumulative cost impact of DSIC-eligible costs since the last rate case. York Water Comments at 3. The EAP opposes the Commission's suggestion regarding the decision of when and why to file a rate case generally rests with the utility. EAP Comments at 6. EAP notes that the Code already provides a means for the Commission to initiate a proceeding if it believes a utility is consistently overearning. *Id.* The FE Companies support the Commission's proposal that the utility should be permitted to recover current fixed costs of all eligible property after an overearning period ceases. FE Companies Comments at 6. The FE Companies also state that tariff supplements to address successive overearnings should be permitted but not required. FE Companies Comments at 7.

The OCA states that it recognizes that the entirety of the fixed costs of DSIC-eligible property that was placed into service does not disappear during the time the utility is not permitted to charge a positive DSIC due to overearning. OCA Comments at 9. Thus, it does not oppose the Commission's proposal to allow depreciated recovery of cumulative investment if only the net depreciated book value of the prior plant is recovered in the DSIC once the overearnings cease. *Id.* The OCA states that various factors would have to be thoroughly considered before directing a utility to file for a rate adjustment pursuant to Section 1308(a) of the Code. *Id.* The OSBA supports the proposal that when a DSIC rate is reset to zero after an overearning quarter, but subsequently goes back into effect after due to under earnings, the new DSIC rate will include a return of and on the investment made during the period it was reset to zero, but it will not include the unrecovered costs incurred during that period. OSBA Comments at 3. However, the OSBA also states that any previous inadvertent DSIC recovery should be credited to ratepayers. *Id.*

Resolution

It is commonly accepted that during the successive overearnings period, a utility with a DSIC mechanism is prohibited from recovering the current fixed costs of the eligible property that it has placed into service during the overearnings period. As well, a utility cannot recover the costs of any DSIC-eligible plant it had placed into service prior to the time that the successive overearnings period began to occur. The DSIC is no longer positive but has been reset to zero. However, since the DSIC mechanism is cumulative in nature even if overearnings persist for two or more successive quarters going forward, the Commis-

sion determines that after a period (i.e., a quarter) of overearning or even after multiple periods of overearning, the utility can recover the cumulative fixed costs, less depreciation, for all of the DSIC-eligible property it had placed in service since the last base rate case in the next quarterly DSIC update filed after overearnings. Thus, the quarterly DSIC update that is filed immediately after the overearnings period would include the new eligible property that had been placed in service during the three month period ending one month prior to the effective date of the DSIC plus the total depreciated cost of any DSIC-eligible plant that was placed in service but was not previously reflected in the utility rates or projected to be in service and used to set the base rates for the utility.

The Commission determines that a utility should be able to recover the cumulative investment costs of all eligible property less depreciation after a successive overearnings period ceases, including the cumulative net depreciated book value fixed cost of DSIC-eligible plant that was placed into service but was not previously reflected in the utility's or projected to be in service and used to set the base rates for the utility. Thus, the Commission determines that the utility may recover the fixed costs associated with its cumulative investment in eligible property less depreciation in the future quarter in which the utility is no longer in an overearning status. However, there would be no recovery through the 1307(e) reconciliation process of the otherwise DSIC eligible costs that were incurred during the period the utility experienced overearnings.

Finally, there appears to be an underlying issue with regard to the fact that a utility is experiencing successive quarters of overearnings. If a utility is experiencing an overearning over a successive and consecutive period of time, this suggests that the utility's existing rates are allowing the utility to recover its costs and expenses and are more than sufficient to provide a fair return to investors and the utility. In the TSIO, the Commission expressed a concern regarding a utility experiencing multiple and successive overearnings as it relates to the viability of its DSIC mechanism. Nevertheless, the Commission acknowledges that the impact of the utility's overearning is minimized by the consumer protection statutory provision that requires the DSIC rate to be reset to zero. Essentially, prohibiting the utility from charging customers a DSIC rate and from recovering the fixed costs of the eligible property it has placed in service during the overearnings period. Moreover, the Commission takes note of the EAP's statement that the Code already provides a means for the Commission to initiate a proceeding if it believes a utility is consistently overearning. We agree with this. Therefore, there is no need for us to direct in this instant Order that a utility with a DSIC mechanism that is experiencing multiple and successive overearnings must initiate a rate adjustment via a Section 1308(a) filing in order to address its overearning situation.

2. Residual E-Factor Portion of the DSIC Rate Upon a Reset of the DSIC Rate

A DSIC rate is reset to zero when one of the following occurs: (1) upon the effective date of new base rates that provide for the prospective recovery of the fixed cost of eligible property that has been placed in service or (2) when the utility experiences overearnings in a particular quarter. When the DSIC rate is reset to zero the utility cannot continue to recover under its DSIC mechanism the fixed costs of any eligible property that has been placed in service. However, there is a residual E-factor amounts

that reflect an over collection or under collection upon a reconciliation of projected sales and projected revenue from the prior three-month DSIC period. In the TSIO, the Commission sought comment on whether a utility should have the ability to recover or refund the ongoing E-Factor and/or the residual E-factor amounts when the DSIC rate is reset to zero.

Comments

EAP agrees that the utility tariff should clearly provide that the recovery/refund of any over/under collections will continue even if the DSIC rate has been reset to zero either because the utility is overearning or new base rates have been established. EAP Comments at 7. The FE Companies state that they do not oppose filing tariff supplements to resolve residual over or under collections. FE Comments at 7. Also the FE Companies suggests that the Commission propose specific tariff language for such revisions, and provide an additional period for review and comment. Id. York Water states that it agrees with the Commission that utilities should be able to continue to collect or refund the residual over/under collection or E-factor amount. York Water Comments at 4.

The OCA states that the point of the Act 11 reset provision is to avoid the utility recovering amounts through the DSIC when its base rates are already causing overearnings. OCA Comments at 11. The OCA states is it consistent with this purpose to reduce the DSIC rate below zero to reflect an over collection and would also avoid the utility carrying the over collection and increasing the interest it has to pay to ratepayers. Id. The OCA further states that when it comes to an under collection, it would not be consistent with the purpose of the reset provision to charge a positive DSIC rate as the utility is overearning, and ratepayers do not need to fund infrastructure investment through the DSIC that includes the under collected amounts. Id. Accordingly, the OCA states that the utility should not be permitted to carry forward and accrue interest on the under collection after the overearnings period. Id. The OSBA supports the proposal that utilities can still collect or credit the residual over/under collection balance when the DSIC rate is reset to zero. The OSBA states that resetting the DSIC rate to zero should essentially mean that the going forward of C-Factor component of the DSIC rate is set to zero. The OSBA further states that prior period over or under collections, for periods when a positive DSIC was in effect, should continue to be passed through to ratepayers.

Resolution

The Commission must determine what happens to any residual over/under collections that would have been recovered by the utility under its DSIC mechanism if the DSIC rate had not been reset to zero. Let us first look at the E-factor which is a component of the DSIC rate calculation.

Currently, the formula for calculation of the DSIC rate that was set forth in the Model Tariff attached to the August 2nd Final Implementation Order and adopted by those utilities that have implemented a Commission-approved DISC mechanism is as follows:

$$\text{DSIC} = \frac{(\text{DSI} * \text{PTRR}) + \text{Dep} + \text{e}}{\text{PQR}}$$

Nevertheless, there are two primary components to the DSIC rate calculation. The first component of the DSIC rate calculation is the C-Factor which is represented in the following manner:

$$\frac{(DSI * PTRR)+Dep}{PQR}$$

and represents the current fixed costs of the eligible property. The second component of the DSIC rate calculation is the E-Factor that reflects an error correction of prior period over or under collections and is reflected in the following manner:

$$\frac{e}{PQR}$$

Thus, these two separate components are added together and makeup the DSIC rate calculation and the Commission now determines the DSIC rate calculation should be as follows:

$$DSIC = \frac{(DSI * PTRR)+Dep}{PQR} + \frac{e}{PQR}$$

The C-Factor calculation, which is the basic DSIC rate, is determined four times per year while the E-Factor, which reconciles over and under collections, is only determined once per year. Since the fixed costs associated with the repair, replacement or improvement of eligible property will be reflected in the base rates established after the Section 1308(d) base rate proceeding has concluded, the C-Factor truly “zeros” out upon the effective date of the new base rates.

The E-factor reflects the residual over or under collection from the prior periods the DSIC was billed to customers. The Commission believes that utilities can still collect or credit the residual over/under collection balance when the DSIC rate is reset to zero. Since the over or under collection relates to the prior recovery of approved costs, it appears reasonable that the utility should be required to refund any overcollection to customers and be entitled to recover any under collections for the prior time period. As to any accrued interest, the utility is being permitted to accrue interest on over collections per the statute, but not for any under collection amount. 66 Pa.C.S. § 1358(e)(3). Once the utility determines the specific amount of the residual over or under collection amount, since it most likely would not have the actual amount until sometime after the DSIC rate has been reset to zero, it should then file a tariff supplement to address that residual amount. Accordingly, utilities with ongoing DSIC mechanisms should file a tariff supplement that revises their DSIC tariffs so that language is incorporated therein that allows the utility to file interim revisions to resolve the residual over/under collection or E-factor amount after the DSIC rate is reset to zero. See Appendix A, Revised Model Tariff.

C. Annual Reconciliation and Quarterly Reconciliation

The Commission notes that Act 11 states that a utility may recover the difference between revenue and costs from the annual reconciliation based on a reconciliation period consisting of the twelve months ending December 31st of each year in the normal manner which is a one-year period beginning April 1st and quarterly thereafter or may be permitted to quarterly reconciliation. See 66 Pa.C.S. § 1358(e)(1)(ii). Therefore, in order to give effect to this statutory provision and permit a utility seeking to recover an under-collection from customers or refund an overcollection amount to customers in a single quarter for the quarterly period commencing April 1st, this option should be clearly delineated in its tariff. See Appendix A, Revised Model Tariff.

D. Computation of the DSIC Rate Cap

Section 1358(a)(1) of the Code, 66 Pa.C.S. § 1358(a)(1) and (2), provides a cap for the DSIC rate. Specifically, the DSIC rate cap may not exceed 5% of amounts billed (wastewater utility) or 5% of distribution rates billed (electric and natural gas utilities); however, upon petition, the Commission may grant a waiver of the 5% limit if necessary to ensure and maintain safe and reliable service. 66 Pa.C.S. § 1358(a)(1). Thus, in order to accommodate the acceleration of much-needed infrastructure improvements certain utilities may request that the Commission waive the 5% rate cap.

Clearly, the Commission has the statutory authority to increase the cap above 5% upon petition. However, the statute does not specify the calculation of the DSIC rate cap and whether utilities may be permitted to exclude the E-factor annual reconciliation component from the computation of the rate DSIC cap. For example, if a utility experiences an under collection E-Factor for the reconciliation period, this under-collection E-Factor will reduce the amount of dollars allowed to be recovered for new DSIC eligible plant during the subsequent DSIC application period of April through March. Under collections result from the utility overstating their projected revenues when calculating the quarterly DSIC updates. This over projection of revenues could result from a mild winter (for gas and electric utilities); or a very wet summer (i.e., less watering) or drought conditions causing water usage restrictions (for water utilities). If a utility experiences an under-collection, which reduces the dollars available for current DSIC cost recovery, the utilities are unable to realize the full benefit of the original intent of the law, which was to accelerate the replacement of DSIC eligible property up to a capped percentage of distribution revenue without having to file a base rate case. Therefore, in the TSIO, the Commission sought comment on whether it is feasible and in the public interest to allow this to occur and whether it has the statutory authority to do such.

Comments

EAP states that it does not believe that the legal issue of whether the Commission possesses the statutory authority to exclude the E-factor component from the DSIC rate cap is ripe for resolution in this Order. EAP Comments at 8. The FE Companies state that they are unaware of a statutory provision that would allow the Commission to exclude the E-factor from the C-factor and still comply with the rate description set forth in Section 1358(e) of the Code, which addresses the E-factor and the C-factor uniformly. FE Companies Comments at 8. The FE Companies conclude that the five percent DSIC cap should apply to the entire rate without exclusion of over or under collection contained in the E-factor. Id. PPL recommends that the E-factor reconciliation component be excluded from the computation of the DSIC rate cap. PPL Comments at 12. PPL states that the E-factor is related to the over/under collection of DSIC eligible costs for the prior recovery period. Id. PPL asserts that the E-factor component from the prior recovery period should be excluded from the DSIC rate cap for the current recovery period because it relates to the time period in which the utility was authorized to charge and collect the designated DSIC rate. Id.

PAWC asserts that the Commission has the necessary statutory authority to exclude the E-factor from the DSIC rate cap. PAWC Comments at 7. PAWC advocates for the exclusion of the E-factor from the calculation of the rate cap by stating that it is not actually included in the DSIC

mechanism. *Id.* PAWC further states that the public interest will be served by excluding the E-factor as there is a positive and negative E-factor. *Id.* York Water asserts that the E-factor should be excluded from the calculation of the rate cap because it applies to previous periods and not to the current period's charges. York Water Comments at 5. York states the E-factor works both ways, as a positive or negative number, it is in the public interest to exclude it. *Id.* Additionally, York Water states that the E-factor is a separate mechanism reconciled separately showing results of previous DSIC periods. *Id.*

Aqua states that the Commission has the authority to exclude the E-factor in the calculation of the DSIC cap. Aqua Comments at 8. Aqua asserts that the Commission has been granted latitude in Section 1358(d) of the Code, 66 Pa.C.S. § 1358(d), to prescribe the specific procedures to be followed to approve the DSIC mechanism. Aqua Comments at 9. Aqua also states because the calculation of the DSIC rate cap is not specified in the statutory language, it is within the Commission's authority to determine the details of the calculation. *Id.*

The OCA states that the Code clearly prohibits exclusion of the E-factor component from the calculation of the DSIC rate cap. OCA Comments at 11. The OCA states that the amount billed to customers is the bottom line amount of the customer's distribution bill (water and gas) and total bill (water and wastewater) as set forth in 66 Pa.C.S. § 1358(a)(1) and (2). *Id.* The OCA states that the DSIC rate, by definition, is a distribution rate. Thus the OCA concludes that every component of the DSIC rate, including the E-factor component, is a distribution rate. *Id.* The OSBA states that it is not in the public interest and does not even address the statutory authority question. OSBA Comments at 4. The OSBA explains that excluding the E-factor from the DSIC rate cap would create an incentive for utilities to load forecasts so that they can recover more costs than permissible under the five percent DSIC rate cap. *Id.* The OSBA states that this would essentially allow utilities to "game" their DSIC filings to ensure under collections in order to circumvent the DSIC rate cap. *Id.* The OSBA further states that the DSIC rate cap is a basic consumer protection embedded in the Code and no waiver of the inclusion of the E-factor, as a component of the overall DISC rate cap, is included within the Code. OSBA Comments at 5.

Resolution

One discrete issue raised in this proceeding is whether the Commission has the authority to exclude the E-factor reconciliation component from the computation of the DSIC cap.⁶ Clearly, Act 11 gives the Commission authority to waive the cap upon petition of a utility. The question at hand is whether the Commission has the authority to completely exclude the E-factor from the calculation of the DSIC rate cap without a utility first justifying it pursuant to the standards in 66 Pa.C.S. § 1358(a)(1). This section of Act 11 provides that a rate cap can be waived if it will "...ensure and maintain adequate, efficient, safe, reliable, and reasonable service."

The Office of Consumer Advocate (OCA) submits that "[e]xclusion of the E-factor from calculation of the rate-cap has the same effect as a direct waiver of the DSIC rate cap—to increase the rates above the statutory 5% or 7.5%." (OCA Comments at 12). The FirstEnergy Companies point out that the E-factor and the C-factor are both

described together in 66 Pa.C.S. § 1358(e). Further, the FirstEnergy Companies state they are unaware of a statutory provision that would allow the Commission to exclude the E-factor from the C-factor and still comply with Section 1358. (FirstEnergy Companies Comments at 7-8).

The Commission agrees with the comments presented by OCA and the FirstEnergy Companies. Act 11 does not empower the Commission to universally disaggregate the E-factor from the DSIC calculation. Rather, Act 11 only grants the Commission the authority to waive the DSIC rate cap upon petition of an individual utility. The form of this waiver may come in the exclusion of the E-factor, in an increase of the rate cap to a new percentage, or in whatever form that a utility validly claims is necessary to ensure safe and reliable service. Such waivers must be made on a case-by-case basis and substantiated within the context of a utility's petition. Accordingly, the Commission determines that the E-factor is not a severable component and should not be excluded from the calculation of the DSIC rate cap.

E. Water Utility Long-Term Infrastructure Plans

Section 1360(a) provides that the Commission may accept a prior long-term infrastructure plan filed by a water utility or may require submission of a new LTIP pursuant to Section 1360(b). Presently, the Commission has not established a due date for water utilities with previously approved DSICs to file long-term infrastructure improvement plans as it considered the substantial progress made in the water industry over the past 15 years in accelerating the rate of main replacements and other infrastructure improvements. However, in the TSIO, the Commission tentatively proposed that it was now time for water utilities to file LTIPs with the Commission in order to ensure that all utilities that are eligible to implement a DSIC are following uniform rules and procedures regarding Commission-approved DSIC mechanisms. The Commission also gave a tentative schedule for all jurisdictional water utilities to file LTIPs pursuant to Act 11. The Commission sought comments from water utilities regarding its tentative proposal.

Comments

PAWC states that directing water companies to file an LTIP after more than eighteen years after the passage of the water DSIC legislation is counterintuitive. PAWC Comments at 8. PAWC notes that the water companies have accelerated infrastructure improvement and much-needed repairs for several years without an LTIP. *Id.* Thus, PAWC requests that only those water companies that had not already implemented a DSIC mechanism under the prior legislation, now repealed Section 1307(g), should be required to file an LTIP (in order to implement a DSIC mechanism pursuant to Act 11). *Id.*

Additionally, Aqua states that the General Assembly specifically exempted water utilities from filing LTIPs and that it does not believe that an added layer of reporting through the LTIP is necessary for water companies that have been utilizing a DSIC mechanism for many years simply for the purpose of uniformity. Aqua Comments at 9.

Further, York Water asserts that the LTIP is a prerequisite for utilities in order to determine that it had an outline or plan to actually do qualified repairs, replacements and improvements before the Commission allowed

⁶ The E-factor component of the DSIC allows for the correction of prior period DSIC over/under-collections.

it to implement a DSIC mechanism. York Water Comments at 5. York Water states that water utilities that already have implemented a DSIC, pre-Act 11 enactment, have already filed the actual qualified projects as they have been undertaken and are already collecting the DSIC, making the LTIIP unnecessary for water utilities. *Id.*

The OCA states that it supports standardizing the requirements of water utilities with the Act 11 legislation and statutory requirements. The OCA further states that the September 30, 2016 deadline for submittal of an LTIIP set forth in the TSIO should only apply to the six water companies that chose to implement a DSIC mechanism under the 1997 legislation. All other water companies seeking to implement a DSIC mechanism for the first time would have to follow the rule and procedures of Act 11.

Resolution

It is understood that Act 11 was enacted to allow EDCs, NGDCs, wastewater utilities, and city natural gas operations to implement a DSIC mechanism as had been done for water utilities previously. So all of these categories of jurisdictional utility types can now recover the reasonable and prudently incurred costs related to the repair, improvement, and replacement of utility infrastructure pursuant to a Commission-approved DSIC mechanism. The Commission acknowledged that in order to qualify for DSIC recovery, under Act 11, a utility is required to submit a LTIIP for Commission approval. See 66 Pa.C.S. § 1352(a). This statutory provision ensures that the DSIC repairs, improvements, and replacements to eligible property are being made consistent with the schedule set forth in the LTIIP that has carefully examined the utility's current distribution infrastructure, including its elements, age, and performance and that also reflects reasonable and prudent planning of expenditures over the course of many years to replace and improve aging infrastructure in order to maintain the safe, adequate, and reliable service required by law. See 66 Pa.C.S. § 1501.

The Commission's ultimate goal is to ensure that all utilities that have implemented a Commission-approved DSIC mechanism are following uniform rules and procedures. As we previously stated in the TSIO, the Commission believes it is now time for water utilities to begin to comply with many of the requirements of Act 11, including filing an LTIIP with the Commission. Therefore, the Commission directs the water utilities that have implemented a DSIC mechanism under the now repealed 1997 legislation to file an LTIIP pursuant to Act 11 within 180 days of the entry of this Order. The Commission will issue a Secretarial letter setting forth a staggered schedule for those water utilities with active DSICs implemented pursuant to the pre-Act 11 legislation to comply with the above 180-day filing mandate.

As we directed in the August 2nd Final Implementation Order, the long term infrastructure plan should include a review of all distribution plant, including its inventory, age, functionalities, reliability and performance. The LTIIP should also include a general description of the location of the eligible property and a reasonable estimate of the quantity of eligible property to be improved. See 66

Pa.C.S. § 1352(a)(3) and (a)(4). Additionally, the LTIIP should include a schedule for the planned repair and replacement of eligible property. See 66 Pa.C.S. § 1352(a)(2).

The Commission notes that the water utilities have already taken substantial steps to address their aging infrastructure, nevertheless, there is an expectation that the LTIIP should reflect how the DSIC will maintain or augment acceleration of infrastructure replacement and prudent capital investment over the water utility's historic level of capital improvement going forward. Lastly, the Commission is empowered to order a new or revised plan if the utility's proposed LTIIP is not adequate. See 66 Pa.C.S. § 1352(a)(7). All of these LTIIP requirements are now applicable to water companies and we suggest that the water utilities acquaint themselves with our August 2nd Final Implementation Order which lays out the manner in which the LTIIP will be processed and reviewed by the Commission.

Conclusion

The enactment of Act 11 provides utilities with an additional rate mechanism to recover the capitalized costs related to repair, improvement and replacement utility infrastructure. A DSIC mechanism reduces regulatory lag, improves access to capital at lower rates, and accelerates infrastructure improvement and replacement. The purpose of this Supplemental Implementation Order is to address fully the discrete issues that had arisen regarding the implementation of the DSIC surcharge mechanism at this point in time but were not fully addressed in previous DSIC-related orders and to finalize procedures and guidelines for those various issues. The Commission will review the tariff filings and claims made under this Supplemental DSIC Implementation Order and will, after notice and opportunity to be heard, adjudicate any disputes as they arise. On the other hand, the requirement that water utilities file a LTIIP shall be effective as set forth in the below ordering paragraph; *Therefore,*

It Is Ordered That:

1. A copy of this Final Supplemental Implementation Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at www.puc.pa.gov.
2. All jurisdictional utilities with a Commission-approved DSIC mechanism shall file a tariff in compliance with the Model Tariff attached as Appendix A within forty-five (45) days of entry of this Order.
3. All water utilities that have implemented a DSIC mechanism pursuant to the repealed 1307(g) must file a LTIIP within one hundred and eighty (180) days of the entry of this Order in accordance with the schedule set forth in the Commission's subsequently-issued Secretarial letter.
4. A copy of this Final Supplemental Implementation Order be served on all jurisdictional water and wastewater companies, electric distribution companies, natural gas distribution companies and Philadelphia Gas Works, and the statutory advocates.

ROSEMARY CHIAVETTA,
Secretary

NOTICES

Appendix A

Supplement No. ___ to
 Tariff (UTILITY TYPE)-PA P.U.C. No. _____
 _____ Revised Page _____
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[UTILITY NAME]

DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

In addition to the net charges provided for in this Tariff, a charge of ___ % will apply consistent with the Commission Order dated _____ at Docket No. _____, approving the DSIC.

[NOTE: THIS MODEL TARIFF IS EXPRESSED IN TERMS OF “DISTRIBUTION SYSTEMS.” FOR WASTEWATER UTILITIES, THIS REFERS TO THEIR COLLECTION SYSTEMS.]

Issued: (ISSUED DATE) **Effective: (EFFECTIVE DATE)**
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[UTILITY NAME]

DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

1. General Description

A. Purpose: To recover the reasonable and prudent costs incurred to repair, improve, or replace eligible property which is completed and placed in service and recorded in the individual accounts, as noted below, between base rate cases and to provide the Utility with the resources to accelerate the replacement of aging infrastructure, to comply with evolving regulatory requirements and to develop and implement solutions to regional supply problems.

The costs of extending facilities to serve new customers are not recoverable through the DSIC.

[NOTE FOR WATER/WASTEWATER: Utility projects receiving PENNVEST funding or using PENNVEST surcharges are not DSIC-eligible property to the extent of the PENNVEST funding or surcharge.]

B. Eligible Property: The DSIC-eligible property^[7] will consist of the following:
[CHOOSE UTILITY TYPE]

[ELECTRIC DISTRIBUTION COMPANIES]

- Poles and towers (account 364);
- Overhead conductors (account 365) and underground conduit and conductors (accounts 366 and 367);
- Line transformers (account 368) and substation equipment (account 362);
- Any fixture or device related to eligible property listed above including insulators, circuit breakers, fuses, reclosers, grounding wires, crossarms and brackets, relays, capacitors, converters and condensers;
- Unreimbursed costs related to highway relocation projects where an electric distribution company must relocate its facilities; and
- Other related capitalized costs.

[NATURAL GAS DISTRIBUTION COMPANIES AND CITY NATURAL GAS DISTRIBUTION OPERATIONS]

- Piping (account 376);
- Couplings (account 376);
- Gas services lines (account 380) and insulated and non-insulated fittings

[1 Whether a project is DSIC eligible is not controlled by the account number. The listing of projects and inclusion of account numbers in the model tariff is illustrative to emphasize that DSIC tariffs must reflect account numbers. The lists of property and account numbers in the model tariff are neither finite nor exclusive.

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[UTILITY NAME]

DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

- (account 378);
- Valves (account 376);
- Excess flow valves (account 376);
- Risers (account 376);
- Meter bars (account 382);
- Meters (account 381);
- Unreimbursed costs related to highway relocation projects where a natural gas distribution company or city natural gas distribution operation must relocate its facilities; and
- Other related capitalized costs.

[WATER UTILITIES]

- Services (account 333000), meters (account 334100) and hydrants (account 335000) installed as in-kind replacements for customers;
- Mains and valves (account 331800) installed as replacements for existing facilities that have worn out, are in deteriorated condition, or are required to be upgraded to meet under 52 Pa Code § 65 (relating to water service);
- Main extensions (account 331800) installed to eliminate dead ends and to implement solutions to regional water supply problems that present a significant health and safety concern for customers currently receiving service from the water utility;
- Main cleaning and relining (account 331800) projects; and
- Unreimbursed costs related to highway relocation projects where a water utility must relocate its facilities; and
- Other related capitalized costs.

[WASTEWATER UTILITIES]

- Collection sewers (account 360), collecting mains (account 360), and service laterals (account 361), including sewer taps, curbstops, and lateral cleanouts installed as in-kind replacements for customers;
- Collection mains (account 361) and valves (account 367) for gravity and pressure systems and related facilities such as manholes, grinder pumps, air and vacuum release chambers, cleanouts, main line flow meters, valve vaults, and lift stations installed as replacements or upgrades for existing facilities that have worn out, are in deteriorated condition, or are required to be upgraded by law, regulation, or order;
- Collection main extensions (account 381) installed to implement solutions to wastewater problems that present a significant health and safety concern for customers currently receiving service from the wastewater utility;

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DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

- Collection main rehabilitation (account 360) including inflow and infiltration projects;
- Unreimbursed costs related to highway relocation projects where a wastewater utility must relocate its facilities; and
- Other related capitalized costs.

C. Effective Date: The DSIC will become effective (**EFFECTIVE DATE**).

2. Computation of the DSIC

A. Calculation: The initial DSIC, effective (**EFFECTIVE DATE**), shall be calculated to recover the fixed costs of eligible plant additions that have not previously been reflected in the Utility’s rates or rate base and will have been placed in service between (**THREE-MONTH PERIOD ENDING ONE MONTH PRIOR TO EFFECTIVE DATE**). Thereafter, the DSIC will be updated on a quarterly basis to reflect eligible plant additions placed in service during the three-month periods ending one month prior to the effective date of each DSIC update. Thus, changes in the DSIC rate will occur as follows:

<u>Effective Date of Change</u>	<u>Date to which DSIC-Eligible Plant Additions Reflected</u>
	<u>(CHART TO BE FILLED IN BY UTILITY)</u>

[THE FOLLOWING PARAGRAPHS PERTAIN TO WATER, WASTEWATER, ELECTRIC DISTRIBUTION, AND NATURAL GAS DISTRIBUTION UTILITIES ONLY. FOR CITY NATURAL GAS DISTRIBUTION OPERATIONS, SEE BELOW.]

B. Determination of Fixed Costs: The fixed costs of eligible distribution system improvements projects will consist of depreciation and pre-tax return, calculated as follows:

1. Depreciation: The depreciation expense shall be calculated by applying the annual accrual rates employed in the Utility’s most recent base rate case for the plant accounts in

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DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

which each retirement unit of DSIC-eligible property is recorded to the original cost of DSIC-eligible property.

2. Pre-tax return: The pre-tax return shall be calculated using the statutory state and federal income tax rates, the Utility's actual capital structure and actual cost rates for long-term debt and preferred stock as of the last day for the three-month period ending one month prior to the effective date of the DSIC and subsequent updates. The cost of equity will be the equity return rate approved in the Utility's last fully litigated base rate proceeding for which a final order was entered not more than two years prior to the effective date of the DSIC. If more than two years shall have elapsed between the entry of such a final order and the effective date of the DSIC, then the equity return rate used in the calculation will be the equity return rate calculated by the Commission in the most recent Quarterly Report on the Earnings of Jurisdictional Utilities released by the Commission.

C. Application of DSIC: The DSIC will be expressed as a percentage carried to two decimal places and will be applied to the total amount billed to each customer for distribution service [**WATER and WASTEWATER UTILITIES ONLY:** for service] under the Utility's otherwise applicable rates and charges, excluding amounts billed for [**WATER UTILITIES ONLY:** public fire protection service] and the State Tax Adjustment Surcharge (STAS). To calculate the DSIC, one-fourth of the annual fixed costs associated with all property eligible for cost recovery under the DSIC will be divided by the Utility's projected revenue for distribution service (including all applicable clauses and riders) for the quarterly period during which the charge will be collected, exclusive of [**WATER UTILITIES ONLY:** revenues from public fire protection service and] the STAS.

D. Formula: The formula for calculation of the DSIC is as follows:

$$\text{DSIC} = \frac{(\text{DSI} * \text{PTRR}) + \text{Dep}}{\text{PQR}} + \frac{e}{\text{PQR}}$$

Where:

DSI = Original cost of eligible distribution system improvement projects net of accrued depreciation.
 PTRR = Pre-tax return rate applicable to DSIC-eligible property.
 Dep = Depreciation expense related to DSIC-eligible property.
 e = Amount calculated (+/-) under the annual reconciliation feature or Commission audit, as described below.

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DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

PQR = Projected quarterly revenues for distribution service (including all applicable clauses and riders) from existing customers plus netted revenue from any customers which will be gained or lost by the beginning of the applicable service period.

[NOTE: UTILITY TO MAKE ELECTION AND STATE WHETHER SUCH QUARTERLY REVENUES WILL BE DETERMINED ON THE BASIS OF EITHER THE SUMMATION OF PROJECTED REVENUES FOR THE APPLICABLE THREE-MONTH PERIOD OR ONE-FOURTH OF PROJECTED ANNUAL REVENUES.]

[NOTE: The DSIC calculation does not factor in the plant of acquired troubled companies or the revenue of customers acquired from troubled companies until such plant and customer rates have been part of a base rate case by the acquiring utility.]

FOR CITY NATURAL GAS DISTRIBUTION OPERATIONS ONLY

B. Recoverable Costs: The recoverable costs shall be amounts reasonably expended or incurred to purchase and install eligible property and associated financing costs, if any, including debt service, debt service coverage, and issuance costs.

C. Application of DSIC: The DSIC will be expressed as a percentage carried to two decimal places and will be applied to the total amount billed to each customer for distribution service under the Utility's otherwise applicable rates and charges. To calculate the DSIC, one-fourth of the annual recoverable costs associated with all property eligible for cost recovery under the DSIC will be divided by the Utility's projected revenue for distribution services (including all applicable clauses and riders) for the quarterly period during which the charge will be collected.

D. Formula: The formula for calculation of the DSIC is as follows:

$$\text{DSIC} = \frac{\text{DSI}}{\text{PQR}} + \frac{e}{\text{PQR}}$$

Where:

DSI = Recoverable costs (defined in Section B. directly above)
 e = the amount calculated under the annual reconciliation feature or Commission audit, as described below.

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DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

PQR = Projected quarterly revenues for distribution service (including all applicable clauses and riders) including any revenue from existing customers plus netted revenue from any customers which will be gained or lost by the beginning of the applicable service period.

[NOTE: UTILITY TO MAKE ELECTION AND STATE WHETHER SUCH QUARTERLY REVENUES WILL BE DETERMINED ON THE BASIS OF EITHER THE SUMMATION OF PROJECTED REVENUES FOR THE APPLICABLE THREE-MONTH PERIOD OR ONE-FOURTH OF PROJECTED ANNUAL REVENUES.]

3. Quarterly Updates: Supporting data for each quarterly update will be filed with the Commission and served upon the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate at least ten (10) days prior to the effective date of the update.

4. Customer Safeguards

A. Cap: The DSIC is capped at 5.0% of the amount billed to customers for distribution service (including all applicable clauses and riders) as determined on an annualized basis.

[Note: Several water utilities have Commission-approved DSICs that are capped at 7.5% of the amount billed for service.]

B. Audit/Reconciliation: The DSIC is subject to audit at intervals determined by the Commission. Any cost determined by the Commission not to comply with any provision of 66 Pa C.S. §§ 1350, *et seq.*, shall be credited to customer accounts. The DSIC is subject to annual reconciliation based on a reconciliation period consisting of the twelve months ending December 31 of each year or the utility may elect to subject the DSIC to quarterly reconciliation but only upon request and approval by the Commission. The revenue received under the DSIC for the reconciliation period will be compared to the Company's eligible costs for that period. The difference between revenue and costs will be recouped or refunded, as appropriate, in accordance with Section 1307(e), over a one-year period commencing on April 1 of each year, or in the next quarter if permitted by the Commission. If DSIC revenues exceed DSIC-eligible costs, such over-collections will be refunded with interest. Interest on over-collections and credits will be calculated at the residential mortgage lending specified by the Secretary of Banking in accordance with the Loan Interest and Protection Law (41 P.S. §§ 101, *et seq.*) and will be refunded in the same manner as an over-collection. The utility is not permitted to accrue interest on under collections.

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DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

C. New Base Rates: The DSIC will be reset at zero upon application of new base rates to customer billings that provide for prospective recovery of the annual costs that had previously been recovered under the DSIC. Thereafter, only the fixed costs of new eligible plant additions that have not previously been reflected in the Utility's rates or rate base will be reflected in the quarterly updates of the DSIC.

D. Customer Notice: Customers shall be notified of changes in the DSIC by including appropriate information on the first bill they receive following any change. An explanatory bill insert shall also be included with the first billing.

E. All customer classes: The DSIC shall be applied equally to all customer classes.

F. Earning Reports: The DSIC will also be reset at zero if, in any quarter, data filed with the Commission in the Utility's then most recent Annual or Quarterly Earnings reports show that the Utility would earn a rate of return that would exceed the allowable rate of return used to calculate its fixed costs under the DSIC as described in the pre-tax return section. The utility shall file a tariff supplement implementing the reset to zero due to overearning on one-day's notice and such supplement shall be filed simultaneously with the filing of the most recent Annual or Quarterly Earnings reports indicating that the Utility has earned a rate of return that would exceed the allowable rate of return used to calculate its fixed costs. [NOTE: THIS PARAGRAPH IS NOT APPLICABLE TO CITY NATURAL GAS DISTRIBUTION OPERATIONS UTILITIES.]

~~**G. Public Fire Protection:** The DSIC of a water utility will not apply to public fire protection customers.~~

G. Residual E-Factor Recovery Upon Reset To Zero: The utility shall file with the Commission interim rate revisions to resolve the residual over/under collection or E-factor amount after the DSIC rate has been reset to zero. The utility can collect or credit the residual over/under collection balance when the DSIC rate is reset to zero. The utility shall refund any overcollection to customers and is entitled to recover any undercollections as set forth in Section 4.B. Once the utility determines the specific amount of the residual over or under collection amount after the DSIC rate is reset to zero, the utility shall file a tariff supplement with supporting data to address that residual amount. The tariff supplement shall be served upon the Commission's Bureau of Investigation and Enforcement, the Bureau of Audits, the Office of Consumer Advocate, and the Office of Small Business Advocate at least ten (10) days prior to the effective date of the supplement.

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[UTILITY NAME]

DISTRIBUTION SYSTEM IMPROVEMENT CHARGE
(DSIC)

H. Public Fire Protection: The DSIC of a water utility will not apply to public fire protection customers.

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[Pa.B. Doc. No. 16-1748. Filed for public inspection October 7, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 24, 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.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2016-2563872. Call-A-Car, Inc. (1163 Miller Road, Lake Ariel, Wayne County, PA 18436) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Lackawanna, Luzerne, Pike and Wayne, to points in Pennsylvania, and return.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2016-2564547. Ken Robinson Limousine Service, LLC (10511 Valley Forge Circle, King of Prussia, Montgomery County, PA 19406) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Montgomery, Delaware, Chester and Bucks, and from points in said counties to points in Pennsylvania, and return; excluding that service which is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2567654. Northeast Town Car Service Corp. (RR 4 Box 4450, Hazleton, Luzerne County, PA 18202) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, at A-00122992, authorizing the transportation of persons, in paratransit service, between points in the City of Hazleton, Luzerne County, and within an airline distance of 35 statute miles of the limits of said city, to points in Pennsylvania and return, excluding the right to transport from points in the County of Schuylkill.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1749. Filed for public inspection October 7, 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 October 24, 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. FEB, LLC; Docket No. C-2016-2561023

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 FEB, LLC, (respondent) is under suspension effective July 19, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 300 Park Ave., Apt. 313, Wilkes-Barre, PA 18702.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 25, 2015, at A-6316546.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6316546 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I

expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/23/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. 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. BMS Towing, Inc.;
Docket No. C-2016-2561261

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 BMS Towing, Inc., (respondent) is under suspension effective August 02, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 16 Wayne Ave., Jeannette, PA 15644.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 25, 2014, at A-8916303.

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-8916303 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/23/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. 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 regula-

tions 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. Bless Carriers, LLC; Docket No. C-2016-2564771

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 Bless Carriers, LLC, (respondent) is under suspension effective August 07, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1356 Sunset Street, Trainer, PA 19061.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 22, 2013, at A-8915222.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915222 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: 9/13/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

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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.

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Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

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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
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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.

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F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1750. Filed for public inspection October 7, 2016, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 16-111.S, RFP, CM Services for the Old Delaware Avenue Reconstruction Project until 2 p.m. on Tuesday, November 8, 2016. Information (including mandatory preproposal 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. 16-1751. Filed for public inspection October 7, 2016, 9:00 a.m.]

STATE ATHLETIC COMMISSION

Public Meetings for 2017

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2017 under 5 Pa.C.S. § 103 (relating to duties of commission). All meetings will be held at 11 a.m. in Room 303, North Office Building, Harrisburg, PA 17120. These meetings are open to the public and are scheduled as follows:

February 22, 2017
April 26, 2017
June 28, 2017
August 30, 2017
October 25, 2017
December 20, 2017

Individuals with questions regarding these meetings should contact the Commission at (717) 787-5720.

GREGORY P. SIRB,
Executive Director

[Pa.B. Doc. No. 16-1752. Filed for public inspection October 7, 2016, 9:00 a.m.]

STATE HORSE RACING COMMISSION

Amended Schedule of Therapeutic Medications; Correction

An error occurred in the notice published at 46 Pa.B. 6204, 6206 (October 1, 2016). The document number line was inadvertently omitted. The correct document line is as follows. The remainder of the notice is accurate as published.

[Pa.B. Doc. No. 16-1705. Filed for public inspection September 30, 2016, 9:00 a.m.]

THOMAS F. CHUCKAS, Jr.,
Director

Bureau of Thoroughbred Horse Racing

[Pa.B. Doc. No. 16-1753. Filed for public inspection October 7, 2016, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at September Meeting

As part of its regular business meeting held on September 8, 2016, in Cooperstown, NY, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved or tabled the applications of certain water resources projects; and 2) took additional actions, as set forth in the following Supplementary Information.

The business meeting was held on September 8, 2016. Refer to the notice published at 81 FR 64812 (September 21, 2016) for additional information on the proposed rulemaking, including public hearing dates and locations. Comments on the proposed consumptive use mitigation policy may be submitted to the Commission on or before January 6, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically at <http://www.srbc.net/pubinfo/publicparticipation/PublicComments.aspx?type=5&cat=20>. Also see the Commission web site at www.srbc.net.

Supplementary Information

In addition to the actions taken on projects identified in the previous summary and the listings as follows, the following items were also presented or acted upon at the business meeting: 1) rescission of the Commission's Information Technology Services Fee; 2) approval/ratification of a contract and several grants; 3) release of proposed rulemaking to clarify application requirements and standards for review of projects, amend the rules dealing with the mitigation of consumptive uses, add a subpart to provide for registration of grandfathered projects, and revise requirements dealing with hearings and enforcement actions and release of a consumptive use mitigation policy; 4) a report on delegated settlements with the following project sponsors, under SRBC Resolution 2014-15: Lackawanna Energy Center, in the amount of \$2,000 and Troy Borough Municipal Authority, in the amount of \$5,000; 5) approval to extend the term of an emergency certificate with Furman Foods, Inc. to November 30, 2016; and 6) continuance of the Show Cause proceeding granted to Montage Mountain Resorts, LP, to the December 2016 Commission meeting.

Project Applications Approved

The Commission approved the following project applications:

1. Project Sponsor and Facility: Bloomfield Borough Water Authority, Centre Township, Perry County, PA. Groundwater withdrawal of up to 0.180 mgd (30-day average) from Well 3.

2. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Susquehanna River), Great Bend Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20120904).

3. Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough, Lancaster County, PA. Groundwater withdrawal of up to 0.201 mgd (30-day average) from Well 1.

4. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Groundwater withdrawal of up to 0.106 mgd (30-day average) from Well 3.

5. Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough, Lancaster County, PA. Groundwater withdrawal of up to 0.130 mgd (30-day average) from Well 4.

6. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Groundwater withdrawal of up to 0.187 mgd (30-day average) from Well 8.

7. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Groundwater withdrawal of up to 0.216 mgd (30-day average) from Well 9.

8. Project Sponsor and Facility: Geisinger Health System, Mahoning Township, Montour County, PA. Modification to increase consumptive water use by an additional 0.319 mgd (peak day), for a total consumptive water use of up to 0.499 mgd (peak day) (Docket No. 19910103).

9. Project Sponsor: Pennsylvania American Water Company. Project Facility: Nittany Water System, Walker Township, Centre County, PA. Groundwater withdrawal of up to 0.262 mgd (30-day average) from Nittany Well 1.

10. Project Sponsor and Facility: Republic Services of Pennsylvania, LLC, Windsor and Lower Windsor Townships, York County, PA. Renewal of groundwater withdrawal of up to 0.350 mgd (30-day average) from groundwater remediation wells (Docket No. 19860903).

11. Project Sponsor and Facility: SWN Production Company, LLC, Herrick Township, Bradford County, PA. Groundwater withdrawal of up to 0.101 mgd (30-day average) from the Fields Supply Well.

12. Project Sponsor and Facility: Talisman Energy USA, Inc. (Susquehanna River), Sheshequin Township, Bradford County, PA. Renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20120912).

13. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Chiques Creek), West Hempfield Township, Lancaster County, PA. Surface water withdrawal of up to 2.880 mgd (peak day).

14. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-1), Conestoga Township, Lancaster County, PA. Surface water withdrawal of up to 0.360 mgd (peak day).

15. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-1), Conestoga Township, Lancaster County, PA. Consumptive water use of up to 0.100 mgd (peak day).

16. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-2), Conestoga Township, Lancaster County, PA. Surface water withdrawal of up to 0.360 mgd (peak day).

17. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-2), Conestoga Township, Lancaster County, PA. Consumptive water use of up to 0.100 mgd (peak day).

18. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Deep Creek), Hegins Township, Schuylkill County, PA. Surface water withdrawal of up to 2.880 mgd (peak day).

19. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Fishing Creek), Sugarloaf Township, Columbia County, PA. Surface water withdrawal of up to 2.592 mgd (peak day).

20. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Pequea Creek), Martic Township, Lancaster County, PA. Surface water withdrawal of up to 2.880 mgd (peak day).

21. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Roaring Creek), Franklin Township, Columbia County, PA. Surface water withdrawal of up to 2.880 mgd (peak day).

22. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River), Eaton Township, Wyoming County, PA. Surface water withdrawal of up to 2.592 mgd (peak day).

23. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River), Eaton Township, Wyoming County, PA. Consumptive water use of up to 0.100 mgd (peak day).

24. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-1), Montour Township and Catawissa Borough, Columbia County, PA. Surface water withdrawal of up to 0.360 mgd (peak day).

25. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-1), Montour Township and Catawissa Borough, Columbia County, PA. Consumptive water use of up to 0.100 mgd (peak day).

26. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Swatara Creek), East Hanover Township, Lebanon County, PA. Surface water withdrawal of up to 2.880 mgd (peak day).

Project Applications Tabled

The Commission tabled action on the following project applications:

1. Project Sponsor: Exelon Generation Company, LLC. Project Facility: Muddy Run Pumped Storage Project, Drumore and Martic Townships, Lancaster County, PA. Application for an existing hydroelectric facility.

2. Project Sponsor and Facility: Gilberton Power Company, West Mahanoy Township, Schuylkill County, PA. Application for renewal of consumptive water use of up to 1.510 mgd (peak day) (Docket No. 19851202).

3. Project Sponsor and Facility: Gilberton Power Company, West Mahanoy Township, Schuylkill County, PA. Application for groundwater withdrawal of up to 1.870 mgd (30-day average) from the Gilberton Mine Pool.

4. Project Sponsor and Facility: Manbel Devco I, LP, Manheim Township, Lancaster County, PA. Application for groundwater withdrawal of up to 4.320 mgd (30-day average) from the Belmont Quarry.

5. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise

(Susquehanna River-2), Montour Township, Columbia County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

6. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-2), Montour Township, Columbia County, PA. Application for consumptive water use of up to 0.100 mgd (peak day).

7. Project Sponsor and Facility: Village of Windsor, Broome County, NY. Application for groundwater withdrawal of up to 0.380 mgd (30-day average) from Well 2.

8. Project Sponsor and Facility: West Manchester Township Authority, West Manchester Township, York County, PA. Application for groundwater withdrawal of up to 0.216 mgd (30-day average) from Well 7.

Project Application Withdrawn by Project Sponsor

The following project sponsor withdrew its project application:

1. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Little Fishing Creek), Mount Pleasant Township, Columbia County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: September 27, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-1754. Filed for public inspection October 7, 2016, 9:00 a.m.]

Public Hearings

The Susquehanna River Basin Commission (Commission) will hold four public hearings to hear testimony on a proposed consumptive water use mitigation policy as described in the Supplementary Information section of this notice. This policy was released in conjunction with the proposed rulemaking published at 81 FR 64812 (September 21, 2016). For more information on the proposed policy, visit the Commission's web site at www.srbc.net.

In addition to the four public hearings, the Commission will be holding two informational webinars explaining the proposed policy, in conjunction with the proposed rulemaking, on October 11, 2016, and October 17, 2016. Instructions for registration for the webinars will be posted on the Commission's web site. Comments on the proposed policy may be submitted to the Commission on or before January 6, 2017.

The location and schedule of the four public hearings on the proposed policy are:

1. November 3, 2016, 2 p.m. to 5 p.m. or at the conclusion of public testimony, whichever is sooner; Harrisburg—Pennsylvania State Capitol (East Wing, Room 8E-B), Commonwealth Avenue, Harrisburg, PA 17120.

2. November 9, 2016, 7 p.m. to 9 p.m. or at the conclusion of public testimony, whichever is sooner; Binghamton—DoubleTree by Hilton Hotel Binghamton (South Riverside Room), 225 Water Street, Binghamton, NY 13901.

3. November 10, 2016, 7 p.m. to 9 p.m. or at the conclusion of public testimony, whichever is sooner; Williamsport—Holiday Inn Williamsport (Gallery Room), 100 Pine Street, Williamsport, PA 17701.

4. December 8, 2016, 1 p.m. to 3 p.m. or at the conclusion of public testimony, whichever is sooner; Annapolis—Loews Annapolis Hotel (Powerhouse-Point Lookout), 126 West Street, Annapolis, MD 21401.

For further information contact Jason Oyler, Esq., General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

Supplementary Information

The Commission established regulatory requirements for consumptive water use in 18 CFR Part 806 (relating to review and approval of projects), including general provisions, application procedures, standards for review and terms of approval. The regulations provide for mitigation by project sponsors for their consumptive water use during low flow periods and identify several options for mitigation while reserving discretion for the Commission to determine if the manner of mitigation proposed is acceptable. In consideration that mitigation is based on the elimination of manmade impacts caused by consumptive water use during low flows and the return to natural flow conditions, and recent work in quantifying and characterizing consumptive water use and mitigation requirements in the basin, the Commission has refined its strategy for meeting mitigation needs. This policy, as posted on the Commission's Public Participation Center webpage at www.srbc.net/pubinfo/publicparticipation.htm introduces the Commission's consumptive water use mitigation strategy and procedures that should be followed both by the agency and project sponsors.

The proposed policy is intended to provide insight regarding the determination of an acceptable manner of mitigation to be provided by project sponsors for regulated consumptive water use. It also describes contemporary consumptive water use mitigation principles and the criteria utilized by the Commission in its review of proposed mitigation plans submitted as part of a consumptive water use application.

The proposed policy applies to the review of all consumptive water use applications filed with the Commission, including applications for new projects, project modifications proposing to increase consumptive water use, project renewals, and pre-compact consumptive water use if located in a water critical area. It is also applicable on a case by case basis in limited circumstances. It has been developed to provide insight to the regulated community and also to the Commission's Project Review Program and any other staff involved in regulatory requirements of the Commission. It may also be used by the public to gain information and insight on the Commission's approach to consumptive water use mitigation.

Opportunity to Appear and Comment

Interested parties may appear at the hearings to offer comments to the Commission on the proposed policy. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearings. Guidelines for public hearings will be posted on the Commission's previously listed web site prior to the hearings for review. The presiding officer reserves the right to modify or supplement the guidelines

at the hearings. Individuals who wish to testify are asked to notify the Commission in advance, if possible, in writing. Written comments or notification may be mailed to Jason E. Oyler, Esq., General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through the Commission's previously listed Public Participation Center webpage. Comments mailed or electronically submitted must be received by the Commission on or before January 7, 2017, to be considered.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: September 28, 2016.

ANDREW D. DEHOFF,
Executive Director

(Editor's Note: See 46 Pa.B. 6431 (October 8, 2016) for a proposed rulemaking relating to this notice.)

[Pa.B. Doc. No. 16-1755. Filed for public inspection October 7, 2016, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for a used/reconditioned lift truck for its warehouse. Bid documents (16-1078) can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, harmon@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 16-1756. Filed for public inspection October 7, 2016, 9:00 a.m.]