

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 11, 2017.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-7-2017	Standard Financial Corp. Murrysville Westmoreland County  Application for approval to acquire 100% of Allegheny Valley Bancorp, Inc., Pittsburgh, and thereby indirectly acquire 100% of Allegheny Valley Bank of Pittsburgh, Pittsburgh.	Effective

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
4-7-2017	Standard Bank, PaSB Murrysville Westmoreland County  Merger of Allegheny Valley Bank of Pittsburgh, Pittsburgh, with and into Standard Bank, PaSB, Murrysville.  All branch offices of Allegheny Valley Bank of Pittsburgh will become branch offices of Standard Bank, PaSB including the former main office of Allegheny Valley Bank of Pittsburgh located at:  <div style="text-align: right; margin-right: 100px;">5137 Butler Street Pittsburgh Allegheny County</div>	Effective

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-3-2017	Univest Bank and Trust Co. Souderton Montgomery County	216 Hartman Bridge Road Strasburg (Ronks) Lancaster County	Effective

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-10-2017	CNB Bank Clearfield Clearfield County	<i>To:</i> 301 Main Street Ridgway Elk County  <i>From:</i> 2070 Court Street Ridgway Elk County	Approved

**NOTICES**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-10-2017	Marquette Savings Bank Honesdale Wayne County	<i>To:</i> 16272 Conneaut Lake Road Meadville Crawford County  <i>From:</i> 16086 Conneaut Lake Road Meadville Crawford County	Filed
4-10-2017	Wayne Bank Honesdale Wayne County	<i>To:</i> 814 Northern Boulevard Clarks Summit Lackawanna County  <i>From:</i> 651 Northern Boulevard Clarks Summit Lackawanna County	Filed

**Branch Applications**

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-31-2017	Somerset Trust Company Somerset Somerset County	807 Goucher Street Johnstown Cambria County	Closed

**CREDIT UNIONS**

**Branch Applications**

**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-10-2017	Members Choice Financial Credit Union Danville Montour County	11218 State Route 61 Mt. Carmel Northumberland County	Disapproved

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-672. Filed for public inspection April 21, 2017, 9:00 a.m.]

# DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Snowmobile and ATV Advisory Committee Meeting Schedule for 2017

The Snowmobile and ATV Advisory Committee to the Department of Conservation and Natural Resources (Department) will hold the following public meetings:

- April 26, 2017, 10 a.m. Room 105, Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17101
- October 5, 2017, 10 a.m. Promised Land State Park  
100 Lower Lake Road  
Greentown, PA 18426

Questions concerning the meetings or agenda items can be directed to Jennie Shade at (717) 772-9084. Those wishing to participate during the public comment section are encouraged to submit comments in writing to Jennie Shade, Advisor, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Terry Handshew directly at (717) 772-9084 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 17-673. Filed for public inspection April 21, 2017, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0253472 (Sewage)	Bavington STP 533 Bavington Road Burgettstown, PA 15021	Washington County Hanover Township	Raccoon Creek (20-D)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0205419 (Industrial)	Carpenter Powder Products Inc. 682 Mayer Street Bridgeville, PA 15017	Allegheny County Collier Township	Chartiers Creek (20-F)	Yes
PA0096474 A-1 (Storm Water and Hydrostatic Test Water)	Buckeye Terminals, LLC Coraopolis/Pittsburgh Terminal 3200 University Boulevard Coraopolis, PA 15108	Allegheny County Coraopolis Borough	Ohio River (20-G)	Yes
This Amendment is proposed as a result of the Department of Environmental Protection's settlement of Environmental Hearing Board appeal Docket # 2016-143-B. The settlement is contained in a March 30th, 2017 Consent Order and Agreement entered into by the Department of Environmental Protection and Buckeye Terminals, LLC. The settlement was for changes to a Part C Condition of the NPDES permit related to treatment of storm water collected in dike areas.				
Copies of the full agreement may be reviewed by an interested person on request during normal business hours of the Department of Environmental Protection, and are in the possession of Matthew A. Kessler, Assistant Counsel, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4262.				
PA0029971 (Sewage)	Avella Elementary & High School 1000 Avella Road Avella, PA 15312-9699	Washington County Cross Creek Township	Unnamed Tributary to South Fork Cross Creek (20-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0070301 (Sewage)	Whispering Hollow North Mobile Home Park 139 Country Club Road Northampton, PA 18067-3028	Northampton County Moore Township	Hokendauqua Creek (2-C)	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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080209 (Sew)	Hoffman Homes, Inc. 815 Orphanage Road Littlestown, PA 17340	Adams County/ Mount Joy Township	Lousy Run/13-D	Y
PA0030171 (Sew)	Llewellyn's Manufactured Home Community, Inc. 4550 Bull Road Dover, PA 17315	York County/ Conewago Township	UNT Little Conewago Creek/7-F	Y
PA0083160 (Sew)	Anchor Mobile Estates, Peifer & Gross, Inc. PO Box 506 Elizabethtown, PA 17022	Adams County/ Butler Township	Willoughby Run/13-D	Y
PA0082651 (Sew)	Landisburg Muni Authority 202 E. Main Street, PO Box 213 Landisburg, PA 17040	Perry County/ Tyrone Township	Montour Creek/7-A	Y

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

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

**PA0244937**, Storm Water, SIC Code 3273, **A Marinelli & Sons Inc.**, 405 North Walnut Street, West Chester, PA 19380. Facility Name: A Marinelli & Sons. This proposed facility is located in Upper Darby Township, **Delaware County**.

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

The receiving stream(s), Naylor's Run, is located in State Water Plan watershed 3-G 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 overland stormwater flows.—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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

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

- Stormwater Monitoring
- Property Rights

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

The EPA Waiver is in effect.

**PA0058408**, Sewage, SIC Code 6552, **Rivercrest Homeowners Association**, 100 Rivercrest Drive, Phoenixville, PA 19460. Facility Name: Rivercrest STP. This existing facility is located in Upper Providence Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Schuylkill River, is located in State Water Plan watershed 3-D and 3-E and is classified for Migratory Fishes, Warm 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 101 are based on a design flow of 0.112 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	9.3	14	XXX	10	15	20
Total Suspended Solids	9.3	14	XXX	10	15	20
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	3.0	XXX	XXX	3.0	XXX	6
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

- Notification of Responsible Operator
- Abandon STP if Public Sewers Become Available
- No Stormwater
- Acquire Necessary Property Rights
- Proper Sludge Disposal
- Right of Entry

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

The EPA Waiver is in effect.

**PA0057479**, Industrial, SIC Code 3731, **Rhoads Ind Inc.**, 1117 Admiral Peary Way, Philadelphia, PA 19112. Facility Name: Philadelphia Navy Ship Yard—Dry Dock 2. 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 Industrial Waste.

The receiving stream(s), Delaware River, is located in State Water Plan watershed 3-J 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 010.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily 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	Inst Min	100	200	250
Oil and Grease	XXX	XXX	XXX	15	30	30
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- Public Nuisance
- Sludge Removal
- BAT/BCT Requirements
- PCBs Requirements
- Stormwater Requirements

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

The EPA Waiver is in effect.

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

**PA0026263**, Sewage, SIC Code 4952, **York City Sewer Authority**, 345 East Market Street, York, PA 17403. Facility Name: York City STP. This existing facility is located in York City, **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), Codorus Creek, is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 (emergency overflow) are based on a design flow of N/A MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.44
CBOD <sub>5</sub>						
May 1 - Oct 31	Report	Report	XXX	13.0	19.0	26
CBOD <sub>5</sub>						
Nov 1 - Apr 30	Report	Report	XXX	20.0	30.0	40
Total Suspended Solids	Report	Report	XXX	30.0	45.0	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	1.7	XXX	3.4
Nov 1 - Apr 30	Report	XXX	XXX	2.1	XXX	4.2
Total Phosphorus	Report	XXX	XXX	2.0	XXX	4.0

The proposed effluent limits for Outfall 002 are based on a design flow of 26 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0 Max XXX	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	2,819	4,120	XXX	13.0	19.0	26
Nov 1 - Apr 30	4,337	6,505	XXX	20.0	30.0	40
BOD						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	6,505	9,758	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	369	XXX	XXX	1.7	XXX	3.4
Nov 1 - Apr 30	455	XXX	XXX	2.1	XXX	4.2
Total Phosphorus	434	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 (emergency overflow).

<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>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	Report	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	Report	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.

<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>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	474,880	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	63,317	XXX	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Monitoring Requirements
- Whole Effluent Toxicity (WET) Testing Requirements
- Stormwater Requirements
- Pretreatment Program Implementation Requirements
- Outfall 001 discharge prohibition

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.

**PA0082481**, Industrial, SIC Code 4941, **Municipal Authority of the Borough of Lewistown**, 70 Chestnut Street, Lewistown, PA 17044-2216. Facility Name: Laurel Creek Water Filtration Plant. This existing facility is located in Armagh Township, **Mifflin 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), Laurel Creek, is located in State Water Plan watershed 12-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.234 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.6
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Aluminum, Total	XXX	XXX	XXX	2.8	5.6	7
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on a design flow of 0.042 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75

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

- Notification and sampling requirement during sedimentation basin cleaning

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.

**PA0008281**, Industrial, SIC Code 4911, **Brunner Island LLC**, 835 Hamilton Street, Allentown, PA 18101. Facility Name: Brunner Island. This existing facility is located in East Manchester Township, **York 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), Hartman Run, Susquehanna River, Conewago Creek, is located in State Water Plan watershed 7-G, 7-H, and 7-F 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 795 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Oxidants	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)	XXX	XXX	Report Avg Mo	Report Daily Max	XXX	110
Temperature (°F) Intake	XXX	XXX	XXX	Report	Report	XXX
Hourly Temperature Change (°F) Instream Monitoring	XXX	XXX	XXX	XXX	XXX	2.0
Heat Rejection Rate (MBTUs/day)						
Dec 1 - Feb 28	XXX	167,040	XXX	XXX	XXX	XXX
Mar 1 - Apr 30, Nov 1 - 30	XXX	91,870	XXX	XXX	XXX	XXX
May 1 - 31, Oct 1 - 31	XXX	83,520	XXX	XXX	XXX	XXX
Jun 1 - Sep 30	XXX	75,170	XXX	XXX	XXX	XXX
Trihalomethanes, Total	XXX	XXX	XXX	Report	Report	XXX



The proposed effluent limits for Outfall 002 are based on a design flow of 2 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	30.0	50.0	XXX	50.0
Oil and Grease	XXX	XXX	15.0	20.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.032 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>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.63
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 5.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	30.0	50.0	XXX	50.0
Oil and Grease	XXX	XXX	15.0	20.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0 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>Daily Maximum</i>	
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.52 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	130	434	XXX	30	100	100
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	65	86.7	15	20	XXX	30
Total Phosphorus (Total Load, lbs)	Report	XXX	Avg Mo XXX	Daily Max XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) Intake	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Fluoride, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 007.—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>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Nitrogen (Intake)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Minimum	Monthly Average	Maximum	
Total Phosphorus (Intake)	Report	XXX	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	0	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.

The proposed effluent limits for Outfall 008 are based on a design flow of 5.5 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	1,376	2,294	XXX	30	50	50
Oil and Grease	688	917	15	20	XXX	30
			Avg Mo	Daily Max		
Aluminum, Total	XXX	Report	XXX	XXX	Report	XXX
Arsenic, Total	XXX	Report	XXX	XXX	Report	XXX
Boron, Total	XXX	Report	XXX	XXX	Report	XXX
Cadmium, Total	XXX	Report	XXX	XXX	Report	XXX
Copper, Total	XXX	Report	XXX	XXX	Report	XXX
Iron, Total	XXX	Report	XXX	XXX	Report	XXX
Lead, Total	XXX	Report	XXX	XXX	Report	XXX
Manganese, Total	XXX	Report	XXX	XXX	Report	XXX
Mercury, Total	XXX	Report	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	Report	XXX	XXX	Report	XXX
Nickel, Total	XXX	Report	XXX	XXX	Report	XXX
Selenium, Total	XXX	Report	XXX	XXX	Report	XXX
Zinc, Total	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 801 are based on a design flow of \_\_\_\_ MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Oil and Grease	XXX	XXX	15	20	XXX	30
			Avg Mo	Daily Max		
Copper, Total	XXX	XXX	XXX	1.0	1.0	XXX
Iron, Total	XXX	XXX	XXX	1.0	1.0	XXX

The proposed effluent limits for Stormwater Outfalls 006, 013, 014, 015 and 026 are based on a design flow of 0 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX

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

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

- Clean Water Act Section 316(a) Thermal Effluent Limits requirement
- Chemical Additive Usage condition
- Chlorine minimization
- Requirements applicable to Stormwater Outfalls
- Cooling Water Intake Structure requirements
- Effective January 1, 2022, there shall be no discharge of pollutants in bottom ash transport water.
- Effective December 31, 2023, there shall be either zero liquid discharge of flue gas desulfurization wastewater or flue gas desulfurization wastewater discharge shall meet the following limitations:

Pollutants	Monthly Average	Daily Maximum
Arsenic, Total (ug/L)	-	4
Mercury, Total (ng/L)	24	39
Selenium, Total (ug/L)	-	5
Total Dissolved Solids (mg/L)	24	50

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.

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

**PA0264920**, Storm Water, SIC Code 2951, **Commercial Asphalt Supply Inc.**, 161 Plain Grove Road, P.O. Box 672, Valencia, PA 16059-1523. Facility Name: Commercial Asphalt Supply Fennelton. This proposed facility is located in Clearfield Township, **Butler County**.

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

The receiving stream(s), Unnamed Tributary to Buffalo Creek, is located in State Water Plan watershed 18-F and is classified for High Quality Waters—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 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XX	XXX	Report	XXX

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

- Stormwater Monitoring Requirements

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

The EPA Waiver is in effect.

### 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. 0471407 A-4**, Sewage, **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001.

This existing facility is located in Aliquippa City, **Beaver County**.

Description of Proposed Action/Activity: addition of de-chlorination facilities to the sewage plant.

**WQM Permit No. 6570401 A-6**, Industrial, **Arconic Inc.**, 100 Technical Drive, New Kensington, PA 15069.

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

Description of Proposed Action/Activity: Installation of a UV disinfection unit and changes to hydraulic controls to improve treatment performance.

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

**WQM Permit No. 3517403**, Sewage, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

This proposed facility is located in Scranton City, **Lackawanna County**.

Description of Proposed Action/Activity: Improvements to four existing combined sewer overflow (CSO) facilities located at CSO # 12 (Grove Street), CSO # 33 (East Parker Street), CSO # 40 (East Market Street) and CSO # 73 (Front Street). At each site, this project will involve raising the existing weir in the CSO regulator and installing a flow meter to measure the flow over the weir in wet weather events.

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

**WQM Permit No. 6717404**, Sewerage, **Lorin L. Stough**, PO Box 429, Dillsburg, PA 17019.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment to serve their property at 211 Capitol Hill Road, Dillsburg, PA 17019.

**WQM Permit No. 6717405**, Sewerage, **Lorin L. Stough**, PO Box 429, Dillsburg, PA 17019.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow treatment facility to serve the property on lots 3 & 5 Meadowview Road, Dillsburg, PA 17019.

**WQM Permit No. 2817201**, CAFO, **Herbruck Poultry Ranch, Inc.**, 6425 West Grand River Avenue, Saranac, MI 48881.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of two 12,000 gallon fiberglass tanks to store egg wash water.

**WQM Permit No. 3617202**, CAFO, **Walnut Run Farms**, 292 Elm Road, Lititz, PA 17543.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of two new underhouse manure storage structures as part of an improvement/expansion project.

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

**WQM Permit No. 1097409 A-2**, Sewage, **Brady Hills MHC LLC**, 316 W 2nd Street, Suite 1104, Los Angeles, CA 90012-3536.

This existing facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: Modifications to wastewater treatment plant.

**WQM Permit No. 6217406**, Sewage, **Aridith Knopf**, 1701 Jackson Avenue, Warren, PA 16365.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510009	Sugar Mill Development Associates, LP 817 North 3rd Street Philadelphia, PA 19123	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAD510010	City of Philadelphia, Division of Aviation Department of Planning and Environmental Stewardship Philadelphia International Airport Terminal D, Third Floor Philadelphia, PA 19153	Philadelphia	City of Philadelphia	Poquessing Creek WWF-MF

*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390010	Water Polo VII, LP 1030 Reed Avenue, Suite 100 Wyomissing, PA 19610	Lehigh	Upper Macungie Township	UNT to Cedar Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480020	Andrew Wright Vinart Realty Associates 675 State Ave. Emmaus, PA 18049	Northampton	Lower Nazareth Township	UNT to Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD050001	Northern Bedford County School District 152 NBC Drive Loysburg, PA 16659	Bedford County	South Woodbury Township	Three Springs Run (HQ-CWF)
PAD210006	Carlisle Auto Industries 1000 Bryn Mawr Road Carlisle, PA 17013	Cumberland County	Carlisle Borough	Letort Spring Run (HQ-CWF, MF)
PAD360010	Robert Sensenig 276 Scott Road Quarryville, PA 17566	Lancaster County	Little Britain Township	UNT McCreary Run (HQ-TSF)
PAD440001	Glenn O. Hawbaker, Inc. 1952 Waddle Road State College, PA 16803	Mifflin County	Armagh Township	Honey Creek (HQ-CWF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140017	Glenn O. Hawbaker, Inc. 1952 Waddle Road State College, PA 16803	Centre	Potter Twp	Potter Run CWF
PAD140016	Collegiate Development Group, LLC 7711 Bonhomme Avenue Suite 625 St. Louis, MO 63105-1916	Centre	State College Boro	UNT Thompson Run HQ-CWF

*Columbia County Conservation District: 702 Sawmill Road, Suite 204, Bloomsburg, PA 17815, (570) 784-1310, X 102.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD190002	Benton (SR 118) DG, LLC 361 Summit Blvd Birmingham, AL 35243	Columbia	Sugarloaf Twp	UNT Coles Creek

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD030001	Rayburn Township Joint Municipal Authority 105 McGregor Road Kittanning, PA 16201	Armstrong County	Rayburn Township	Pine Creek (HQ) Hays Run (WWF)

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

*McKean County Conservation District, 17137 Route 6, Smethport, PA 16749.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD420001	Jake Lybrook National Fuel Gas Distribution 1100 State Street Erie, PA 16501	McKean	Lafayette Twp	13 UNT East Branch Tunungwant Creek— HQ-CWF Orange Creek HQ-CWF Bear Run—HQ-CWF

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

PAG-12	CAFOs
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### CAFO Notices of Intent Received

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

**NPDES Permit No. PAG123849, CAFO, Herbruck Poultry Ranch Inc., 6425 West Grand River Avenue, Saranac, MI 48881.**

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

Description of size and scope of proposed operation/activity: Poultry (Layer): 7,560 AEUs.

The receiving stream, Unnamed Tributary to Licking Creek, is in watershed 13-C and classified for: Migratory Fishes and Trout Stocking.

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

## STATE CONSERVATION COMMISSION

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

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

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

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

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

CAFO NMP

PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)

<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>
Howard S. Reyburn 1021 Limestone Rd Oxford, PA 19363	Chester	150	672.66	Swine	NA	New
JT Poultry, LLC 664 Mountain Road Elizabethville, PA 17023	Dauphin	0	630	Poultry	N/A	New
Gretna View Farms David Rosenberry 3709 Colebrook Road Manheim, PA 17545	Lancaster	147	523.56	Layers	NA	R
Marshal Snyder 1085 Rothermel Road Dornsife, PA 17823	Northumberland	517.7	276.29	Layers and Beef Steers	N/A	Renewal
Just-A-Mere Farm— Josh Daniels 3746 Mahantango Creek Road Dalmatia, PA 17017	Northumberland	304	116.64	Ducks and Beef Cattle	N/A	Renewal
R&F Family Farms— Jonathan Francis and Andrew Reitz	Northumberland	19.7	1,752.35	Swine	N/A	New

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

*Central Office: Bureau Director, Bureau of Safe Drinking Water, P.O. Box 8467, Harrisburg, PA 17105-8467.*

**Permit No. [9996489]**, Public Water Supply.

Applicant	[Spring Hill Farm Dairy, Inc.]
[Township or Borough]	[Ward Hill, Massachusetts]
Responsible Official	[Marcia Rogers, Quality Assurance Manager]
Type of Facility	[Out of State Bottled Water System]
Application Received Date	[April 3, 2017]
Description of Action	[Applicant requesting Department approval to use the Haverhill Municipal source for their distilled water product. Bottled water to be sold in Pennsylvania under the brand names: Spring Hill Spring Water, Spring Hill Distilled Water, Shur Fine Spring Water, Shur Fine Distilled Water, 365 Spring Water, 365 Distilled Water, Gloverfield Spring Water, Market Basket Distilled Water, IGA Distilled Water and Hanna Natural Spring Water.]



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

**Application No. 4517507**, Public Water Supply.

Applicant **Brodhead Creek Regional Authority**  
410 Mill Creek Road  
East Stroudsburg, PA 18301

Municipality Stroud Township

County **Monroe**

Responsible Official Kenneth R. Brown, Manager  
Brodhead Creek Regional Authority

Type of Facility PWS

Consulting Engineer Steven M. Siegfried, P.E.  
RETTEW Associates, Inc.  
130 Court Street, Suite 200  
Williamsport, PA 17701

Application Received Date March 29, 2017

Description of Action Proposed construction of the Well # 3 Water Filtration Facility, with a membrane filtration system using a GE design basis.

**Application No. 4517506**, Public Water Supply.

Applicant **Brodhead Creek Regional Authority**  
410 Mill Creek Rd.  
East Stroudsburg, PA 18301

[Township or Borough] Stroud Township  
**Monroe County**

Responsible Official Mr. Ken Brown, Manager  
Brodhead Creek Regional Authority  
410 Mill Creek Rd.  
East Stroudsburg, PA 18301

Type of Facility PWS

Consulting Engineer Steven Siegfried, PE  
RETTEW  
130 Court St.  
Williamsport, PA 17701

Application Received Date 3/29/2017

Description of Action Application proposes the construction of a water filtration facility to provide membrane filtration treatment for existing Well No. 3.

**Application No. 4517508**, Public Water Supply.

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

Municipality Lower Mount Bethel Township

County **Northampton**

Responsible Official David R. Kaufman, P.E.  
Vice President—Engineering  
Pennsylvania-American Water Company

Type of Facility PWS

Consulting Engineer Jeremy A. Nelson, P.E.  
Pennsylvania-American Water Company  
2699 Stafford Avenue  
Scranton, PA 18505

Application Received Date April 10, 2017

Description of Action Proposed improvements to the Berry Hollow Water System, including converting two existing hydropneumatic tanks to atmospheric storage tanks and installing two new booster pumps after the tanks.

**Application No. 3517503MA**, Public Water Supply.

Applicant **PA American Water Company**  
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 Paul J. Mourt, PE  
Mott MacDonald  
The Public Ledger Building  
Suite 1040  
150 S. Independence Mall West  
Philadelphia, PA 19106

Application Received 03/30/2017

Description of Action Installation of second transmissions main (6,681 feet)

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

**Permit No. 3017503**, Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**  
PO Box 187  
1440 Jefferson Road  
Jefferson, PA 15344

[Township or Borough] Franklin Township

Responsible Official John Golding, Manager  
Southwestern Pennsylvania Water Authority  
PO Box 187  
1440 Jefferson Road  
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 April 10, 2017

Description of Action Installation of approximately 33,060 feet of 8-inch diameter waterline, a water storage tank and a pump station (Bluff Ridge Water System Extension).

**Permit No. 1117507**, Public Water Supply.  
 Applicant **Glendale Valley Municipal Authority**  
 1800 Beaver Valley Road  
 Flinton, PA 16640

[Township or Borough] White Township  
 Responsible Official Rick Gates, Chairman  
 Glendale Valley Municipal Authority  
 1800 Beaver Valley Road  
 Flinton, PA 16640

Type of Facility Water system  
 Consulting Engineer Keller Engineers, Inc.  
 420 Allegheny Street  
 Hollidaysburg, PA 16648

Application Received Date April 6, 2017  
 Description of Action Installation of approximately 1,200 feet of waterline and a new booster pump system in the Glendale Yearound area.

**Permit No. 6517512**, Public Water Supply.  
 Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672

[Township or Borough] Bell Township  
 Responsible Official Michael Kukura, Resident Manager  
 Municipal Authority of Westmoreland County  
 124 Park & Pool Road  
 New Stanton, PA 15672

Type of Facility Water system  
 Consulting Engineer Municipal Authority of Westmoreland County  
 124 Park & Pool Road  
 New Stanton, PA 15672

Application Received Date April 3, 2017  
 Description of Action Addition of a polymer at the George R. Sweeney water treatment plant.

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

**Permit No. 1017503**, Public Water Supply.  
 Applicant **Pennsylvania American Water Company**

Township or Borough Butler City, Butler Township, Summit Township, East Butler Borough

County **Butler**  
 Responsible Official David R. Kaufman  
 Vice President Engineering  
 Pennsylvania American Water Company  
 800 West Hershey Park Drive  
 Hershey, PA 17033

Type of Facility Community Water Supply

Consulting Engineer Rachael Beam, P.E.  
 Pennsylvania American Water Company  
 300 Galley Road  
 McMurray, PA 15317

Application Received Date April 3, 2017  
 Description of Action Permitting of existing pump stations and storage tanks.

**Permit No. 2503502-T1**, Public Water Supply.  
 Applicant **Mainlines Manholes & Wastewater Treatment, Inc.**

Township or Borough Waterford Township  
 County **Erie**  
 Responsible Official Kyle Luciano  
 Mainlines Manholes & Wastewater Treatment, Inc.

Type of Facility Community Water Supply  
 Consulting Engineer N/A  
 Application Received Date April 4, 2017  
 Description of Action Transfer of permit.

#### MINOR AMENDMENT

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

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

**Application No. 0217518MA, Minor Amendment.**  
 Applicant **Hampton Shaler Water Authority**  
 PO Box 66  
 Allison Park, PA 15101

[Township or Borough] O'Hara Township  
 Responsible Official Kevin Creagh, Operations Manager  
 Hampton Shaler Water Authority  
 PO Box 66  
 Allison Park, PA 15101

Type of Facility Water system  
 Consulting Engineer Hampton Shaler Water Authority  
 PO Box 66  
 Allison Park, PA 15101

Application Received Date April 3, 2017  
 Description of Action Installation of waterline and a pressure reducing valve and vault.

#### 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

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

**WA 61-923A**, Water Allocations. **City of Oil City**, 21 Seneca Street, Oil City, PA 16301, City of Oil City,

**Venango County.** Water Allocation Permit application requesting the right to withdraw 5.0 MGD as an average daily flow rate from a series of river wells located along the Allegheny River in Cranberry Township, **Venango County.**

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

**WA-46-1004, Water Allocations. Schwenksville Borough Authority,** 298 Main Street, P.O. Box 458, Schwenksville, PA 19473, Borough of Schwenksville, **Montgomery County.** The applicant is requesting the right to purchase 36,366 gallons per day of water, based on a 30 day average, from the North Penn Water Authority.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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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:

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

**PennDOT Right-of-Way,** Interstate I-78 East Bound Near Mile Marker 61, Upper Saucon Township, **Lehigh County.** Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, on behalf of K.E.B. Delivery Service, 12 Commerce Street, Chatham, NJ 07928, submitted a Notice of Intent to Remediate. The site contamination occurred as a result of a diesel fuel spill from a tractor-trailer truck fuel tank that ruptured during a vehicle accident. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Morning Call* on January 25, 2017.

**Wolf Property,** 303 South Arch Street, Allentown City, **Lehigh County.** CB&I, 200 Horizon Center, Trenton, NJ 08691, on behalf of Petro Oil Company, 6330 Farm Bureau Road, Allentown, PA 18106, submitted a Notice of Intent to Remediate. An estimated 60 gallons for No. 2 Fuel Oil leaked from an AST after maintenance was performed. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published *The Morning Call* on February 11, 2017.

**Former Mineral Fiber Specialties (MFS),** 1125 Easton Road, Bethlehem City, **Northampton County.** HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of JVI LLC, 1265 Miller Road, Wind Gap, PA 18091, submitted a Notice of Intent to Remediate. Contamination is due to historical operations at the site. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Morning Call* on February 3, 2017.

**Circle of Seasons Charter School,** 8380 Mohr Lane and 8415 Redhaven Street, Weisenberg Township, **Lehigh County.** Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Circle of Seasons Charter School, 8380 Mohr Lane, Fogelsville, PA 18051, submitted a Notice of Intent to Remediate. Impact to soil of arsenic was identified because of historical use of pesticide. The Notice of Intent to Remediate was published in *The Morning Call* on March 17, 2017.

**Cousin's Convenient Store,** 202 Betty Street, Archbald Borough, **Lackawanna County.** Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Cousin's Convenient Store, 202 Betty Street, Archbald, PA 18403, submitted a Notice of Intent to Remediate. A release of No. 2 fuel oil was discovered during the closure of an unregulated heating oil UST and impacted soils at this site. The proposed future use of the

property will be residential. The Notice of Intent to Remediate was published in *The Scranton Times* on April 4, 2017.

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

**844 North Keim Street**, 844 North Keim Street, Lower Pottsgrove Township, **Montgomery County**. David B. Farrington, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, David Magee, Archdiocese of Philadelphia Office of Catholic Education, 222 North 17th Street, Suite 500, Philadelphia, PA 19103-1299 on behalf of Keith Montone, FCE, SPX, LLC, 1373 Enterprise Drive, West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 heating oil. The proposed future use of the property will be for use as a school. A Notice of Intent was published in the *Pottstown Mercury* on March 22, 2017. PF817345.

**US Steel Corporation KIPC 73-Acre Parcel**, Falls Township, **Bucks County**. John A. Garges, GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of vocs, svocs, metals and pcbs. The current and anticipated future use of the site is commercial/industrial. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on March 22, 2017. PF817311.

**Skippack Cleaners Site**, 902 Dekalb Pike, Whitpain Township, **Montgomery County**. Ed Durborow, P.G., Skelly and Loy, Inc, 49 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111 on behalf of Madeleine Fausto, PennDOT Engineering District, 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of chlorinated solvents and lead. The proposed future use of the property will be non-residential for use as a lined retention pond on the PennDOT S.R. 0202 right-of-way. A Notice of Intent to Remediate was published in the *Times Herald* on March 24, 2017. PF817300.

**Gryphin Coatings Inc.**, 3501 Richmond Street, City of Philadelphia, **Philadelphia County**. George Guzdek, PG, Bison Environmental, LLC, 89 Jennifer Lane, Burlington, NJ 08016 on behalf of George Minosi, 5627-41 Hegerman Street, LLC, 2209 North American Street, Philadelphia, PA 19133 has submitted a Notice of Intent to Remediate. Soil and groundwater at site has been impacted with the release of volatile paint related waste such as non-halogenated solvents. The proposed future use of the property will be non-residential retail use. A Notice of Intent to Remediate was published in the *Broad Street* classifieds on March 31, 2017. PF817323.

**21 North 3rd Street**, 21 North 3rd Street, Souderton Borough, **Montgomery County**. Daniel P. Claycomb, Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, Thomas P. Shultz, Coventry Environmental, Inc., 141 Main Street, Spring City, PA 19475 on behalf of Gianna Olivia Skiffington, RE/MAX 440 Realty Inc., 701 West Market Street, Perkasie, PA 18944 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the property is expected to

remain residential. The Notice of Intent to Remediate was published in the *Souderton Independent* on March 21, 2017. PF817318.

**Phelps School**, 583 Sugartown Road, Willistown Township, **Montgomery County**. Alyssa C. Hannigan, Reliance Environmental, Inc, 235 North Duke Street, Lancaster, PA 17602, Michael P. Raffoni, PG, Reliance Environmental, Inc, 235 North Duke Street, Lancaster, PA 17602 on behalf of Stephany P. Fahey, the Phelps School, 583 Sugartown Road, Malvern, PA 19355 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The proposed future use of the property will be continued to be residential for the foreseeable future. A Notice of Intent to Remediate was published in the *Daily Local* news on March 20, 2017. PF617280w.

**Rohm and Haas Company**, 200 Route 413, Bristol Township, **Montgomery County**. David J. Kistner, PG, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Robert Casselberry, Rohm and Haas Company, 310 George Patterson Boulevard, Suite 100, Bristol, PA 19428 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of vocs, svocs. The FBA property is currently undeveloped and future use of the FBA is as open space and a riparian buffer adjacent to the Delaware River. A Notice of Intent to Remediate was published in the *Advance of Bucks County* on February 12, 2017. PF817334.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

#### PLAN APPROVALS

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

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

*Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.*

**58-00001A: Tennessee Gas Pipeline Company** (1001 Louisiana St, Suite 1000, Houston, TX 77002) for the modification permit conditions in their operating permit for the sources operated at their facility located in Clifford Twp., **Susquehanna County**.

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

*Southcentral Region: Air Quality Program, 909 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.*

**67-03166B: C & S Wholesale Grocers, Inc.** (4875 N. Susquehanna Trail, York, PA 17406) to install Diesel Oxidation Catalysts (DOC) to two 2,000 kW (2,885 HP) generators (Source IDs 101 & 102) and one 1,500 kW (2,168 HP) generator (Source ID 103) to meet the carbon monoxide (CO) emissions limit in the non-emergency requirements of the U.S. EPA's Reciprocating Internal Combustion Engine (RICE) National Emission Standards for Hazardous Air Pollutants (NESHAP) via 40 CFR Part 63 Subpart ZZZZ in Conewago Township, York County. As a result of the proposed change, the expected CO emissions decrease at the facility are 2.3 tons per year. The Plan Approval will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The engines are subject to 40 CFR Part 63, Subpart ZZZZ-National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

#### OPERATING PERMITS

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

*Southcentral Region: Air Quality Program, 909 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.*

**28-05011: Waste Management Disposal Services of PA Inc.** (9446 Letzburg Road, Greencastle, PA 17225-9317) for the operation of Mountain View Reclamation Landfill which is controlled by a gas collection and control system (GCCS). The landfill also emits fugitive VOCs and PM<sub>10</sub> working face and roads at the facility in the Antrim and Montgomery Townships, **Franklin County**. The facility has the potential air emissions of: 242.5 tpy of CO, 99.2 tpy of NO<sub>x</sub>, 4.9 tpy of PM<sub>10</sub>, 30.1 tpy PM<sub>10</sub> (landfill fugitive), 21.2 tpy PM<sub>10</sub> (roadway fugitive), 41.4 tpy of SO<sub>x</sub>, 39.5 tpy of VOCs and 13.8 Total HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The landfill is subject to the 40 CFR Part 60, Subpart WWW (NSPS) and 40 CFR Part 63, Subpart AAAA (MACT) requirements. The facility also has an emergency generator that is subject to the 40 CFR Part 63, Subpart ZZZZ (RICE MACT).

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

*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.

**01-03025 New Enterprise Stone & Lime Co., Inc.** (3805 Bullfrog Road, Fairfield, PA 17320) for the operation of a limestone quarry controlled wet suppression and a baghouse at the Fairfield Quarry in the Hamiltonban Township, **Adams County**. The facility has the estimated air emissions of 1.76 tpy of PM<sub>10</sub>. The State Only Operating Permit will include visible emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Some sources at the quarry are subject to NSPS 40 CFR 60, Subpart 000.

**21-05040 New Enterprise Stone & Lime Co., Inc.** (470 Newville Rd, Shippensburg, PA 17257) for the operation of a limestone quarry and blacktop plant controlled by wet suppression and baghouses at the Shippensburg Quarry and Blacktop Plant in the Southampton Township, **Cumberland County**. The facility has the estimated air emissions of 5.5 tpy of SO<sub>x</sub>, 5.2 tpy of NO<sub>x</sub>, 12.3 tpy of CO, 0.7 tpy of HAPs, 5.0 of PM<sub>10</sub>, 0.3 tpy of PM<sub>2.5</sub>, 3.0 tpy of VOC, and 3,496 tpy of CO<sub>2e</sub>. The Synthetic Minor Operating Permit will include visible emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Some sources at the quarry are subject to NSPS 40 CFR 60, Subpart 000. The blacktop plant is subject to NSPS Subpart I.

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

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

**41-00063: Ralph S. Alberts Co., Inc.** (60 Choate Circle, Montoursville, PA 17754) to issue a renewal State Only Operating Permit for the Montoursville Plant located in Fairfield Township, **Lycoming County**. The facility is currently operating under State Only Operating Permit 41-00063. The facility's main sources include a polyurethane foam production process, six paint spray booths, one cold cleaning sink, thirty-three natural gas-fired heaters and various woodworking equipment. The facility has potential emissions of 1.40 TPY of CO; 1.66 TPY of NO<sub>x</sub>; 0.01 TPY of SO<sub>x</sub>; 0.63 TPY of PM/PM<sub>10</sub>; 21.79 TPY of VOCs; 12.03 TPY HAPs; 2,000 TPY GHGs. The polyurethane foam production process is subject to 40 CFR Part 63, Subpart OOOOOO—National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources. The facility is subject to 25 Pa. Code § 129.77—Control of emissions from the use of application of adhesives, sealants, primers and solvents. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

*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 issue a Minor State Only Operating Permit for the following facility:

**OP16-00028: vXchnge PA, LLC** (1500 Spring Garden Street, Philadelphia, PA 19130) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) diesel-fired 2,500 kW diesel emergency generators.

The operating permit will be reissued 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: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

**35-00071A: Millerbean Funeral Home Inc.** (436 Cedar Ave, Scranton, PA 18505) for their facility located in City of Scranton, **Lackawanna 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 Millerbean Funeral Home Inc. (436 Cedar Ave, Scranton, PA 18505) for their facility located in City of Scranton, Lackawanna County. This Plan Approval No. 35-00071A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 35-00071A is for construction and operation of a crematory. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 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.: 35-00071A 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.

## 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.*

**11040701 and NPDES No. PA0235717. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Refuse Area No. 1 in Portage Township, **Cambria County** and related NPDES Permit for additional disposal area to ensure future processing and disposal capacity and add NPDES Point 007. Coal Refuse Disposal Support Acres Proposed 178.6, Coal Refuse Disposal Acres Proposed 178.6. Receiving Stream: Unnamed Tributary of Spring Run, classified for the following use: CWF. The application was considered administratively complete on April 4, 2017. Application received August 31, 2016.

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

**Permit No. 54111301R and NPDES Permit No. PA0225011. Little Buck Coal Company**, (57 Lincoln Road, Pine Grove, PA 17963), renewal of an existing anthracite underground mine operation and NPDES Permit for discharge of treated mine drainage in Tremont Township, **Schuylkill County** affecting 1.5 acres, receiving stream: Stumps Run, classified for the following use: cold water fishes. Application received: February 6, 2017.

**Permit No. 22851304R6. S & M Coal Company**, (1744 East Grand Avenue, Tower City, PA 17980), renewal for reclamation activities only of an existing anthracite underground mine operation in Wiconisco Township, **Dauphin County** affecting 4.2 acres, receiving stream: Wiconisco Creek, classified for the following use: cold water fishes. Application received: February 13, 2017.

**Permit No. 49091301R. Robert Shingara**, (311 Shingara Lane, Sunbury, PA 17801), renewal of an existing anthracite underground mine operation in Zerbe Township, **Northumberland County** affecting 50.0 acres, receiving stream: Zerbe Run, classified for the following use: cold water fishes. Application received: March 16, 2017.

**Permit No. 54011301R3. Alfred Brown Coal**, (71 Hills Road, Hegins, PA 17938), renewal of an existing anthracite underground mine operation in Blythe Township, **Schuylkill County** affecting 36.5 acres, receiving stream: Silver Creek, classified for the following uses: cold water and migratory fishes. Application received: March 16, 2017.

### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 11110301 and NPDES No. PA0263222, Military Resource Enhancement Specialist**, 3179 Lincoln Highway, Stoystown, PA 15563, renewal of NPDES permit, located in Conemaugh Township, **Cambria County**. Receiving streams: Little Conemaugh River classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 29, 2017.

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

**08100307 and NPDES PA0257478. Insinger Excavating, Inc.** (3046 DuShore-Overton Road, Dushore, PA 18614). Renewal for an existing NPDES on a large noncoal surface mining site located in Springfield Township, **Bradford County** affecting 62.9 acres. Receiving stream(s): Unnamed Tributary 1 to Bentley Creek classified for the following use(s): WWF, MF. Application received: March 28, 2017.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

#### *Effluent Limits for Coal Mining Activities*

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

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

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

\*The parameter is applicable at all times.

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

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

#### *Effluent Limits for Noncoal Mining Activities*

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

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

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



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

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

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0236390 (formerly PA0001775) (Mining Permit No. 32841303), Helvetia Coal Company**, (400 Overview Drive, PO Box 219, Shelocta, PA 15774). A renewal to the NPDES and mining activity permit for the Lucerne Mine # 6 in Center and Blacklick Townships, **Indiana County**. Receiving stream: UNT 44081 to Cherry Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on June 3, 2010. Application received April 7, 2010.

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.

*Outfall 001 discharges to: UNT 44081 to Cherry Run*

The proposed effluent limits for Outfall 001 (Lat: 40° 31' 40.27" Long: -79° 11' 56.38") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	Report	2.2	-
pH	(S.U.)	6.0	-	9.0	-
				Max	
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Thallium, total	(ug/L)	-	Report	Report	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mos/kg)	-	50.0	100.0	-
Chloride	(mg/l)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	Report	Report	-
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

EPA Waiver not in effect.

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

**NPDES No. PA0124770 (Mining Permit No. 32803053), A&T Coal Company, Inc.**, 730 Route 22 Highway, Blairsville, PA 15717, renewal of an NPDES permit for passive treatment of a postmining discharge in Banks Township, **Indiana County**, affecting 160.0 acres. Receiving stream: Unnamed tributary to South Branch Bear Run, classified for the following use: cold water fishes. This receiving stream is included in the Bear Run TMDL. Application received: February 10, 2017.

The outfall listed below discharges to an unnamed tributary to South Branch Bear Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (S2)—Passive Treatment Pond Discharge	N

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

<i>Outfalls: (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
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 PA0238244 (Mining permit no. 17990103), River Hill Coal Company, Inc.,** P.O. Box 141, Kylertown, PA 16847, renewal of an NPDES permit for auger and surface coal mining activities in Bigler Township, **Clearfield County**, affecting 228.8 acres. Receiving stream(s): Unnamed Tributaries to and Upper Morgan Run and Alexander Run, classified for the following use(s): CWF, MF. Clearfield Creek Watershed TMDL. Application received: February 7, 2017.

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

The outfall(s) listed below discharge to: Tributary to Upper Morgan Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF4	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.2	2.4	3.0
Aluminum (mg/l)		1.3	2.6	3.3
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)		Monitor and Report Only		

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

The outfall(s) listed below discharge to: Unnamed Tributary to and Upper Morgan Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF1	N
TF2	N
TF3	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.7	3.4	4.3
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)		Monitor and Report Only		

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF5	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.3	2.6	3.3
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)		Monitor and Report Only		

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

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

**NPDES Permit No. PA0123617 on Surface Mining Permit No. 54743007. Schuylkill Reclamation Corp.**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an NPDES Permit for an anthracite surface mine operation in Branch and Cass Townships, **Schuylkill County**, affecting 326.0 acres. Receiving stream: West Creek, classified for the following use: cold water fishes. Application received: March 9, 2015.

The proposed average daily discharge rate for Outfall 001 is 4.32 MGD.

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

The outfall listed below discharge to West Creek:

<i>Outfall</i>	<i>New Outfall (Y/N)</i>
001	No

Non-discharge BMP's will apply to this site.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0263222 (Mining Permit No. 11110301), Military Resource Enhancement Specialists, Inc.**, 3179 Lincoln Highway, Stoystown, PA 15563, renewal of an NPDES permit for slag material removal in Conemaugh Township, **Cambria County**, affecting 41.3 acres. Receiving stream: Little Conemaugh River, classified for the following use: cold water fishes. This receiving stream is included in the Kiskiminetas-Conemaugh River TMDL. Application received: March 29, 2017.

No treatment or sediment ponds exist on site because all water is contained within the permit and infiltrates through the slag material.

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

**NPDES No. PA0241792 (Permit No. 10000305). Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) Renewal of an NPDES permit for a large industrial minerals surface mine in Worth Township, **Butler County**, affecting 125.0 acres. Receiving streams: Unnamed tributaries to Black Run and Black Run, classified for the following uses: CWF. TMDL: None. Application received: February 9, 2017.

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

The outfall(s) listed below discharge to unnamed tributaries to Black Run and Black Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
002	N
003	N
004	N
005	N
006	N

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

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

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

**NPDES Permit No. PA0225655 on Surface Mining Permit No. 39880302. Coplay Aggregates, Inc.**, (21 East 10th Street, Northampton, PA 18067), new NPDES Permit (replacing GP104 No. 39880302GP104) for a limestone quarry operation in Whitehall Township, **Lehigh County**, affecting 21.49 acres. Receiving stream: Coplay Creek, classified for the following use: cold water and migratory fishes. Application received: January 26, 2017.

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

The outfall listed below discharge to Coplay Creek

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
1	No	Groundwater/Pit Sump

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Iron (mg/l)		3.5	7.0	
Manganese (mg/l)		2.0	4.0	

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E14-578. Elam Stoltzfus**, 1184 Mount Vernon Road, Gap, PA 17527. Elam Stoltzfus proposed driveway crossing, in Marion Township, **Centre County**, ACOE Baltimore District (Madisonburg, PA Quadrangle N: 40.997331; W: 77.622991).

To construct and maintain a 36-inch diameter 24-foot long culvert in an unnamed tributary to Lick Run for the

creation of a private driveway. This project proposes to: 1) temporarily impact 50 linear feet of unnamed tributary to Lick Run and 0 acre of wetland, 2) permanently impact 50 linear feet of unnamed tributary to Lick Run and 0 acre of wetland, which are classified as High Quality—Cold Water Fishery.

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

**E63-699, Peters Township**, 610 East McMurray Road, McMurray, PA 15317-3496, Peters Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

Modify and maintain an existing, approximately 8'-6" high × 7'-6" wide × 136' long concrete arch culvert, by slip-lining the existing arch culvert with an approximately 150' long, 7' diameter, steel-reinforced, HDPE pipe, for the purpose of rehabilitating the existing, aging and deteriorating concrete arch culvert, which conveys an unnamed tributary to Brush Run (WWF), underneath the Arrowhead (Montour) Trail (formerly B&O Railroad). The project is located near the intersection of Quail Run Road and Sugar Camp Road (S.R. 1004) (Bridgeville, PA USGS topographic quadrangle; Latitude: 40° 17' 3"; Longitude: -80° 3' 38"; Sub-basin: 20F; ACOE: Pittsburgh District), in Peters Township, Washington County. A new headwall and endwall will also be installed at the upstream and downstream ends, respectively, of the modified structure, along with some backfill material.

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

**E42-376, Bradford Township Supervisors**, 136 Hemlock Street, Bradford, PA 16701. Sleepy Hollow Road Bridge Replacement Project across Marilla Brook in Bradford Township, **McKean County**, ACOE Pittsburgh District (Saxonburg, PA Quadrangle N: 41°, 56', 49.4"; W: -78°, 42', 24.4").

To remove the existing structure and to construct and maintain a single-span, premanufactured steel I-beam bridge with a timber deck and supported by a geosynthetic reinforced soil abutments having a span of 40.0 feet and an underclearance of 5.38 feet on a 90° skew across Marilla Brook on Sleepy Hollow Road (T-594) at its intersection with SR 0346 in Bradford Township, McKean County. The proposed structure will be constructed 37.5 feet downstream of the existing structure. The project will permanently impact 0.01 acre of PEM wetland.

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

**E0829-113: Appalachia Midstream, LLC**, 400 IST Center, Suite 404, Horseheads, NY 14845, Smithfield Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 1,238 square feet of a Palustrine Scrub-Shrub Wetland (Ulster, PA Quadrangle, Latitude: 41°49'27", Longitude: -76°34'29");
2. a temporary timber mat bridge impacting 143 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°49'25", Longitude: -76°34'27");
3. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 152 linear feet of an unnamed tributary to Browns Creek (WWF, MF) and impacting 335 square feet of an adjacent Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°49'24", Longitude: -76°33'55");
4. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 5,874 square feet of a Palustrine Scrub-Shrub Wetland (Ulster, PA Quadrangle, Latitude: 41°49'32", Longitude: -76°33'44");
5. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 201 linear feet of an unnamed tributary to Browns Creek (WWF, MF) (Ulster, PA Quadrangle, Latitude: 41°49'32", Longitude: -76°33'44");
6. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 201 linear feet of an unnamed tributary to Browns Creek (WWF, MF) (Ulster, PA Quadrangle, Latitude: 41°49'32", Longitude: -76°33'44");
7. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 276 linear feet of an un-

named tributary to Browns Creek (WWF, MF) (Ulster, PA Quadrangle, Latitude: 41°49'32", Longitude: -76°33'44");

The project will result in 629 linear feet or 10,136 square feet of temporary stream impacts and 478 square feet (0.01 acre) of temporary PEM and 7,112 square feet (0.16 acre) of PSS wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Smithfield Township, Bradford County.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**D15-031EA. Robert Bonney, Downing Ridge Homeowners Association**, P.O. Box 175, Downingtown, PA 19335, and **Janet L. Bowers, P.G., Chester County Water Resources Authority**, Government Services Center, Suite 260, 601 Westtown Road, P.O. Box 2747, West Chester, PA 19380-0990, East Caln and East Brandywine Townships, **Chester County**, USACOE Philadelphia District.

Project proposes to remove the Downing Ridge Dam for the purpose of eliminating a threat to public safety and restoring approximately 1,400 feet of stream channel to a free-flowing condition. The project is located across East Branch Brandywine Creek (WWF, MF) (Downingtown, PA Quadrangle, Latitude: 40.0213; Longitude: -75.7062).

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the

Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

### I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0253367 (Sewage)	Teen Quest Ranch STP 293 Rich Road Somerset, PA 15501-9668	Somerset County Milford Township	Unnamed Tributary to Middle Creek (19-F)	Yes
PA0218561 (Sewage)	Duman Lake Park STP 200 South Center Street Ebensburg, PA 15931-1941	Cambria County Barr Township	Crooked Run (18-D)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0084778	Granville Township Strodes Mills STP 100 Helen Street Lewistown, PA 17044	Granville Township, Mifflin County	Strodes Run in Watershed(s) 12-A	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0228443 (CAFO)	Paul Dotterer & Sons, Inc. 410 Kryder Road Mill Hall, PA 17751-8938	Clinton County Porter Township	Unnamed Tributary to Cedar Run (9-C)	No

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0104213 (Sewage)	Pleasantview Mennonite Hall 3488 County Line Road Cochranon, PA 16314	Mercer County French Creek Township	Fouk Run (16-D)	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. PA0255220**, Sewage, SIC Code 8800, **Albert and Brittany Daisley**, 3945 Sardis Road, Pittsburgh, PA 15239.

This proposed facility is located in Plum Borough, **Allegheny County**.

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

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

**NPDES Permit No. PA0264822**, Sewage, SIC Code 8800, **Frederick Nuhfer**, 1240 E 5th Avenue, Warren, PA 16365-8406.

This proposed facility is located in Glade Township, **Warren 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

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

**WQM Permit No. 0216409**, Sewage, SIC Code 8800, **Daisley Albert**, 3945 Sardis Road, Pittsburgh, PA 15239.

This proposed facility is located in Plum Borough, **Allegheny County**.

Description of Proposed Action/Activity: The applicant proposes to construct a small flow treatment facility consisting of Norweco Singulair Bio-Kinetic Wastewater Treatment System followed by a Hydro-Kinetic Bio-Film Reactor Unit and UV Disinfection Unit for a single residence. This wastewater treatment facility is proposed to replace existing malfunctioning on-lot system.

**WQM Permit No. 0386201 A-1**, Industrial, SIC Code 4911, **GenOn Northeast Management Co.**, 121 Champion Way, Suite 300, Canonsburg, PA 15317-5817.

This existing facility is located in Plumcreek Township, **Armstrong County**.

Description of Proposed Action/Activity: Replacement of three residual waste impoundments referred to as the Ash Filter Ponds.

**WQM Permit No. 0317400**, Sewage, **Freeport Borough Armstrong County**, 414 Market Street, Freeport, PA 16229-1122.

This proposed facility is located in Freeport Borough, **Armstrong County**.

Description of Proposed Action/Activity: Sewer system improvements to divert overflows away from sensitive stream areas.

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

**WQM Permit No. 3195402 A-3**, Sewerage, **Orbisonia & Rockhill Borough Joint Municipal Authority**, PO Box 346, Orbisonia, PA 17243.

This proposed facility is located in Orbisonia, Borough, **Huntingdon County**.

Description of Proposed Action/Activity:

This amendment approves the construction/modification/operation of sewage facilities consisting of:

- Dual train 94.67' baffled length \*2.3' wide \*4' water depth chlorine contact tank.
- Dual chamber Calcium Thiosulfite dichlorination tank with aeration line in second chamber.

**WQM Permit No. 2117401**, Sewerage, **Colonel Denning State Park**, 435 State Park Road, Schellsburg, PA 15559.

This proposed facility is located in Lower Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity:

Demolish existing campground comfort station and dressing stockade; replace with new campground bath house and comfort station. Modify existing sanitary dump station. Connect new campground sanitary facilities to existing Doubling Gap Center Corporation Wastewater Treatment Plant via a new force main.

**WQM Permit No. 0197405 A-1**, Sewerage, **Timeless Towns of the Americas, Inc.**, 2634 Emmitsburg Road Gettysburg, PA 17325.

This proposed facility is located in Cumberland, Township, **Adams County**.

Description of Proposed Action/Activity: This (permit/amendment) approves the (construction/operation) of sewage facilities consisting of: Influent conveyance system including 4 ft. diameter influent manhole, 10-inch PVC SDR-35 gravity line, pump station (6-ft. diameter precast concrete wet well) and 4-inch PVC SDR-21 force main; Mechanical Screening Device; 59,500-gallon Sequencing Batch Reactors (2); Ultraviolet Disinfection System; Existing effluent conveyance system and outfall structures; 25,000-gallon Aerobic Digester; and Other appurtenance.

**WQM Permit No. 0516404** Sewerage, **Bedford Township Municipal Authority**, 1007 Shed Road, PO Box 371, Bedford, PA 15522.

This proposed facility is located in Bedford, Township, **Bedford County**.

Description of Proposed Action/Activity: This (permit/amendment) approves the (construction/operation) of sewage facilities consisting of: Rehabilitation of Old Bedford Village PS, two downstream manhole replacement, and a magnetic flow meter to be installed in the Leach PS.

*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. 1400408 A-2**, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8401.

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

Description of Proposed Action/Activity: Construction of a biological odor treatment system to treat air ventilated from the dewatering and composting facilities at the Spring Creek Pollution Control Facility.

**WQM Permit No. 1416404**, Sewage, SIC Code 4952, **Potter Township Centre County**, 124 Short Road, Spring Mills, PA 16875-9326.

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

Description of Proposed Action/Activity: Construction and operation of an ORENCO STEP system with textile media filter and UV disinfection serving 53 EDUs.

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

**WQM Permit No. 6216409**, Sewage, **Frederick Nuhfer**, 1240 East 5th Avenue, Warren, PA 16365-8406.

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

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

**WQM Permit No. 3316402**, Sewage, **Brockway Area Sewer Authority**, 501 Main Street, Brockway, PA 15824.

This proposed facility is located in Brockway Borough, **Jefferson County**.

Description of Proposed Action/Activity: Collection system improvements and sewer service extension.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD230007	Toll PA XI, LP 516 North Newtown Street Road Newtown Square, PA 19073	Delaware	Edgmont Township	Rocky Run HQ-CWF
PAI010916007	Ann's Choice Inc. 701 Maiden Choice Lane Baltimore, MD 21128	Bucks County	Warminster Township	Little Neshaminy Creek WWF-MF
PAI012306009R	Toll PA XI, LP 516 North Newtown Street Road Newtown Square, PA 19073	Delaware	Middletown Township	Rocky Run HQ-CWF
PAI014615005	Matrix/Ashbourne Associates, LP 3 Centre Drive Monroe, NJ 08831	Montgomery	Cheltenham Township	Tookany Creek WWF Mill Creek WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390003	The Fields at Indian Creek, LLC 5930 Hamilton Boulevard Wescosville, PA 18106	Lehigh	Upper Milford Township Lower Macungie Township Emmaus Borough	Leibert Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030516001	Carol Ritchey 902 Ott Town Road Everett, PA 15537	Bedford County	Colerain Township	UNT Cove Creek (EV, MF)
PAI030616003	David W. Bitler Vista Grande Farms, LLC 290 Ruth Road Fleetwood, PA 19522	Berks County	Richmond Township	UNT Moselem Creek (HQ-CWF, MF)
PAD210001	Carlisle Evangelical Free Church Daniel Worrall 290 Petersburg Road Carlisle, PA 17013	Cumberland County	South Middleton Township	Letort Spring Run (EV, MF)
PAD380001	Daniel P. Chirco Keystone Protein Company 154 W. Main Street Fredericksburg, PA 17026	Lebanon County	Bethel Township	UNT Elizabeth Run (WWF, MF) Earlkill Run (WWF, MF) UNT Little Swatara Creek (WWF, MF) Little Swatara Creek (WWF, MF)



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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140007	Columbia Gas of Pennsylvania, Inc. 4000 Energy Drive Bridgeville, PA	Centre	Patton Twp Benner Twp	UNT to Big Hollow CWF UNT to Buffalo Run HQ, CWF

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

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

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

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

#### General Permit Type—PAG-02

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bridgeton Township Bucks County	PAC090026	River Valley Waldorf School 1395 Bridgeton Hill Road Upper Black Eddy, PA 18972	Unnamed Tributary to Delaware River TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAC090021	Stonehaven Langhorne, LLC 354 West Lancaster Avenue Suite 201 Wayne, PA 19087	Unnamed Tributary to Core Creek	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.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Hanover Township Lehigh County	PAC390013	Lehigh-Northampton Airport Authority 3311 Airport Road Allentown, PA 18109	UNT to Catasauqua Creek (CWF, MF) UNT to Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583
East Stroudsburg Borough Monroe County	PAC450003	Walter R. Pula 55 N. Courtland St. East Stroudsburg, PA 18301	UNT to Little Sambo Creek (TSF, MF)	Monroe County Conservation District 570-629-3060
Frackville Borough Schuylkill County	PAC540006	Frack & Broad, LP 608 West Oak St. Frackville, PA 17931	Mahanoy Creek (WWF, MF)	Schuylkill County Conservation District 570-622-3742

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Gettysburg Borough Adams County Issued	PAC010014	James Biesecker, Director—Facilities and Planning/Management Gettysburg College 300 N. Washington Street Gettysburg, PA 17325	Rock Creek (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Bedford Township Bedford County Issued	PAC050008	Bedford Township Municipal Authority P.O. Box 371 Bedford, PA 15522	UNT Dunning Creek (WWF, MF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900 x4
Exeter Township Berks County Issued	PAC060029	Brent Brubaker, Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	Trout Run (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Ontelaunee Township Berks County Issued	PAC060023	Brent Brubaker, Sheetz, Inc. 129 Dearing Drive Boalsburg, PA 16827	Schuylkill River (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Freedom Township Blair County Issued	PAC070009	Trustees of the Leamersville Brethren Church 14 Brethren Lane Duncansville, PA 16635	McDonald Run (WWF, MF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 x5
Hampden Township Cumberland County Issued	PAC210028	Douglas Gellatly 193 Cedar Street Middletown, PA 17057	Sears Run to Conodoguinet Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Lower Swatara Township Dauphin County Issued	PAC220013	Susquehanna Area Regional Airport Authority 1 Terminal Drive Middletown, PA 17057	Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Mifflin Township Dauphin County Issued	PAC220026	JE Moore & Sons 664 Mountain Road Elizabethville, PA 17023	UNT Little Wiconsisco Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Franklintown Borough York County Issued	PAC670029	South Heights Manor, LP Jeff Stough 160 Ram Drive Hanover, PA 17331	North Branch of Bermudian Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Wysox Twp, Bradford Cnty	PAC080002	Duane Phillips, Dandy Mini Mart, Inc. 101 North Main Street Suite 101 Athens, PA 18810	Susquehanna River (WWF)	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539 x6
Madison Twp, Columbia Cnty	PAC190002	Millville Monnonite Church 288 Taylor Rd Millville, PA 17846	UNT to Spruce Run	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 x102
Union Twp, Tioga Cnty	PAC590007	UGI Central Penn Gas, Inc 2525 N. 12th St Reading, PA 19612-2677	Bear Run CWF/MF	Tioga County Conservation District 50 Plaza Ln Wellsboro, PA 16901 (570) 724-1801 x5
Gregg Twp, Union Cnty	PAC600010	Thomas Callahan 6100 Tower Circle Suite 1000 Franklin, TN 37067	White Deer Hole Creek TSF/MF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860
Mifflinburg Boro, Union Cnty	PAC600011	Phillis Shaffer 914 Chestnut Street Mifflinburg, PA 17844	Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Penn Twp Butler Cnty	PAC100031	Hunter Reality Partners, LP 480 Pittsburgh Road Butler, PA 16002	UNT to Thorn Creek CWF	Butler County CD 122 McCune Drive Butler, PA 724-284-5270
Hickory, Slippery Rock and Shenango Townships	PAC370006	American Transmission Systems Inc. 800 Cabin Hill Drive Greensburg, PA 15601	UNT to and Big Run WWF	Lawrence County CD 430 Court Street New Castle, PA 724-652-4512

*General Permit Type—PAG-05**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG058398	United Refining Co. of PA 15 Bradley Street PO Box 688 Warren, PA 16365-3224	Unnamed Tributary to Hubert Run—16-B	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
PAG058396	Superior Petro Co. Inc. 8199 McKnight Road Pittsburgh, PA 15237-5749	Unnamed Tributary to Buffalo Creek— 18-F	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-10**Facility Location  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG109623	Transcontinental Gas Pipe Line Co. LLC 2800 Post Oak Boulevard Level 6 Houston, TX 77056	Statewide	Division of NPDES Permitting Bureau of Clean Water 400 Market Street RCSOB Harrisburg, PA 17101-8774 717.787.8184

*General Permit Type—PAG-15**Facility Location  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG152202	Pennsylvania American Water 1799 Jumper Road Wilkes-Barre, PA 18702	Huntsville Reservoir/05B	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

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

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

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

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

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Eggs Newburg, LLC 310 Three Square Hollow Road Newburg, PA 17240	Cumberland	172.3	537.7	Layers	NA	Approved
Peach Glen Farm, LLC 267 Georgetown Road Gardners, PA 17324	Cumberland	42	648.5	Turkeys/ Swine	HQ	Approved
Shady Rill Farm LLC 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder	620	916	Swine	NA	Approved

### PUBLIC WATER SUPPLY PERMITS

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

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

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

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

#### SAFE DRINKING WATER

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

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

**Operations Permit # 0917508** issued to: **Pediatric Specialty Care**, 90 Cafferty Road, Point Pleasant, PA 18950 [(PWSID)] Tincum Township, **Bucks County** on April 11, 2017 for the operation of Pediatric Specialty Care—Additional 4-Log Contact Tank at Entry Point 101.

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

**Permit No. 1317501MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Palmerton Municipal Authority</b> 443 Delaware Avenue Palmerton, PA 18071
Municipality	Palmerton Borough
County	<b>Carbon</b>
Type of Facility	PWS
Consulting Engineer	Timothy A. Miller, P.E. Keystone Consulting Engineers, Inc. 6235 Hamilton Boulevard Wescosville, PA 18106
Permit to Construct Issued	April 11, 2017

**Application No. 3917501**, Public Water Supply.

Applicant	<b>South Whitehall Township Authority</b> 444 Walbert Avenue Allentown, PA 18104
[Township or Borough]	South Whitehall Township, <b>Lehigh County</b>
Responsible Official	Pineda Peter, Authority Manager 444 Walbert Avenue Allentown, PA 18104
Type of Facility	PWS
Consulting Engineer	Frederick E. Ebert, PE P.O. Box 540 492 Skippack Pike Suite 202 Skippack, PA 19474
Issued Date	04/03/2017

**Application No. 3516501MA**, Public Water Supply.

Applicant	<b>PA American Water Company</b> (Sugar Notch Tank) 800 W. Hershey Park Drive Hershey, PA 17033
[Township or Borough]	Sugar Notch Township <b>Luzerne County</b>
Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply

Consulting Engineer Bruce Brubaker, PE  
PA American Water Company  
Permit Issued March 30, 2017  
**Application No. 5416503MA**, Public Water Supply.

Applicant **Aqua PA, Inc.**  
1 Aqua Way  
White Haven, PA 18661  
[Township or Borough] East Union Township,  
**Schuylkill County**  
Responsible Official Patrick R. Burke, PE  
Aqua PA, Inc.  
204 E. Sunbury Street  
Shamokin, PA 17872  
Type of Facility PWS  
Consulting Engineer Steven C. Roselle, PE  
GHD  
1240 North Mountain Road  
Harrisburg, PA 17112  
(814) 643-8260  
Permit Issued Date 04/06/2017

**Permit 2409011**, Public Water Supply.  
Applicant **PA American Water**  
800 W. Hershey Park Drive  
Hershey, PA 17033  
[Township or Borough] Plain Township  
**Luzerne County**  
Responsible Official Mr. David Kaufman  
Vice President-Engineering  
Type of Facility Public Water Supply  
Consulting Engineer Mr. Jeremy Nelson, PE  
PA American Water Company  
2699 Stafford Avenue  
Scranton, PA 18505  
Operation Permit Issued 03/22/2017

**Permit 2359006**, Public Water Supply.  
Applicant **PA American Water**  
(Fallbrook WTP)  
800 W. Hershey Park Drive  
Hershey, PA 17033  
[Township or Borough] Carbondale Township  
**Lackawanna County**  
Responsible Official Mr. David Kaufman  
Vice President-Engineering  
Type of Facility Public Water Supply  
Consulting Engineer Mr. Daniel G. Rickard, PE  
PA American Water Company  
2699 Stafford Avenue  
Scranton, PA 18505  
Operation Permit Issued 03/27/2017

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

**Permit No. 0817501-MA—Construction—Public Water Supply.**  
Applicant **Aqua Pennsylvania, Inc.**  
Township/Borough Athens Township

County **Bradford**  
Responsible Official Patrick Burke  
Director of Operations  
204 E. Sunbury St.  
Shamokin, PA 17872  
Type of Facility Public Water Supply  
Consulting Engineer Stephen J. Draus, P.E.  
Aqua Pennsylvania, Inc.  
204 E. Sunbury St.  
Shamokin, PA 17872  
Permit Issued April 5, 2017  
Description of Action Authorizes Aqua Pennsylvania  
Susquehanna Division to remove  
the gas chlorine system at Tank  
2, remove the sodium  
hypochlorite system at Veda  
booster pumping station and  
discontinue the cathodic  
protection system at Tank 2.

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

**Permit No. 3217511**, Public Water Supply.  
Applicant **Indiana County Municipal  
Services Authority**  
602 Kolter Drive  
Indiana, PA 15701  
[Borough or Township] Young Township  
County **Indiana**  
Type of Facility Iselin tank mixing system  
Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650  
Permit to Construct Issued April 6, 2017

**Permit No. 3217508**, Public Water Supply.  
Applicant **Indiana County Municipal  
Services Authority**  
602 Kolter Drive  
Indiana, PA 15701  
[Borough or Township] Center Township  
County **Indiana**  
Type of Facility Aultman tank mixing system  
Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650  
Permit to Construct Issued April 6, 2017

**Permit No. 6516508**, Public Water Supply.  
Applicant **Meadows MHP, LLC**  
6557 Alakoko Drive  
Diamond Head, MS 39525  
[Borough or Township] Washington Township  
County **Westmoreland**  
Type of Facility Meadows MHP

Consulting Engineer    Buchart Horn, Inc.  
 Liberty Technology Center  
 2200 Liberty Avenue  
 Suite 300  
 Pittsburgh, PA 15222-4502

Permit to Construct    April 6, 2017  
 Issued

**Operations Permit** issued to: **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108, (PWSID # 5020011) Moon Township, **Allegheny County** on April 6, 2017 for the operation of facilities approved under Construction Permit # 0216532.

**Operations Permit** issued to: **Green Township Municipal Authority-Barr Slope**, PO Box 129, 77 Musser Street, Commodore, PA 15729, (PWSID # 5320010) Green Township, **Indiana County** on April 6, 2017 for the operation of facilities approved under Construction Permit # 3216504GWR.

**Operations Permit** issued to: **Patton Borough**, 800 Fourth Avenue, PO Box 175, Patton, PA 16668, (PWSID # 4110024) Patton Borough, **Cambria County** on April 6, 2017 for the operation of facilities approved under Construction Permit # 1116501GWR.

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (PWSID # 5320042) Cherry Hill Township, **Indiana County** on April 6, 2017 for the operation of facilities approved under Construction Permit # 3215512.

**Permit No. 6516504WMP, Minor Amendment.** Public Water Supply.

Applicant                    **Highridge Water Authority**  
 17 Maple Avenue  
 Blairsville, PA 15717

[Borough or Township]    Burrell Township

County                        **Indiana**

Type of Facility            Bulk water loading station

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

Permit to Operate        April 6, 2017  
 Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:* City of Latrobe, Latrobe Wastewater Treatment Facility.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Latrobe	901 Jefferson Street Latrobe, PA 15650-0829	Westmoreland
Unity Township	154 Beatty-County Road Latrobe, PA 15650	Westmoreland

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Derry Township	5321 Route 982 Derry, PA 15627	Westmoreland
Youngstown Borough	P.O. Box 56 Youngstown, PA 15696	Westmoreland

*Plan Description:* The approved plan provides for the implementation of Two phases. Phase 1 consist of the construction of a 4.0 MG Equalization Tank, Saxman Run Interceptor realignment, and increasing the carrying capacity of the Nine Mile Run and Monastery Run interceptors. Phase 2 consist of reconfiguration of the East Branch Interceptor, constructing a 6.7 mgd pump station in the nine mile run area with a 24" forcemain to convey flows to a proposed 3.3 MG Equalization Tank.

The Department's review of the sewage facilities Plan Update 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 the Authority.

*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>
Straban Township	1745 Granite Station Road Gettysburg, PA 17325	Adams

*Plan Description:* Approval of a revision to the official plan of Straban Township, Adams County. The project is known as the Rhouse 516 LLC (Rodney Frey) property. The plan provides for the proposal to replace a malfunctioning on-lot disposal system serving an existing single-family residential dwelling on 14.18 acres. Total estimated sewage flows are 400 gpd, and they will be tributary to a small flow treatment facility (SFTF) with a stream discharge to an un-named tributary of Rock Creek. The proposed development is located at 660 Shriver's Corner Road in Straban Township, York County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-01929-330-3s and the APS ID is 935800. Permits for on lot sewage disposal systems must be obtained in the name of the property owner.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Newberry Township	1915 Old Trail Road Etters, PA 17319	York

*Plan Description:* Approval of a revision to the official plan of Newberry Township, York County. The project is known as the Goodman Logistics Center development. The plan provides for the proposal of a one lot commercial development on 130.6 acres with total proposed sewage flows of 10,000 gpd tributary to an onsite pump station, and ultimately, the Newberry Township Wastewater Treatment Plant. The proposed development is located at 1660 Bamberger Road in Newberry Township, York County. The DEP Code Number for this planning module

is A3-67945-403-3s and the APS Id is 936104. Permits for the proposed pump station must be obtained in the name of the municipality or authority as appropriate.

## HAZARDOUS SITES CLEAN-UP

UNDER THE ACT OF  
OCTOBER 18, 1988

### Settlement Under the Comprehensive Environmental Response Compensation and Liability Act and the Hazardous Sites Cleanup Act The Tank Car Corporation of America; Township of Springfield, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101—6020.1305, and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C.A. §§ 9601—9675, has entered into a Prospective Purchaser Agreement (PPA) with the Township of Springfield regarding the Tank Car Corporation of America site (Site).

The Site, which currently consists of land totaling approximately 7.9 acres, formerly hosted a railroad tank car rehabilitation business. The U.S. Environmental Protection Agency (EPA) selected the Site for a removal response in 2007. EPA's actions involved the removal of hazardous substances from tanks and pipings and the excavation of contaminated soils. In addition, the EPA excavated a lagoon system, backfilled it with sandblasting grit, and placed a clay and modified stone cap on top to limit potential exposure. The sandblasting grit contains some inorganic and organic contamination. EPA concluded its response action in 2010, and continues to coordinate with DEP regarding the remaining contamination and any future redevelopment.

The Township of Springfield acquired the Site in order to restore it into a public park. Under the terms of the Agreement with the Department, the Township of Springfield will evaluate any remaining contamination at the Site and will remediate the Site, as may be necessary, through the Department's Land Recycling Program ("Act 2").

This notice is provided under section 1113 of HSCA, 35 P.S. § 6020.1113. The agreements may be examined at the Department's offices at 2 East Main Street, Norristown, PA 19401 by contacting Lena Harper at [lharper@pa.gov](mailto:lharper@pa.gov) or 484-250-5721 and Robert Schena at [roschena@pa.gov](mailto:roschena@pa.gov) or 484-250-5865. The Department will accept public comments for a period of 60 days from the date of publication of this notice. Interested persons may submit written comments regarding this PPA and its amendments by submitting them to Lena Harper at the Department's address as listed above.

## 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:

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

**Arnold R. Cook Estate**, 340 Bierys Bridge Road, City of Bethlehem, **Northampton County**. Coventry Environmental Assoc., PO Box 224, St. Peters, PA 19470, on behalf of Kolb, Vasiliadis & Florenz, LLC, 60 West Broad Street, Suite 303, Bethlehem, PA 18018, submitted a Final Report concerning remediation of site soils contaminated with benzene, ethylbenzene, isopropylbenzene, methyl-t-butyl-ether, naphthalene, toluene, 1,2,4 trimethylbenzene, and 1,3,5 trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Myrle Aument Property**, 1197 Pennsy Road, Pequea, PA 17565, Martic Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Myrle Aument, 1197 Pennsy Road, Pequea, PA 17565, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Buddies Nursery**, 7001 Ben Franklin Highway, Birdsboro, PA 19508, Exeter Township, **Berks County**. BAI Group, Inc., 341 10th Avenue, Suite 103, Royersford, PA 19468, on behalf of Aulenbach & Son, Inc., 395 Old River Road, Birdsboro, PA 19508 and Buddies Nursery,



7001 Ben Franklin Highway, Birdsboro, PA 19468 submitted a Final Report concerning site soils contaminated with # 2 fuel oil from an aboveground storage tank. 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.*

**Zimmer Development Company/CVS Pharmacy Site**, City of Sunbury, **Northumberland County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Zimmer Development Company, 111 Princess Street, Wilmington, NC 28401, has submitted a Combined Remedial Investigation/Risk Assessment/Final Report concerning remediation of site groundwater contaminated with fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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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:

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

**Mitroka Property**, 2727 West Pennsylvania Street, South Whitehall Township, **Lehigh County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Mildred Mitroka, 932 North 32nd Street, Allentown, PA 18104, submitted a Final Report concerning the remediation of site soils contaminated with tert-Butyl-Methyl-Ether, Benzene, Toluene, Ethylbenzene, Cumene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 6, 2017.

**Sunoco Fullerton Terminal # 0358-1501**, 2480 Main Street, Whitehall Township, **Lehigh County**. Aquaterra Technologies, Inc., 122 S. Church Street, West Chester, PA 19382, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, submitted a Final Report concerning the remediation of site soils contaminated with petroleum hydrocarbons. The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department on April 11, 2017.

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

**Family First Health Corporation & 2 Trone Rental Properties**, 1230 & 1250 High Street, Hanover, PA 17331, Conewago Township, **Adams County**. Ramboll Environ US Corporation, 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203, on behalf of Miller Chemical & Fertilizer, LLC, 120 Radio Road, Hanover, PA 17332; Family First Health Corporation, 116 South George Street, York, PA 17401; and Trone Rental Properties, 350 3rd Street, Hanover, PA, submitted a Final Report concerning remediation of site soils contaminated with fertilizers and inorganics. The Final Report demonstrated attainment of the Background and Residential Statewide Health Standard, and was approved by the Department on April 3, 2017.

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

**Benjamin Truck Service Accident**, Williamsport City, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Benjamin Truck Service, 725 Main Street, Limestone, NY 14753, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 6, 2017.

**Mountaire Farms of Delaware**, Old Lycoming Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Mountaire Farms of Delaware, 701 West Sunset Avenue, Greensboro, MD 21639, has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 22, 2017.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

#### *Hazardous Waste Transporter License Issued*

**IPC Services, LLC**, 232 E. Lancaster Rd., Harmony, PA 16037. License No. PA-AH 0859. Effective Apr 06, 2017.

#### *Hazardous Waste Transporter License Reissued*

**Republic Environmental Systems (Transportation Group), LLC**, 21 Church Rd., Hatfield, PA 19440. License No. PA-AH 0317. Effective Apr 05, 2017.

#### *Renewal Applications Received*

**Republic Environmental Systems (Transportation Group), LLC**, 21 Church Road, Hatfield, PA 19440. License No. PA-AH 0317. Effective Apr 05, 2017.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

**Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

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

*Regulated Medical and Chemotherapeutic Waste Transporter Reissued*

**BioYork, LLC**, 1444 East Lackawanna Ave., Olyphant, PA 18447. License No. PA-HC 0265. Effective Apr 05, 2017.

**Image First Medical Waste Services**, 900 E Eighth Ave, King of Prussia, PA 19406. License No. PA-HC 0255. Effective Apr 05, 2017.

#### *Renewal Applications Received*

**BioYork, LLC**, 1444 East Lackawanna Ave., Olyphant, PA 18447. License No. PA-HC 0265. Effective Apr 05, 2017.

**Image First Medical Waste Services**, 900 E Eighth Ave, King of Prussia, PA 19406. License No. PA-HC 0255. Effective Apr 04, 2017.

## AIR QUALITY

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

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

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

**GP1-09-0104: The Flynn Company** (1621 Wood Street, Philadelphia, PA 19103) On April 5, 2017 for two 14.645 MMBtu/hr Natural Gas-fired boilers in Bensalem Township, **Bucks County**.

**GP3-15-0076: Mellott Company** (100 Mellot Drive, Warfoldsburg, PA 17267) On March 30, 2017 for use of a nonmetallic mineral plant in Charlestown, **Chester Township**.

**GP1-15-0010: Mellott Company** (100 Mellot Drive, Warfoldsburg, PA 17267) On March 30, 2017 for use two (2) diesel fuel-fired stationary engines in Charlestown, **Chester Township**.

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

*Contact: Norman Frederick, P.E., Environmental Engineer—Telephone: 570-826-2409.*

**GP3-48-018: Chrin Brothers, Inc.** (1225 Industrial Drive, Easton, PA 18042) on April 1, 2017, for the construction and operation of a crushing operations at their facility in Williams Township, **Northampton County**.

**GP9-48-018: Chrin Brothers, Inc.** (1225 Industrial Drive, Easton, PA 18042) on April 1, 2017, for the construction and operation of a CAT diesel fired engine at their facility in Williams Township, **Northampton County**.

**GP4-40-003A: Pulverman** (1170 Lower Demunds Road, Dallas, PA 18612) on January 26, 2017, for the construction and operation of a burnoff oven at their facility in Dallas Township, **Luzerne County**.

**GP9-40-019: New Cingular Wireless PCS, LLC dba AT&T Mobility.** (PO Box 5059, RM 4W200M, San Ramon, CA 94583) on April 1, 2017, for the construction and operation of a Detroit diesel fired engine at their facility in Hanover Township, **Luzerne County**.

**GP4-40-003B: Pulverman** (1170 Lower Demunds Road, Dallas, PA 18612) on 1 April 2017, for the construction and operation of a burnoff oven Identified as burn off oven # 3 at their facility in Dallas Township, **Luzerne County**.

**GP3-52-004: Holbert Bros Bluestone Co** (237 Masthope Plank Rd., Lackawaxen, PA 18435) on April 6, 2017, for the construction and operation of a crushing operations at their facility in Lackawaxen Township, **Pike County**.

**GP9-52-004: Holbert Bros Bluestone Co** (237 Masthope Plank Rd., Lackawaxen, PA 18435) on April 6, 2017, for the construction and operation of four (4) diesel fired engines at their facility in Lackawaxen Township, **Pike County**.

**GP3-48-016: Chrin Brothers, Inc.** (1225 Industrial Drive, Easton, PA 18042) on March 29, 2017, for the operation of a portable crushing plant at the facility located in Tatamy Borough, Palmer & Upper Nazareth Twps., **Northampton County**.

**GP9-48-016: Chrin Brothers, Inc.** (1225 Industrial Drive, Easton, PA 18042) on March 29, 2017, for the operation of I C Engines at the facility located in Tatamy Borough, Palmer & Upper Nazareth Twps., **Northampton County**.

**GP13-40-002: Popple Construction, Inc.** (215 East Saylor Avenue, Laffin, PA 18702) on March 29, 2017, for the operation of an asphalt plant at the facility located in Plains Township, **Luzerne County**.

**GP3-40-005A: Mericle Construction Inc.** (East Mountain Corporate Center, 100 Baltimore Drive, Wilkes-Barre, PA 18702) on March 31, 2017 for the construction and operation of a Portable Crushing Operation with watersprays at the Grimes Industrial Park Site located in Pittston Twp., **Luzerne County**.

**GP9-40-005A: Mericle Construction Inc.** (East Mountain Corporate Center, 100 Baltimore Drive, Wilkes-Barre, PA 18702) on March 31, 2017 for the installation and operation of Diesel I/C engines at the Grimes Industrial Park Site located in Pittston Twp., **Luzerne County**.

*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.*

**GP3-06-03173: Commonwealth Equipment Corp.** (36 Hazelton Street, Ashley, PA 18706) on April 3, 2017, for portable nonmetallic mineral processing equipment under GP3, at Armorcast Drive, in Birdsboro Borough, **Berks County**.

**GP11-06-03173: Commonwealth Equipment Corp.** (36 Hazelton Street, Ashley, PA 18706) on April 3, 2017, for a nonroad engine under GP11, to power portable nonmetallic mineral processing equipment, at Armorcast Drive, in Birdsboro Borough, **Berks County**.

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

*Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.*

**GP5-30-00183A: EQM Gathering Opco, LLC** (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) on April 7, 2017, for the construction and operation of a 2,370 bhp Caterpillar G3608 natural gas-fired compressor engine to replace an existing like kind engine at the Jupiter Compressor Station located in Morgan Township, **Greene County**.

**GP5-63-01010: EQM Gathering Opco, LLC** (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) on April 10, 2017, for construction and operation of sources and controls associated with its Steelhead Compressor Station, a proposed natural gas compression facility to be located in Marianna Borough, **Washington County**.

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**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.**

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

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

**46-0035I: GlaxoSmithKline, LLC. (GSK)** (709 Swedeland Road, King of Prussia, PA 19406) On April 5, 2017 for the installation of; four boilers, two emergency generator engines, one combined heat and power unit and one above ground storage tank for No. 2 oil at their existing facility in Upper Merion Township, **Montgomery County**.

**46-0013E: Clemens Food Group** (2700 Clemens Rd., Hatfield, PA 19440-0902) On April 7, 2017, for the replacement of existing control devices on the sludge dryer at the wastewater treatment plant (WWTP) with new venturi and packed tower scrubber to control particulate matter and odor emissions at their meat processing at their facility in Hatfield Township, **Montgomery County**.

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**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.**

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

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

**09-0007C: Waste Management Disposal Services** (1000 New Ford Mill Rd, Morrisville, PA 19067-3704) On April 6, 2017 for landfill gas collection and a treatment system and pipeline for the sale of landfill gas; and two backup flares in Falls Township, **Bucks County**.

**09-0231: New Age Industries Inc.** (145 James Way, Southampton, PA 18966-3817) On April 5, 2017 for the use of isopropyl alcohol in New Age's production process in Upper Southampton Township, **Bucks County**.

*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.*

**28-05002C: Letterkenny Army Depot** (One Overcash Ave., Chambersburg, PA 17201), on April 5, 2017, for the construction of two coating booths controlled by dry filters at the military facility in Letterkenny Township, **Franklin 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.*

**47-00001D: Montour LLC** (PO Box 128, Washingtonville, PA 17884) on April 5, 2017, to extend the authoriza-

tion to operate the sources pursuant to the plan approval an additional 180 days from April 11, 2017 to October 8, 2017, at their Montour SES facility located in Derry Township, **Montour County**. The plan approval has been extended.

**47-00001E: Montour LLC** (PO Box 128, Washingtonville, PA 17884) on April 5, 2017, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from April 22, 2017 to October 19, 2017, at their Montour SES facility located in Derry Township, **Montour County**. The plan approval has been extended.

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

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

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

**15-00142: Mars Drinks North America, LLC** (1301 Wilson Drive, West Chester, PA) On April 5, 2017 for its initial State Only Operating Permit, using the conditions from Plan Approval 15-0142 as its basis, for its facility in East Goshen Township, **Chester County**.

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

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

**06-03167: Walbert Funeral Home & Cremation Services, PC** (14390 Kutztown Road, Fleetwood, PA 19522-8761) on April 3, 2017 for the human crematory unit at the facility located in Richmond Township, **Berks County**.

**07-05041: Fort Dearborn Co.** (13985 S. Eagle Valley Road, Tyrone, PA 16686-7905) on April 5, 2017 for the flexographic printing facility located in Snyder Township, **Blair County**. The State-only permit was renewed.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00161: H&K Group, Inc., Sanatoga Asphalt.** (394 South Sanatoga Road, Pottstown, PA 19464-3148) On April 11, 2017 for a minor modification of a State Only Synthetic Operating Permit in Lower Pottsgrove Township, **Montgomery County**. This facility is classified as a synthetic minor for NO<sub>x</sub> emissions. The permit was modified to remove a condition that required H&K Group, Inc., Sanatoga Asphalt (SA) to burn only Waste Derived Liquid Fuel (WDLF) during source testing. The permit was also modified to remove a condition for testing opacity on the RAP crusher baghouse because the condition for testing from 40 CFR Part 60, Subpart OOO was determined by the Department to not be applicable to the

RAP crusher. No other conditions in the operating permit have been modified and there is no change in actual NO<sub>x</sub> emissions from this site with this modification. The modified permit includes testing, monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

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

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**11-00423: Johnstown Wire Technologies, Inc.** (124 Laurel Avenue, Johnstown, Cambria County, PA 15906-2246) State Only Operating Permit amendment issuance to incorporate name change of responsible official and contact person in their permit for Johnstown Wire Plant located in Johnstown Township, **Cambria County**.

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

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

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*Coal Permits Issued*

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

**30743711 and NPDES No. PA0033511 A-1. Cumberland Contura, LLC**, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To transfer the permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley, Greene and Monongahela Townships, **Greene County** and related NPDES Permit from Cumberland Coal Resources, LP. No additional discharges. The application was considered administratively complete on November 17, 2016. Application received September 9, 2016. Permit issued April 3, 2017.

**30831303 and NPDES No. PA0013511 A-1. Cumberland Contura, LLC**, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To transfer the permit for the Cumberland Mine in Center, Franklin, Greene, Perry, Wayne and Whiteley Townships, **Greene County** and related NPDES from Cumberland Coal Resources, L.P. No additional discharges. The application was considered administratively complete on November 16, 2016. Application received September 8, 2016. Permit issued April 3, 2017.

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

**Permit No. 32110106. Amerikohl Mining Inc.**, 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only of a bituminous surface mine in Brush Valley Township, **Indiana County**, affection 67.1 acres. Receiving stream: unnamed tributaries to Blacklick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 6, 2017. Permit issued: April 3, 2017.

**Permit No. 56960107 and NPDES No. PA0234231, PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 135 acres. Receiving streams: unnamed tributaries to and Quemahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 6, 2016. Permit issued: April 5, 2017.

**Permit No. 56010101 and NPDES No. PA0248924. Heritage Coal & Natural Resources, LLC**, 550 Beagle Road, Rockwood, PA 15557, transfer of an existing bituminous surface mine from Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201 located in Elk Lick Township, **Somerset County**, affecting 81.0 acres. Receiving streams: unnamed tributary to Casselman River and unnamed tributaries to Elk Lick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 15, 2016. Permit issued: April 5, 2017.

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

**33990109 and NPDES Permit No. PA0241539. McKay Coal Company, Inc.** (P.O. Box 343, Punxsutawney, PA 15767) Renewal of an existing bituminous surface and auger mine and associated NPDES permit in Perry Township, **Jefferson County**, affecting 72.5 acres. Receiving streams: Unnamed tributaries to Perryville Run. Application received: September 6, 2016. Permit Issued: April 3, 2017.

**16110102. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Monroe Township, **Clarion County**, affecting 189.2 acres. Receiving streams: Unnamed tributaries to Brush Run and unnamed tributaries to Piney Creek. This renewal is for reclamation only. Application received: February 9, 2017. Permit Issued: April 3, 2017.

**33060104. MSM Coal Company, Inc.** (P.O. Box 243, DuBois, PA 15801) Renewal of an existing bituminous surface mine in Knox Township, **Jefferson County**, affecting 38.9 acres. Receiving streams: Unnamed tributary to Fivemile Run. This renewal is issued for reclamation only. Application received: January 12, 2017. Permit Issued: April 5, 2017.

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

**03090105 and NPDES Permit No. PA0251755. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Bethel Township, **Armstrong County**, affecting 42 acres. Receiving streams: unnamed tributaries to Crooked Creek and Crooked Creek. Application received: February 6, 2017. Renewal permit issued: April 4, 2017.

#### *Noncoal Permits Issued*

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

**Permit No. 6476SM12 and NPDES No. PA0612464, N.L. Minich & Sons, Inc.**, 211 North Middleton Road, Carlisle, PA 17013, renewal of NPDES permit, North Middleton Township, **Cumberland County**. Receiving stream: Meetinghouse Run classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 20, 2016. Permit issued: April 4, 2017.

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

**PAM611013. Raducz Stone Corporation** (313 Pittsburgh Road, Butler, PA 16002) Renewal of General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 10110306 in Penn Township, **Butler County**. Receiving streams: Unnamed tributaries to Thorn Creek. Application received: March 13, 2017. Permit Issued: April 3, 2017.

**10060302. Waste Management Disposal Services of Pennsylvania, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) Revision to an existing large industrial minerals mine to add 3.5 acres in Clay Township, **Butler County**, affecting a total of 45.5 acres. Receiving streams: Three unnamed tributaries to South Branch Slippery Rock Creek. This revision also contains a post-mining land use from forestland to unmanaged natural habitat on a portion of the Waste Management Disposal Services of Pennsylvania, Inc. property. Application received: January 31, 2017. Permit Issued: April 6, 2017.

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

**Permit No. 09120301 and NPDES Permit No. PA0612243. Naceville Materials**, (350 S. Main Street, Suite 207, Doylestown, PA 18901), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Hilltown Township, **Bucks County** affecting 155.8 acres, receiving stream: unnamed tributary to North Branch Neshaminy Creek. Application received: October 12, 2012. Permit issued: March 28, 2017.

**Permit No. 58152804. Timothy Mark Smith**, (859 John C. McNamara Drive, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Liberty Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Snake Creek. Application received: July 23, 2015. Permit issued: March 28, 2017.

**Permit No. PAM115018, Timothy Mark Smith**, (859 John C. McNamara Drive, Montrose, PA 18801), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58152804 in Liberty Township, **Susquehanna County**, receiving stream: unnamed tributary to Snake Creek. Application received: July 23, 2015. Permit issued: March 28, 2017.

**Permit No. 7475SM10A1C10 and NPDES Permit No. PA0123242. Essroc Cement Corp.**, (3938 Easton Nazareth Highway, Nazareth, PA 18064), renewal of an NPDES permit for discharge of treated mine drainage from a quarry operation in Upper Nazareth Township and Nazareth Borough, **Northampton County**, receiving stream: East Branch Monocacy Creek. Application received: August 25, 2016. Renewal issued: April 7, 2017.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

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

**59174101. Midstream Explosives LLC** (289 Southside Drive, Newville, PA 17241). Blasting for Talisman DCNR 587 pipeline in Bloss Township, **Tioga County** with an expiration date of April 30, 2018. Permit issued: April 6, 2017.

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

**Permit No. 48174002. Chrin Brothers, Inc.**, (1225 Industrial Drive, Easton, PA 18042), construction blasting for Chrin Landfill in Williams Township, **Northampton County** with an expiration date of December 31, 2020. Permit issued: March 28, 2017.

**Permit No. 09174103. Newville Construction Services, Inc.**, (408 Mohawk Road, Newville, PA 17241), construction blasting for Northeast Extension Turnpike NB 205 Concrete Demo & Rock Removal in Milford Township, **Bucks County** with an expiration date of November 1, 2017. Permit issued: April 4, 2017.

**Permit No. 15174101. Brubacher Excavating, Inc.**, (P.O. Box 528, Bowmansville, PA 17507), construction blasting for Weatherstone Development in West Vincent Township, **Chester County** with an expiration date of March 9, 2018. Permit issued: April 4, 2017.

**Permit No. 09174104. Newville Construction Services, Inc.**, (408 Mohawk Road, Newville, PA 17241), construction blasting for Northeast Extension Turnpike NB 205 Concrete Demo & Rock Removal in Milford Township, **Bucks County** with an expiration date of November 1, 2017. Permit issued: April 5, 2017.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street,

PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E42-372. Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. JV059 Havens Run Bridge Replacement State Route 00046 Segment 0060 Offset 0000 Section A03 over Havens Run in Norwich Township, **McKean County**, ACOE Pittsburgh District (Norwich, PA Quadrangle N: 41°, 38', 4"; W: -78°, 21', 26");

To remove the existing structure and to construct and maintain a 24' × 10' precast concrete box culvert on Havens Run in Norwich Township, McKean County with associated impact to 0.042 acre of wetland and 80 feet of permanent linear impact to Havens Run.

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

**E15-875. Franklin Phoenixville, LP by Odessa Real Estate Investments, Inc.**, 1890 Rose Cottage Lane, Malvern, PA 19355, Phoenixville Borough, **Chester County**, ACOE Philadelphia District.

To construct and maintain the Odessa Residential Development Complex (3 buildings, 260 units of assisted living facility, and 240 apartment units) and the associated Northern Relief Road project (connecting Ashburn Road to Township Road).

The proposed project will impact 0.35 acre of wetland and 0.015 acre of unnamed tributary to French Creek (TSF, MF) for the installation of outfall structure.

The site is located south of the intersection of Fillmore Street and Township Line Road (Phoenixville, PA, USGS Map; Latitude: 40.1423; Longitude: -75.5304).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-880. Jonathan R. Shavley**, 31 Chartwell Drive, West Grove, PA 19396, Pocopson Township, **Chester County**, ACOE Philadelphia District.

To remove the existing dwelling structure and to construct and maintain a new house at the same location in and along the 100-year floodway of the Brandywine Creek AKA Cabin 14.

The site is located at 14 Cabin Club Lane, Unionville, PA USGS map Lat. 39.916; Long. -75.639.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-874. Planebrook Partners, LLC**, 2298 Horse-shoe Pike, Honey Brook, PA 19344, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain the following activities in the 100-year floodway of a UNT to Valley Creek (EV) associated with the proposed development known as The Towns at Malvern-Section 2:

1. To place fill over 0.030 Ac. as a permanent impact associated with the construction of porous pavement modifications to the existing roadway access road.

2. To stabilize approximately 50 LF of the bank of UNT Valley Creek.

3. To extend and existing 4-inch underdrain pipe to the edge of UNT to Valley Creek to accommodate the embankment regrading.

The site is located north of the intersection of U.S. Route 30 and Frame Avenue; (Malvern, PA USGS map; Latitude: 40.03472; Longitude: 75.57745).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

**E58-320. Springville Township**, P.O. Box 32, Springville, PA 18844. Springville Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a roadway crossing of Pond Brook (CWF, MF) consisting of 90-foot long, 96-inch diameter CMP pipe depressed 12-inches below the existing streambed elevation with headwalls and rip rap slope protection. A de minimus area of wetland impacts equal to 0.02 acre will

occur from the construction activity. The project is located approximately 0.90 mile northeast of the Button Road and Garrison Road intersection (Hop Bottom, PA Quadrangle Latitude: 41°40'9.8"; Longitude: -75°52'28.6").

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

**E22-630: Upper Paxton Township**, 506 Berrysburg Road, Millersburg, PA 17061 in Upper Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to install and maintain 190 feet of 60-inch HDPE pipe conveying an unnamed tributary to Wiconisco Creek (CWF, MF). The project is located southeast from the intersection of Chelton Ave. and Plum St. (Millersburg Quadrangle 40° 32' 22" N, 76° 57' 2" W). No wetlands will be impacted by this project.

**E22-629: Millersburg Borough**, 101 West Street, Millersburg, PA 17061 in Millersburg Borough and Upper Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain 1) approximately 242 feet of R-8 Riprap stream bank stabilization between Center St. and Union St.; 2) 70 linear feet of R-8 Riprap apron between Center St. and Union St.; 3) 69 feet of 51-inch by 48-inch concrete box culvert; 4) 42 feet of 60-inch HDPE; 5) 33 feet of 60-inch HDPE; 6) 89 feet of 60-inch HDPE; 7) 101 feet of 60-inch HDPE; 8) 15 feet of 60-inch HDPE; 9) 122 feet of 66-inch SRPE; 10) 18 feet of 60-inch HDPE; 11) 83 feet of 60-inch HDPE; 12) 35 feet of 60-inch HDPE; 13) 36 feet of 60-inch RCP; 14) 179 feet of 66-inch SRPE and associated 36 linear feet of R-7 riprap apron; 15) a retaining wall and stilling basin just south of Center St.; and 16) 8 stormwater outfalls in an unnamed tributary to Wiconisco Creek (CWF, MF) (Millersburg Quadrangle 40° 32' 23" N, 76° 57' 2" W), for the purpose of reducing flooding in Millersburg Borough and Upper Paxton Township. No wetlands will be impacted by the project.

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

**E14-576. Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Pittsburgh, PA 15275. Bridge replacement in Unionville Borough, **Centre County**, ACOE Baltimore District (Bear Knob, PA Quadrangle Lat: 40° 54' 23"; Long: -77° 52' 37").

Plenary Walsh Keystone Partners have applied for a Small Projects—Joint Permit Application to remove a structurally deficient reinforced concrete T-beam bridge that spans 31.5 feet and is 36.1 feet wide and construct, operate and maintain a prestressed, concrete spread box beam bridge that spans 35.0 feet and is 38.4 feet wide over Dewitt Run in Unionville Borough, Centre County.

The project proposes to have the following impacts:

ID	Stream Name	Chapter 93 Classification	Temporary Impact area Length (LF)	Permanent Impact area Length (Sq Ft)	Latitude	Longitude
Bridge	Dewitt Run	CWF, MF	68	57	40.9065	-77.8772

Proposed waterway impacts total 828 square feet.

The proposed construction will not permanently impact cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge, or historical sites. Dewitt Run is classified with a designated use of Cold Water Fishery (CWF).

### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**D11-074EA. Norbert J. and John C. Eckenrode**, 49770 Township Road 514, Sarahsville, OH 43779, Clearfield, Allegheny, and East Carroll Townships, **Cambria County**, USACOE Baltimore District.

Project proposes to remove the Eckenrode Mill Dam for the purpose of eliminating a threat to public safety and restoring approximately 800 feet of stream channel to a free-flowing condition. The project is located across Chest Creek (HQ-CWF, MF) (Carrolltown, PA Quadrangle, Latitude: 40.5984; Longitude: -78.6524).

### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCP 2 # ESG00 35 16 0004  
Applicant Name Renovo Energy Center  
Contact Person

Address 12011 Sunset Hills Road, Suite 110  
City, State, Zip Reston, VA 20190  
County Clinton

Township(s) Chapman Twp, Noyes Twp, Leidy Twp,  
Renovo Borough

Receiving Stream(s) and Classification(s) Two Mile Run (CWF), Mackintosh Hollow (CWF), Dry Run (HQ-CWF), Shintown Run (HQ-CWF), Swamp Draft (CWF), Drury Run (CWF), Stony Run (CWF), Brewery Run (HQ-CWF), and Sixth Street Hollow (WWF)

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

ESCGP-2 # ESX14-125-0001 (Major Modification)

Applicant Name Rice Midstream Holdings, LLC

Contact Person Kyle Shirey

Address 2200 Rice Drive

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) Somerset Township

Receiving Stream(s) and Classification(s) UNTs to South Branch Pigeon Creek (WWF), South Branch Pigeon Creek (WWF)

ESCGP-2 # ESX16-059-0041

Applicant Name Rice Poseidon Midstream, LLC

Contact Person Kyle Shirey

Address 2200 Rice Drive

City, State, Zip Canonsburg, PA 15317

County Greene County

Township(s) Richhill Township

Receiving Stream(s) and Classification(s) North Fork

Dunkard Fork (TSF)

*Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA, 15222.*

**E63-07-007A: Rice Midstream Holdings, LLC**, 2200 Rice Drive, Canonsburg, PA 15317, Somerset Township, **Washington County**, ACOE Pittsburgh District.

Rice Midstream Holdings, LLC is proposing to install the Jaybird Phase III Pipeline that will begin at the Back Nine Pond/Swagler Loop (40° 6' 39.1", -80° 3' 5.98") and will terminate at the Zorro to EQT pipeline (40° 5' 42.87", -80° 2' 25.73"). The project is located within the Ellsworth USGS 7 1/2 Minute Quadrangle Map. The project will include installation of a 1.37-mi long 24-inch diameter steel natural gas pipeline. The project is a Joint Permit Application due to the crossing of a wetland which is greater than 10 acres on National Wetland Inventory maps. This wetland was field verified to be 7.925 acres in size. The project will result in one (1) wetland crossing and two (2) watercourse crossing, resulting in a total of 524 ft<sup>2</sup> of permanent wetland impact and 20 linear feet of permanent stream impact.

A Temporary Access road will be constructed to support the installation of the pipeline. The Temporary Road will cross UNT S-05 to # 24054 South Branch of Pigeon Creek. This activity will be covered under a General Permit-08.

Each of the following crossings will be crossed by horizontal directional drilling by the pipe mentioned above:



Wetland Crossing	Latitude/Longitude	Area of Impact	
Wetland 01 Palustrine Emergent (PEM), Palustrine Scrub-Shrub (PSS), Palustrine Forested (PFO)	40° 6' 12.01", -80° 2' 48.03"	Temporary:	0 acre
		Permanent:	524 ft <sup>2</sup> (0.012 ac)

Stream Crossings	Latitude/Longitude	Area of Impact	
Perennial Stream 03 (# 24054 South Branch Pigeon Creek) (WWF)	40° 6' 11.04", -80° 2' 45.3"	Temporary:	20 ln. ft.
		Permanent:	40 ft <sup>2</sup>

The following stream will be crossed by the Temporary Access Road mentioned above:

Stream Crossings	Latitude/Longitude	Area of Impact	
UNT S-05 to # 24054 South Branch of Pigeon Creek (Temporary Access Road)	40° 6' 12.79", -80° 02' 54.77"	Temporary:	100 ft <sup>2</sup> (0.002 ac)
		Permanent:	0 ft <sup>2</sup>

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

ESCGP-2 # ESX11-073-0003—Twentier unit 2070 ESX—Renewal

Applicant R E Gas Development LLC  
Contact Michael Endler

Address 600 Cranberry Woods Drive, Suite 250  
City Cranberry Township State PA Zip Code 16066  
County Lawrence Township Perry

Receiving Stream(s) and Classification(s) Grindstone Run  
and Slippery Rock Creek

ESCGP-2 # ESG16-019-0026—PER W34 Well Pad  
Applicant PennEnergy Resources, LLC

Contact Mr. Gregg Stewart  
Address 1000 Comemrce Drive; Park Place One, Suite  
100

City Pittsburgh State PA Zip Code 15275  
County Butler Township(s) Winfield  
Receiving Stream(s) and Classification(s) UNT to Rough  
Run/Rough Run

ESCGP-2 # ESG16-019-0029—Per W60 Well Pad  
Applicant Penn Energy Resources, LLC

Contact Mr. Gregg Stewart  
Address 1000 Commerce Drive, Park Place One, Suite  
100

City Pittsburgh State PA Zip Code 15275  
County Butler Township(s) Winfield  
Receiving Stream(s) and Classification(s) UNT to  
Cornplanter Run/Buffalo Creek-Allegheny River

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

ESCGP-2 # ESX11-117-0127(01)

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079  
County Tioga

Township(s) Charleston  
Receiving Stream(s) and Classification(s) Catlin Hollow  
(TSF)

ESCGP-2 # ESG29-081-16-0016(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) UNTs to Lycom-  
ing Ck (HQ-CWF)  
Secondary—Lycoming Ck (EV)

ESCGP-2 # ESX11-015-0226(03)

Applicant Name Chief Oil & Gas LLC  
Contact Person Jeffrey Deegan  
Address 1720 Sycamore Rd  
City, State, Zip Montoursville, PA 17754

County Bradford  
Township(s) Wilmot  
Receiving Stream(s) and Classification(s) UNT to Sugar  
Run Ck (CWF, MF)  
Secondary—Sugar Run Ck

ESCGP-2 # ESX29-117-16-0028

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079

County Tioga  
Township(s) Charleston  
Receiving Stream(s) and Classification(s) Hills Ck (WWF)

ESCGP-2 # ESG29-113-17-0001

Applicant Name EXCO Resources PA, LLC  
Contact Person Brian Rushe  
Address 260 Executive Dr, Suite 100  
City, State, Zip Cranberry Twp, PA 16066

County Sullivan  
Township(s) Shrewsbury  
Receiving Stream(s) and Classification(s) Rock Run  
(HQ-CWF)

ESCGP-2 # ESX10-117-0065(02)

Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079

County Tioga  
Township(s) Delmar  
Receiving Stream(s) and Classification(s) East Branch  
Stony Fork (CWF)

## SPECIAL NOTICES

### Final State Water Quality Certification Required by Section 401 of the Clean Water Act for the Line 138 Service Abandonment and Lateral Construction Project

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman, 412-442-4000.*

**WQ05-011, Columbia Gas Transmission, LLC (Applicant)**, 1700 MacCorkle Avenue, S.E. Charleston, WV 25314. Line 138 Service Abandonment and Lateral Construction Project (Project), in Springhill, Henry Clay and Wharton Townships, **Fayette County** and Addison and Elk Lick Townships, **Somerset County**, ACOE Pittsburgh District. The proposed project starts approximately 2.25 miles southeast of the intersection of State Route 857 and Gans Road in Springhill Township, Fayette County (Lake Lynn, PA, WV Quadrangle N: 39°, 43', 16"; W: -79°, 45', 49") and ends approximately 0.7 mile southwest of the intersection of State Route 669 and Ash Hill Road in Elk Lick Township, Somerset County (Grantsville, MD, PA Quadrangle N: 39°, 43', 22"; W: -79°, 10', 18").

On May 20, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-495-000). The FERC Environmental Assessment for the Project, which was issued on 9/17/15, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Docket Search; CP15-495-000).

On August 14, 2015, Applicant requested a state water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.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 includes the operation and maintenance of some segments of the existing, approximately 33-mile, Line 138 natural gas pipeline, consisting of 4-inch, 6-inch, 8-inch and 16-inch pipeline, within an existing 50-foot right-of-way, where service is being abandoned. Columbia proposes to remove approximately 0.18 mile of exposed pipeline, two (2) residential tap consumers, two (2) meter stations, one (1) odorizer, one (1) siphon, five (5) ground valves and eight (8) mainline valves. Columbia plans to grout 28 road crossings to abandon in place.

Columbia also proposes to construct an approximate 0.65-mile, 2-inch lateral extension within the existing 50-foot wide Line 138 right-of-way (ROW) in order to maintain service to the Firm Transportation customer and their operations. The Firm Transportation customer is served from Line 138 through which service will be abandoned, Columbia proposes to maintain gas service to this customer by installing a lateral extension within the Line 138 ROW to connect with Lines 1804 and 10240. The lateral extension project will involve construction activities within the existing 50-foot wide ROW, acquisition of 50 feet of new ROW to connect the lateral to the Line 1804 and 10240 ROW, two (2) new isolation valves on Lines 1804 and 10240, and a contractor/staging yard all located in Somerset County, Pennsylvania. The pro-

posed lateral extension activities are herein referred to as the "Lateral Construction Project".

In Pennsylvania, the Project, as proposed, will require impacts to 0.3416 acre of:

Laurel Run (HQ-CWF), Reason Run (WWF), Collier Run (WWF) and Zehner Run (HQ-CWF), and unnamed tributaries of Patterson Run (HQ-CWF), Big Sandy Creek (HQ-CWF), Youghiogeny River (WWF), Chub Run (WWF), Mill Run (WWF), Zehner Run (HQ-CWF), Big Shade Run (CWF), 5.05 acres of floodway, 0.8664 acre of temporary PEM wetland impacts, and 0.0292 acre of PEM and PSS permanent impacts.

PADEP published notice of its proposed state water quality certification in the *Pennsylvania Bulletin* on (April 2, 2016) (46 Pa. B. 1656) and received no comments from the public.

PADEP certifies to Applicant that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Applicant complies with the permitting programs, criteria and conditions established pursuant to State law:

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

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

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

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

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

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to

determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the PADEP during such inspections of the Project.

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

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Rita A. Coleman, Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

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

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

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

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

[Pa.B. Doc. No. 17-674. Filed for public inspection April 21, 2017, 9:00 a.m.]

## Revised Designation Recommendations for the 2015 Ozone Standards

On October 1, 2015, the United States Environmental Protection Agency (EPA) promulgated revised primary and secondary National Ambient Air Quality Standards (NAAQS) for ozone, which were published at 80 FR 65292 (October 26, 2015). The revised primary ozone NAAQS of 70 parts per billion (ppb) will provide increased protection of public health when compared to the 2008 primary

NAAQS of 75 ppb. In accordance with section 107(d)(1) of the Federal Clean Air Act (42 U.S.C.A. § 7407(d)(1)), the governor of each state was required to submit designation recommendations to the EPA within 1 year of the promulgation of the revised NAAQS.

The Commonwealth, through the Department of Environmental Protection (Department), submitted its designation recommendations to the EPA on October 3, 2016. The Commonwealth's designation recommendations for the 2015 8-hour ozone NAAQS were based on air quality monitoring data for the ozone season of 2013 through 2015, demographic information and other criteria, as recommended by the EPA in its February 25, 2016, memorandum pertaining to "Area Designations for the 2015 Revised Ozone National Ambient Air Quality Standards."

The Department submitted newly certified air quality monitoring data for 2016 to the EPA on February 28, 2017. Based on the newer air quality monitoring data, the Department recommended to the EPA that Indiana County and the seven-county Pittsburgh-Beaver Valley area, which includes Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland Counties, be designated as attainment areas, rather than nonattainment areas, because they are now measuring attainment of the 2015 ozone NAAQS.

The other two areas recommended in 2016 to be designated as nonattainment areas still monitor nonattainment of the 2015 ozone NAAQS. For this reason, the Department did not request a change for them. Those areas are:

- Lebanon County
- The Philadelphia area, which consist of Bucks, Chester, Delaware, Montgomery and Philadelphia Counties and is part of a multistate nonattainment area.

In addition, while the Department did not recommend a change for Berks County, air quality monitoring data indicates a violation of the 2015 ozone standard. However, due to a forest fire event, the Department is preparing "exceptional events" analyses for Berks and Lebanon Counties, both of which will be submitted to the EPA shortly. If the EPA approves the exceptional events analyses, certain monitoring data will be invalidated and then Berks and Lebanon Counties will meet the 2015 ozone NAAQS and may be designated as attainment.

The Department made no additional changes to its recommendations. The Department's original and revised recommendations and supporting documentation can be viewed at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx>.

The Department is not requesting comment on this submittal to the EPA, but if any person has a question they may contact the Department at (717) 787-9495 or by e-mail to Kirit Dalal at [kdalal@pa.gov](mailto:kdalal@pa.gov).

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-675. Filed for public inspection April 21, 2017, 9:00 a.m.]

# DEPARTMENT OF HEALTH

## Hospitals; Requests for Exceptions

The following hospital 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>
UPMC Jameson	28 Pa. Code § 107.61 (relating to written orders)

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>
Allegheny General Hospital	2.2-3.4.1.4(2)(b)	Ceilings (special design elements)	2014
Somerset Hospital	2.1-2.5	Support areas for patient care—general	2014
	2.1-2.6.10	Soiled workroom or soiled holding rooms	2014
	2.1-2.6.12	Equipment and supply storage rooms or alcoves	2014
	2.2-3.5.3.1(2)	Location (preprocedure and recovery patient care areas)	2014

All previously listed requests 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 previously listed address. 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. 17-676. Filed for public inspection April 21, 2017, 9:00 a.m.]

## Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Belle Reve Health Care Center  
404 East Harford Street  
Milford, PA 18337  
FAC ID # 60010200

The Summit at Blue Mountain Nursing and Rehabilitation Center  
211 North 12th Street  
Lehigh, PA 18235  
FAC ID # 070502

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 previously listed address.

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 previously listed address or phone number, 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. 17-677. Filed for public inspection April 21, 2017, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Disproportionate Share Incentive Payments Posted for Cost Reports Ending June 30, 2016

This notice announces that the Department of Human Services (Department) made Disproportionate Share incentive payments to each qualified nursing facility with an acceptance letter mailed by the Department on or before February 8, 2017, for 12-month MA-11 Cost Reports ending June 30, 2016. Payment information was posted to the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/disproportionateshareincentivepaymentsdisproportionateshare%20Incentive%20Payments/index.htm>.

#### Appeals

Individuals who wish to appeal must file a written request for a hearing with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of publication of this notice. A copy should also be sent to the Department of Human Services, Office of Long-Term Living, Attention: Bureau of Finance, Division of Rate Setting and Auditing, 555 Walnut Street, Forum Place, 8th Floor, P.O. Box 8025, Harrisburg, PA 17105-8025 and to the Department of Human Services, Office of General Counsel, Health and Welfare Building, Third Floor West, P.O. Box 2675, Harrisburg, PA 17105-2675.

Appeals of Medical Assistance providers are governed by regulations set forth in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures). Individuals should review those regulations carefully. Among other things, they specify what information individuals must include in the written request for hearing, and how the Bureau of Hearings and Appeals will determine whether the request for hearing was filed on time. Individuals can review these regulations online at <http://www.pacode.com/secure/data/055/chapter41/chap41toc.html>.

#### Questions or Comments

For questions or comments regarding these payments, contact the Department of Human Services, Office of Long-Term Living, Bureau of Finance, Attention: Vasiliki Avery, (717) 787-1171, RA-PWOLTLNFRates@pa.gov.

THEODORE DALLAS,  
*Secretary*

**Fiscal Note:** 14-NOT-1130. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-678. Filed for public inspection April 21, 2017, 9:00 a.m.]

### Payments to County Nursing Facilities; Medical Assistance Day One Incentive Payments for the First Two Quarters of Fiscal Year 2016-2017

This notice announces that the Department of Human Services (Department) made Medical Assistance Day One Incentive (MDOI) payments to each qualified county nursing facility for the first and second quarters of Fiscal Year (FY) 2016-2017.

#### Payment Information

The Department made county nursing facility MDOI payments for July 1, 2016, through September 30, 2016, and October 1, 2016, through December 31, 2016, quarters of FY 2016-2017.

Payment information for the county nursing facility MDOI payments was posted to the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/countymdoi/index.htm>.

#### Appeals

If a facility wishes to appeal, the facility must file a written request for a hearing with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of the publication of this notice. A copy should be sent to the Department of Human Services, Office of Long-Term Living, Attention: Bureau of Finance, Division of Rate Setting and Auditing, 555 Walnut Street, Forum Place, 6th Floor, P.O. Box 8025, Harrisburg, PA 17105-8025 and to the Department of Human Services, Office of General Counsel, Health and Welfare Building, Third Floor West, P.O. Box 2675, Harrisburg, PA 17105-2675.

Appeals of Medical Assistance providers are governed by regulations set forth in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures). Individuals should review those regulations carefully. Among other things, they specify what information individuals must include in the written request for hearing, and how the Bureau of Hearings and Appeals will determine whether the request for hearing was filed on time. Individuals can review these regulations online at <http://www.pacode.com/secure/data/055/chapter41/chap41toc.html>.

#### Questions or Comments

For questions or comments regarding these payments, contact the Department of Human Services, Office of Long-Term Living, Bureau of Finance, Attention: Vasiliki Avery, (717) 787-1171, RA-PWOLTLNFRates@pa.gov.

THEODORE DALLAS,  
*Secretary*

**Fiscal Note:** 14-NOT-1129. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-679. Filed for public inspection April 21, 2017, 9:00 a.m.]

### Payments to Nonpublic Nursing Facilities; Medical Assistance Day One Incentive Payments for the Second Quarter of Fiscal Year 2016-2017

This notice announces that the Department of Human Services (Department) made Medical Assistance Day One Incentive (MDOI) payments to each qualified nonpublic nursing facility for the second quarter of Fiscal Year (FY) 2016-2017.

#### Payment Information

The Department made a nonpublic nursing facility MDOI payment for the October 1, 2016, through December 31, 2016, quarter of FY 2016-2017 to qualifying nonpublic nursing facilities.

Payment information for the nonpublic nursing facility MDOI payments was posted to the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemix/information/nonpublicmdoi/index.htm>.

*Appeals*

If a facility wishes to appeal, the facility must file a written request for a hearing with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of publication of this notice. A copy should be sent to the Department of Human Services, Office of Long-Term Living, Attention: Bureau of Finance, Division of Rate Setting and Auditing, 555 Walnut Street, Forum Place, 6th Floor, P.O. Box 8025, Harrisburg, PA 17105-8025 and to the Department of Human Services, Office of General Counsel, Health and Welfare Building, Third Floor West, P.O. Box 2675, Harrisburg, PA 17105-2675.

Appeals of Medical Assistance providers are governed by regulations set forth in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal proce-

dures). Individuals should review those regulations carefully. Among other things, they specify what information individuals must include in the written request for hearing, and how the Bureau of Hearings and Appeals will determine whether the request for hearing was filed on time. Individuals can review these regulations online at <http://www.pacode.com/secure/data/055/chapter41/chap41.toc.html>.

*Questions or Comments*

For questions or comments regarding these payments, contact the Department of Human Services, Office of Long-Term Living, Bureau of Finance, Attention: Vasiliki Avery, (717) 787-1171, RA-PWOLTLNFRates@pa.gov.

THEODORE DALLAS,  
*Secretary*

**Fiscal Note:** 14-NOT-1128. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-680. Filed for public inspection April 21, 2017, 9:00 a.m.]

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## 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 April 6, 2017, 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 1024	from SR 222 to Delaware Drive	Berks	0.34

The County of Berks 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. 17-681. Filed for public inspection April 21, 2017, 9:00 a.m.]

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### State Transportation Commission Meeting

The State Transportation Commission will hold a meeting on Monday, April 24, 2017, from 10 a.m. to 11 a.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information, contact Ellen E. Sweeney, (717) 787-2913, [ellsweeney@pa.gov](mailto:ellsweeney@pa.gov).

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-682. Filed for public inspection April 21, 2017, 9:00 a.m.]

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### State Transportation Innovation Council Meeting

The State Transportation Innovation Council will hold its quarterly business meeting on Wednesday, May 10, 2017, from 10 a.m. to 1 p.m. in Conference Room 112, PEMA Headquarters Building, 1310 Elmerton Avenue, Harrisburg, PA. For more information, contact Danielle Klinger-Grumbine, (717) 787-9880, [dklingerg@pa.gov](mailto:dklingerg@pa.gov).

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-683. Filed for public inspection April 21, 2017, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4324	State Board of Chiropractic Radiological Procedures Examination	4/11/17	5/18/17

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 17-684. Filed for public inspection April 21, 2017, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for Plan Approval of a Mutual-to-Stock Conversion and Subsequent Acquisition of Control of Saucon Mutual Insurance Company; Reopening of Public Comment Period to Review Amended Filing

The Insurance Department (Department) published notice of receipt of the application of Saucon Mutual Insurance Company (Saucon) at 44 Pa.B. 5948 (September 13, 2014) requesting approval of a Plan of Conversion which provided for conversion from a mutual property insurance company to a stock property insurance company. The notice also advised of the receipt of a request from Saucon Holding Company, a Pennsylvania domiciled stock corporation, for approval to acquire control of all of the capital stock of Saucon upon consummation of the previously-referenced conversion. Included within the request of Saucon Holding Company was the identity of three individuals anticipated to hold a controlling interest in Saucon Holding Company upon completion of the conversion and acquisition.

The notice published at 44 Pa.B. 5948 afforded persons the opportunity to provide written comments on the filing to the Department for a period that expired on October 28, 2014. At the conclusion of a public informational hearing held by the Department on September 1, 2015, the Department announced that once the transcript is made available and after all questions and responses are compiled, the Department would reopen the matter for public comment for an additional 15-day period of time. On September 11, 2015, the Department posted on its web site the hearing transcript and Saucon's letter responding to the hearing commentary. Because of technical difficulties relating to the Department's web site migration, the Department extended the comment period until November 2, 2015.

On April 3, 2017, the Department received amended documents to the proposed conversion and corresponding change of control of Saucon (Amended Filing). The Amended Filing is currently available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). After first scheduling an appointment, consumers may also view the amended documents at the Department's Harrisburg office, (717) 787-0877.

The purpose of this notice is to reopen the public comment period to afford the public the opportunity to comment on the Amended Filing. Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement on the Amended Filing to the Department. The public comment period will remain open for an indefinite period of time to afford persons ample opportunity to provide written comments on the Amended Filing to the Department. A subsequent notice will appear in the *Pennsylvania Bulletin* to announce the closing of the public comment period. Written statements must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov).

Comments received will be part of the public record regarding the filing and will be made available on the Department's web site. Additionally, copies of the comments received will be forwarded to the applicant for appropriate response. The applicant's responses will also be made available on the Department's web site.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-685. Filed for public inspection April 21, 2017, 9:00 a.m.]

**Extension of Comment Period for Review of Matters Regarding Highmark, Inc., Highmark Health and Allegheny Health Network in Connection with the Insurance Department's Approving Determination and Order Issued on April 29, 2013; Notice 2017-05**

The Insurance Department (Department) published Notice 2017-04 at 47 Pa.B. 2161 (April 8, 2017) requesting public comment on a filing made by Highmark Health (Highmark) on March 27, 2017. In Notice 2017-04, the Department indicated that written comments would be accepted until April 24, 2017. The comment period is extended until May 8, 2017.

Persons wishing to comment on the filing, on the grounds of public or private interest, are invited to submit a written statement to the Department on or before May 8, 2017. Each written statement must include the name, address and telephone number of the interested party; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Joseph DiMemmo, Deputy Insurance Commissioner, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, ra-in-comment@pa.gov.

Comments received will be part of the public record regarding this filing, which will be made available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Additionally, copies of the comments received will be forwarded to Highmark for appropriate response. Highmark's responses will also be made available on the Department's web site.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-686. Filed for public inspection April 21, 2017, 9:00 a.m.]

**Review Procedure Hearings under the Unfair Insurance Practices Act**

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Hearing Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Bernice M. Baker; File No. 17-198-208789; Farmers Mutual Fire Insurance Company of Marble, PA; Doc. No. P17-04-001; May 17, 2017, 11 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-687. Filed for public inspection April 21, 2017, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Service Plan; Prehearing Conference

**P-2017-2596815 and P-2017-2596838. Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company.** Joint petition of Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company for approval of a default service plan for the period June 1, 2018 through May 31, 2021.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 30, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the petitioner and a copy provided to the Administrative Law Judge. The documents filed in support of the petition 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 petitioner's business address.

*Applicants:* Citizens' Electric Company of Lewisburg, PA; Wellsboro Electric Company

*Through and By Counsel:* Pamela C. Polacek, Esquire, McNees, Wallace & Nurick, LLC, P.O. Box 1166, 100 Pine Street, Harrisburg, PA 17108-1166



### Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Monday, May 15, 2017  
*Time:* 2 p.m.  
*Location:* Hearing Room 2  
 Plaza Level  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120  
*Presiding:* Administrative Law Judge Joel Cheskis  
 Administrative Law Judge Benjamin Myers  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265  
 (717) 787-1399  
 Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Pennsylvania Public Utility Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearing, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

Scheduling Office: (717) 787-1399

Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-688. Filed for public inspection April 21, 2017, 9:00 a.m.]

### Energy Efficiency and Conservation Program

Public Meeting held  
 April 6, 2017

*Commissioners Present:* Gladys M. Brown, Chairperson, statement follows; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

*Energy Efficiency and Conservation Program;  
 M-2012-2289411*

### Compliance Order

*By the Commission:*

The Commission has been charged by the Pennsylvania General Assembly (General Assembly) with establishing an energy efficiency and conservation program (EE&C Program). The EE&C Program requires each electric distribution company (EDC) with at least 100,000 customers to adopt a plan to reduce energy demand and

consumption within its service territory.<sup>1</sup> 66 Pa.C.S. § 2806.1. On August 2, 2012, the Commission adopted an Implementation Order at Docket No. M-2012-2289411 establishing the standards each plan must meet and providing guidance on the procedures to be followed for submittal, review and approval of all aspects of the EDCs' Energy Efficiency and Conservation plans (EE&C plans). See Energy Efficiency and Conservation Program, Implementation Order at Docket No. M-2012-2289411, entered August 3, 2012 (Phase II Implementation Order).

The Commission was also charged with the responsibility to evaluate the costs and benefits of the Energy Efficiency and Conservation (EE&C) Program by November 30, 2013, and every five years thereafter. 66 Pa.C.S. § 2806.1(c)(3). The Commission must adopt additional incremental reductions in consumption if the benefits of the EE&C Program exceed its costs. Id. With the Phase II Implementation Order, the Commission adopted additional incremental reductions in consumption that each EDC was required to meet by May 31, 2016.

Beginning five years following the effective date of the Act, and annually thereafter, the Commission is required to submit a report to the Consumer Protection and Professional Licensure Committee of the Senate and the Consumer Affairs Committee of the House of Representatives. 66 Pa.C.S. § 2806.1(i)(2). The Commission believes the intent of this report is to provide information regarding the programs offered by the EDCs, an overview of the Commission's Statewide Evaluator's (SWE) activities,<sup>2</sup> and information regarding EDCs' compliance with the mandates. To meet this requirement, the Commission directed the SWE to provide a comprehensive Phase II Final Annual Report, to be filed in lieu of a program year 7 (PY7) annual report. In addition to outlining its audit activities and findings for PY7, the SWE was to review the EDCs' PY7 Final Annual Reports<sup>3</sup> and its own auditing information to determine whether or not the consumption reductions reported by the EDCs were accurate. With this Order, the Commission releases the SWE's Phase II Final Annual Report.

The Commission must also determine whether the EDCs are in compliance with the targets adopted by the Commission in the Phase II Implementation Order in accordance with 66 Pa.C.S. §§ 2806.1(b), (c) and (d).<sup>4</sup> With this Order, the Commission assesses the EDCs' compliance with these targets. Specifically, the Commission initially determines that Duquesne Light Company (Duquesne), Metropolitan Edison Company (Met-Ed), PECO Energy Company (PECO), Pennsylvania Electric Company (Penelec), Pennsylvania Power Company (Penn Power), PPL Electric Utilities (PPL), and West Penn Power Company (West Penn) are in compliance with the May 31, 2016 electric consumption reduction requirements as outlined in the table below:<sup>5</sup>

<sup>1</sup> The EDCs subject to the EE&C Program provisions are Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company.

<sup>2</sup> GDS Associates, et al.

<sup>3</sup> The EDCs' PY7 Final Annual Reports are available at [http://www.puc.pa.gov/filing\\_resources/issues\\_laws\\_regulations/act\\_129\\_information/electric\\_distribution\\_company\\_act\\_129\\_reporting\\_requirements.aspx](http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/electric_distribution_company_act_129_reporting_requirements.aspx).

<sup>4</sup> Because the Commission did not have information on the cost-effectiveness of the EDC's Phase I demand response programs at the time of the Phase II Implementation Order, the Commission do not have the information needed to definitively determine if the Phase I or another peak demand reduction program design was cost-effective, at that time. Accordingly, the Commission did not set peak demand reduction targets for the Phase II EE&C program period. See Phase II Implementation Order at 32-45.

<sup>5</sup> See Phase II Implementation Order at 24-26.

<i>EDC</i>	<i>Three-Year Program Acquisition Cost (\$/MWh)</i>	<i>Three-Year % of 2009/10 Forecast Reductions</i>	<i>Three-Year MWh Value of 2009/10 Forecast Reductions</i>
Duquesne	\$211.90	2.0	276,722
Met-Ed	\$220.87	2.3	337,753
Penelec	\$216.19	2.2	318,813
Penn Power	\$209.20	2.0	95,502
PPL	\$224.71	2.1	821,072
PECO	\$227.55	2.9	1,125,851
West Penn	\$209.42	1.6	337,533

Furthermore, the Commission initially determines that Duquesne, Met-Ed, PECO, Penelec, Penn Power, PPL and West Penn were in compliance with the May 31, 2016 requirement to obtain a minimum of ten percent (10%) of all consumption reduction requirements from government/educational/nonprofit institutions.<sup>6</sup> Finally, the Commission initially determines that Duquesne, Met-Ed, PECO, Penelec, Penn Power, PPL and West Penn were in compliance with the May 31, 2016 requirement to obtain a minimum of four-and-one-half percent (4.5%) of their total consumption reduction requirements from the low-income sector, as well as, the requirement to include specific energy efficiency measures for households at or below 150% of the Federal poverty income guidelines in proportion to those households' share of the total energy usage in the EDCs' service territories.<sup>7</sup>

#### *Background and History of this Proceeding*

Act 129 of 2008 (the Act or Act 129) was signed into law on October 15, 2008, and became effective on November 14, 2008. Among other things, the Act created an EE&C Program, codified in the Pennsylvania Public Utility Code at Sections 2806.1 and 2806.2, 66 Pa.C.S. §§ 2806.1 and 2806.2. This initial program required an EDC with at least 100,000 customers to adopt an EE&C plan, approved by the Commission, to reduce electric consumption by May 31, 2011 and May 31, 2013. See, 66 Pa.C.S. § 2806.1(c). Also, by May 31, 2013, peak demand was to be reduced by a minimum of 4.5% of the EDCs' annual system peak demand in the 100 hours of highest demand. See, 66 Pa.C.S. § 2806.1(d).

The Act requires the Commission to evaluate the costs and benefits of the EE&C Program and of the approved EE&C plans by November 30, 2013, and at least every five years thereafter. This evaluation is to be consistent with the total resource cost (TRC) test or a cost-benefit analysis determined by the Commission. As stated in the Act, "[i]f the Commission determines that the benefits of the Program exceed the costs, the Commission shall adopt additional required incremental reductions in consumption" to be met by the large EDCs. See 66 Pa.C.S. § 2806.1(c)(3). Also, the Commission interpreted subsection 2806.1(d)(2) of Act 129, 66 Pa.C.S. § 2806.1(d)(2), as requiring the Commission to prescribe specific peak demand reduction targets for subsequent phases of Act 129, if the demand response program is proven to be cost-effective.

The Statewide Evaluator (SWE) conducted Pennsylvania specific residential, commercial and industrial baseline saturation studies and prepared a Market Potential

Study for the Commission that recommended EDC-specific energy efficiency reduction targets. For Phase II, the Commission established a three-year length of program. The primary reason was to give the Commission time to evaluate the current and potential future peak demand reduction program design and assess the potential for demand response savings in a potential Phase III EE&C program. The Commission adopted the SWE recommended EDC-specific consumption reduction requirements for Phase II. Because the Commission did not receive information on the cost-effectiveness of the EDC's Phase I demand response programs until the end of 2012, the Commission could not definitively determine if the Phase I or another peak demand reduction program design was cost-effective. As such, the Commission did not set any peak demand reduction targets for the Phase II EE&C program period.<sup>8</sup>

If an EDC fails to achieve these reductions in electric consumption or in peak demand, that EDC shall be subject to a civil penalty of not less than \$1,000,000 and not greater than \$20,000,000. Such penalties may not be recovered from ratepayers. See, 66 Pa.C.S. § 2806.1(f)(2).

Act 129 also required the EDCs to file with the Commission annual reports relating to the results of their EE&C Plans for that program year. 66 Pa.C.S. § 2806.1(i)(1). These reports were to document the effectiveness of the EDCs' EE&C plans, the measurement and verification of energy savings, the evaluation of the cost-effectiveness of expenditures and any other information required by the Commission. For Phase II, EDCs were to submit two Act 129 annual reports per program year. The first annual report, due July 15, was to be a preliminary report providing each EDC's reported savings for its EE&C portfolio for that program year. The second annual report, due November 15, was to be a final annual report providing verified savings for the EDC's EE&C portfolio for that program year, the cost-effectiveness evaluation (TRC test), the process evaluation, as well as items required by Act 129 and Commission Orders. In addition to the annual reports, the EDCs are to file quarterly reports for the first three quarters of each reporting year, due 45 calendar days from the end of the respective quarter; fourth quarter reporting information is to be included in the preliminary annual report.<sup>9</sup>

Additionally, the SWE is required to provide annual reports which provide the results of its independent evaluations of the EDCs' programs. The SWE's PY7 annual report provides an overview of the entirety of Phase II. This Phase II Final Annual Report provides the SWE's analysis of whether or not it agrees with the

<sup>6</sup> See Phase II Implementation Order at 45-51.

<sup>7</sup> See Phase II Implementation Order at 53-58.

<sup>8</sup> See Phase II Implementation Order at 11-43.

<sup>9</sup> See Phase II Implementation Order at 78.

EDCs' reported compliance consumption reduction and peak demand reduction information. This report will also provide the Commission with a report to submit to the Consumer Protection and Professional Licensure Committee of the Senate and the Consumer Affairs Committee of the House of Representatives in accordance with Section 2806.1(i)(2) of the Act, 66 Pa.C.S. § 2806.1(i)(2).

### Discussion

#### A. Compliance

The Commission has reviewed the results provided by all of the EDCs' in their Final Annual Reports and the SWE's Phase II Final Annual Report. Based on this review, we have outlined below our initial determinations of EDC compliance with the energy consumption reduction targets. We have also outlined the EDCs' performance with regard to their government/educational/non-profit and low-income EE&C Plan requirements. The compliance determinations outlined below are initial determinations that will become final unless a Petition is filed in accordance with 52 Pa. Code § 5.41 challenging the initial determination for a particular EDC within 20 days of the entry of this Order.

##### 1. May 31, 2016—Electric Consumption Reduction Requirement

As outlined in the previous table, the three-year electric consumption reduction requirements varied by EDC and were based on a specific mix of program potential, acquisition costs and funding availability under the 2% of revenue annual spending cap. In addition, the Commission allowed EDCs that achieved their Phase I three percent target before the end of Phase I to continue their programs and credit all of those savings above the three percent reduction target towards Phase II reduction targets. In other words, the Commission allowed the EDCs to "carry over" into Phase II the Phase I verified energy savings that exceeded the Phase I compliance target. The Commission's determination of compliance with the May 31, 2016, portfolio-level electric consumption reduction requirement for each EDC follows.

##### a. Duquesne

Duquesne was required to reduce, by May 31, 2016, electric consumption in its service territory by 276,722 megawatt-hours (MWh).<sup>10</sup> Duquesne reports, in its PY7 Final Annual Report, that when using the savings methodologies outlined in the Technical Reference Manual (TRM),<sup>11</sup> it attained a reduction of 510,965 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>12</sup> In its Phase II Final Annual Report, the SWE validates Duquesne's reported TRM-verified savings of 510,965 MWh and notes that this amounts to 185% of Duquesne's electric consumption reduction requirement.<sup>13</sup> The Commission agrees with the TRM-verified savings reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the May 31, 2016, electric consumption reduction requirement.

##### b. Met-Ed

Met-Ed was required to reduce, by May 31, 2016, electric consumption in its service territory by 337,753

MWh.<sup>14</sup> Met-Ed reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 415,422 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>15</sup> In its Phase II Final Annual Report, the SWE validates Met-Ed's reported TRM-verified savings of 415,422 MWh and notes that this amounts to 123% of Met-Ed's electric consumption reduction requirement.<sup>16</sup> The Commission agrees with the TRM-verified savings reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the May 31, 2016, electric consumption reduction requirement.

##### c. PECO

PECO was required to reduce, by May 31, 2016, electric consumption in its service territory by 1,125,851 MWh.<sup>17</sup> PECO reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 1,333,298 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>18</sup> In its Phase II Final Annual Report, the SWE validates PECO's reported TRM-verified savings of 1,333,298 MWh and notes that this amounts to 118% of PECO's electric consumption reduction requirement.<sup>19</sup> The Commission agrees with the TRM-verified savings reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the May 31, 2016, electric consumption reduction requirement.

##### d. Penelec

Penelec was required to reduce, by May 31, 2016, electric consumption in its service territory by 318,813 MWh.<sup>20</sup> Penelec reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 395,313 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>21</sup> In its Phase II Final Annual Report, the SWE validates Penelec's reported TRM-verified savings of 395,313 MWh and notes that this amounts to 124% of Penelec's electric consumption reduction requirement.<sup>22</sup> The Commission agrees with the TRM-verified savings reported by Penelec and confirmed by the SWE and initially deems Penelec to be in compliance with the May 31, 2016, electric consumption reduction requirement.

##### e. Penn Power

Penn Power was required to reduce, by May 31, 2016, electric consumption in its service territory by 95,502 MWh.<sup>23</sup> Penn Power reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 131,948 MWh, in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>24</sup> In its Phase II Final Annual Report, the SWE validates with Penn Power's reported TRM-verified savings of 131,948 MWh

<sup>14</sup> See Phase II Targets Order at 24.

<sup>15</sup> See Final Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2334387, (Met-Ed PY7 Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and Met-Ed, filed November 15, 2016.

<sup>16</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>17</sup> See Phase II Targets Order at 24.

<sup>18</sup> See Final Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2333992, (PECO PY7 Annual Report), at 1, prepared by Navigant Consulting, Inc. for PECO Energy Company, filed November 15, 2016.

<sup>19</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>20</sup> See Phase II Targets Order at 24.

<sup>21</sup> See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2334392, (Penelec PY7 Final Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and Penelec, filed November 15, 2016.

<sup>22</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>23</sup> See Phase II Targets Order at 24.

<sup>24</sup> See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2334395, (Penn Power PY7 Final Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and Penn Power, filed November 15, 2016.

<sup>10</sup> See Energy Consumption Reduction Targets Order, at Docket No. M-2012-2289411, (Phase II Targets Order), at 24, entered August 2, 2012.

<sup>11</sup> Hereafter referred to as "TRM-verified savings."

<sup>12</sup> See Final Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2334399, (Duquesne PY7 Annual Report), at 1, prepared by Navigant Consulting, Inc. for Duquesne Light Company, filed November 16, 2016.

<sup>13</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

and notes that this amounts to 138% of Penn Power's electric consumption reduction requirement.<sup>25</sup> The Commission agrees with the TRM-verified savings reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the May 31, 2016, electric consumption reduction requirement.

f. *PPL*

PPL was required to reduce, by May 31, 2016, electric consumption in its service territory by 821,072 MWh.<sup>26</sup> PPL reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 1,194,372 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>27</sup> In its Phase II Final Annual Report, the SWE validates PPL's reported TRM-verified savings of 1,194,372 MWh and notes that this amounts to 146% of PPL's electric consumption reduction requirement.<sup>28</sup> The Commission agrees with the TRM-verified savings reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the May 31, 2016, electric consumption reduction requirement.

g. *West Penn*

West Penn was required to reduce, by May 31, 2016, electric consumption in its service territory by 337,533 MWh.<sup>29</sup> West Penn reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 418,002 MWh in electric consumption as of May 31, 2016, including carryover savings from Phase I.<sup>30</sup> In its Phase II Final Annual Report, the SWE validates West Penn's reported TRM-verified savings of 418,002 MWh and notes that this amounts to 124% of West Penn's electric consumption reduction requirement.<sup>31</sup> The Commission agrees with the TRM-verified savings reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the May 31, 2016, electric consumption reduction requirement.

2. *Government/Educational/Non-Profit Carve-Out*

For Phase I, Act 129 required the EDCs submit EE&C Plans that provide a minimum of 10% of the required reductions in consumption and peak demand be obtained from units of Federal, State and local government, including municipalities, school districts, institutions of higher education and nonprofit entities (G/E/NP). 66 Pa.C.S. § 2806.1(b)(1)(i)(B). For Phase II, the Commission again required the EDCs to obtain a minimum of 10% of all consumption reduction requirements from the federal, state and local governments, including municipalities, school districts, institutions of higher education and nonprofit entities.<sup>32</sup> The Commission's initial determination of compliance with the G/E/NP consumption reduction carve-out for each EDC follows.

a. *Duquesne*

Duquesne was required to obtain 27,672 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>33</sup> Duquesne reports, in its PY7 Final Annual Report, it attained a TRM-verified

reduction of 29,857 MWh from the G/E/NP sector, including carryover savings from Phase I.<sup>34</sup> In its Phase II Final Annual Report; the SWE validates Duquesne's reported TRM-verified savings of 29,857 MWh and notes that this amounts to 108% of Duquesne's G/E/NP consumption reduction requirement.<sup>35</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the G/E/NP consumption reduction requirement.

b. *Met-Ed*

Met-Ed was required to obtain 33,775 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>36</sup> Met-Ed reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 40,087 MWh from the G/E/NP sector, including carryover savings from Phase I.<sup>37</sup> In its Phase II Final Annual Report; the SWE validates Met-Ed's reported TRM-verified savings of 40,087 MWh and notes that this amounts to 119% of Met-Ed's G/E/NP consumption reduction requirement.<sup>38</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the G/E/NP consumption reduction requirement.

c. *PECO*

PECO was required to obtain 112,585 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>39</sup> PECO reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 305,946 MWh from the G/E/NP sector, including carryover savings from Phase I.<sup>40</sup> In its Phase II Final Annual Report; the SWE validates PECO's reported TRM-verified savings of 305,946 MWh and notes that this amounts to 272% of PECO's G/E/NP consumption reduction requirement.<sup>41</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the G/E/NP consumption reduction requirement.

d. *Penelec*

Penelec was required to obtain 31,881 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>42</sup> Penelec reports, in its PY7 Final Annual Report, it attained a TRM-verified savings value of 42,685 MWh from the G/E/NP sector, including carryover savings from Phase I.<sup>43</sup> In its Phase II Final Annual Report, the SWE validates Penelec's reported TRM-verified savings of 42,685 MWh and notes that this amounts to 134% of Penelec's G/E/NP consumption reduction requirement.<sup>44</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Penelec and confirmed by the SWE and initially deems Penelec to be in compliance with the G/E/NP consumption reduction requirement.

<sup>34</sup> See Duquesne PY7 Final Annual Report at 5.

<sup>35</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report.

<sup>36</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>37</sup> See Met-Ed PY7 Final Annual Report at 4.

<sup>38</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report.

<sup>39</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>40</sup> See PECO PY7 Final Annual Report at 4.

<sup>41</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report.

<sup>42</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>43</sup> See Penelec PY7 Final Annual Report at 4.

<sup>44</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC, of the SWE Final Report.

<sup>25</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>26</sup> See Phase II Targets Order at 24.

<sup>27</sup> See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2334388, (PPL PY7 Final Annual Report), at 5, prepared by Cadmus Group, Inc., filed November 15, 2016.

<sup>28</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>29</sup> See Phase II Targets Order at 24.

<sup>30</sup> See Annual Report to the Pennsylvania Public Utility Commission: For the period June 1, 2015 to May 31, 2016, at Docket No. M-2012-2334388, (West Penn PY7 Final Annual Report), at 1, prepared by ADM Associates, TeraTech MA, and West Penn, filed November 15, 2016.

<sup>31</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>32</sup> See Phase II Implementation Order at 45.

<sup>33</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

e. *Penn Power*

Penn Power was required to obtain 9,550 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>45</sup> Penn Power reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 17,124 MWh from the G/E/NP sector, including carryover savings from Phase I.<sup>46</sup> In its Phase II Final Annual Report, the SWE validates Penn Power's reported TRM-verified savings of 17,124 MWh and notes that this amounts to 179% of Penn Power's G/E/NP consumption reduction requirement.<sup>47</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the G/E/NP consumption reduction requirement.

f. *PPL*

PPL was required to obtain 82,107 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>48</sup> PPL reports, in its PY7 Final Annual Report, it attained a TRM-verified savings value of 185,391 MWh from the G/E/NP sector, including carryover savings from Phase I.<sup>49</sup> In its Phase II Final Annual Report, the SWE validates PPL's reported TRM-verified savings of 185,391 MWh and notes that this amounts to 226% of PPL's G/E/NP consumption reduction requirement.<sup>50</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the G/E/NP consumption reduction requirement.

g. *West Penn*

West Penn was required to obtain 33,753 MWh of its total electric consumption reduction from the G/E/NP sector in its service territory.<sup>51</sup> West Penn reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 93,655 MWh from the G/E/NP sector.<sup>52</sup> In its Phase II Final Annual Report, the SWE validates West Penn's reported TRM-verified savings of 93,655 MWh and notes that this amounts to 277% of West Penn's G/E/NP consumption reduction requirement.<sup>53</sup> The Commission agrees with the TRM-verified savings from the G/E/NP sector reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the G/E/NP consumption reduction requirement.

4. *Low-Income Carve-Out—Number of Measures*

Act 129 proscribed that, in Phase I, each EDC EE&C Plan must include specific energy efficiency measures for households at or below 150% of the federal poverty income guidelines (FPIG), in proportion to that sector's share of the total energy usage in the EDC's service territory. See 66 Pa.C.S. § 2806.1(b)(1)(i)(G). For Phase II, the Commission continues this prescription.<sup>54</sup> The Commission's tentative determination of compliance with the low-income measure proportion requirement for each EDC follows.

<sup>45</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>46</sup> See Penn Power PY7 Final Annual Report at 4.

<sup>47</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>48</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets, of the SWE Final Report.

<sup>49</sup> See PPL PY7 Final Annual Report at 10.

<sup>50</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>51</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>52</sup> See West Penn PY7 Final Annual Report at 4.

<sup>53</sup> See Table 2-5: GNI Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>54</sup> See Phase II Implementation Order at 53-58.

a. *Duquesne*

Duquesne was required to offer 8.402% of its measures to the low-income sector.<sup>55</sup> Duquesne reports, in its PY7 Final Annual Report, that out of 97 measures offered across all sectors, 14 were offered to low-income customers. Duquesne states that this represented 14% of its measures.<sup>56</sup> In its Phase II Final Annual Report, the SWE validates Duquesne's reported proportion of measures offered to low-income customers.<sup>57</sup> The Commission agrees with the proportion of low-income offerings reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the low-income measure proportion requirement.

b. *Met-Ed*

Met-Ed was required to offer 8.787% of its measures to the low-income sector.<sup>58</sup> Met-Ed reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. Met-Ed states that this represented 15% of its measures.<sup>59</sup> In its Phase II Final Annual Report, the SWE validates Met-Ed's reported proportion of measures offered to low-income customers.<sup>60</sup> The Commission agrees with the proportion of low-income offerings reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the low-income measure proportion requirement.

c. *PECO*

PECO was required to offer 8.799% of its measures to the low-income sector.<sup>61</sup> PECO reports, in its PY7 Final Annual Report, that out of 112 measures offered across all sectors, 19 were offered to low-income customers. PECO states that this represented 17% of its measures.<sup>62</sup> In its Phase II Final Annual Report, the SWE validates PECO's reported proportion of measures offered to low-income customers.<sup>63</sup> The Commission agrees with the proportion of low-income offerings reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the low-income measure proportion requirement.

d. *Penelec*

Penelec was required to offer 10.231% of its measures to the low-income sector.<sup>64</sup> Penelec reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. Penelec states that this represented 15% of its measures.<sup>65</sup> In its Phase II Final Annual Report, the SWE validates Penelec's reported proportion of measures offered to low-income customers.<sup>66</sup> The Commission agrees with the proportion of low-income offerings reported by Penelec and confirmed by the SWE and initially

<sup>55</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>56</sup> See Duquesne PY7 Final Annual Report at 4.

<sup>57</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

<sup>58</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>59</sup> See Met-Ed PY7 Final Annual Report at 4.

<sup>60</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

<sup>61</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>62</sup> See PECO PY7 Final Annual Report at 5.

<sup>63</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

<sup>64</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>65</sup> See Penelec PY7 Final Annual Report at 4.

<sup>66</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

deems Penelec to be in compliance with the low-income measure proportion requirement.

e. *Penn Power*

Penn Power was required to offer 10.639% of its measures to the low-income sector.<sup>67</sup> Penn Power reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. Penn Power states that this represented 15% of its measures.<sup>68</sup> In its Phase II Final Annual Report, the SWE validates Penn Power's reported proportion of measures offered to low-income customers.<sup>69</sup> The Commission agrees with the proportion of low-income offerings reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the low-income measure proportion requirement.

f. *PPL*

PPL was required to offer 9.950% of its measures to the low-income sector.<sup>70</sup> PPL reports, in its PY7 Final Annual Report, that out of 134 measures offered across all sectors, 62 were offered to low-income customers. PPL states that this represented 46% of its measures.<sup>71</sup> In its Phase II Final Annual Report, the SWE validates PPL's reported proportion of measures offered to low-income customers.<sup>72</sup> The Commission agrees with the proportion of low-income offerings reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the low-income measure proportion requirement.

g. *West Penn*

West Penn was required to offer 8.794% of its measures to the low-income sector.<sup>73</sup> West Penn reports, in its PY7 Final Annual Report, that out of 40 measures offered across all sectors, six were offered to low-income customers. West Penn states that this represented 15% of its measures.<sup>74</sup> In its Phase II Final Annual Report, the SWE validates West Penn's reported proportion of measures offered to low-income customers.<sup>75</sup> The Commission agrees with the proportion of low-income offerings reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the low-income measure proportion requirement.

5. *Low-Income Carve-Out—Consumption Reduction Requirement*

In addition to the low-income number of measures requirement, the Commission requires that each EDC obtains a minimum of four-and-a-half percent (4.5%) of its consumption reduction requirements from the low-income sector.<sup>76</sup> The Commission's initial determination of compliance with the low-income consumption reduction carve-out for each EDC follows.

a. *Duquesne*

Duquesne was required to obtain 12,452 MWh of its total electric consumption reduction from the low-income

sector in its service territory.<sup>77</sup> Duquesne reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 23,173 MWh from the low-income sector.<sup>78</sup> In its Phase II Final Annual Report, the SWE validates Duquesne's reported TRM-verified savings of 23,173 MWh and notes that this amounts to 186% of Duquesne's low-income consumption reduction requirement.<sup>79</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by Duquesne and confirmed by the SWE and initially deems Duquesne to be in compliance with the low-income consumption reduction requirement.

b. *Met-Ed*

Met-Ed was required to obtain 15,199 MWh of its total electric consumption reduction from the low-income sector in its service territory.<sup>80</sup> Met-Ed reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 45,839 MWh from the low-income sector.<sup>81</sup> In its Phase II Final Annual Report, the SWE validates Met-Ed's reported TRM-verified savings of 45,839 MWh and notes that this amounts to 302% of Met-Ed's low-income consumption reduction requirement.<sup>82</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by Met-Ed and confirmed by the SWE and initially deems Met-Ed to be in compliance with the low-income consumption reduction requirement.

c. *PECO*

PECO was required to obtain 50,663 MWh of its total electric consumption reduction from the low-income sector in its service territory.<sup>83</sup> PECO reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 91,673 MWh from the low-income sector.<sup>84</sup> In its Phase II Final Annual Report, the SWE validates PECO's reported TRM-verified savings of 91,673 MWh and notes that this amounts to 181% of PECO's low-income consumption reduction requirement.<sup>85</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by PECO and confirmed by the SWE and initially deems PECO to be in compliance with the low-income consumption reduction requirement.

d. *Penelec*

Penelec was required to obtain 14,347 MWh of its total electric consumption reduction from the low-income sector in its service territory.<sup>86</sup> Penelec reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 55,255 MWh from the low-income sector.<sup>87</sup> In its Phase II Final Annual Report, the SWE validates Penelec's reported TRM-verified savings of 55,255 MWh and notes that this amounts to 385% of Penelec's low-income consumption reduction requirement.<sup>88</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by Penelec and confirmed by the

<sup>67</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>68</sup> See Penn Power PY7 Final Annual Report at 4.

<sup>69</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

<sup>70</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>71</sup> See PPL PY7 Final Annual Report at 9.

<sup>72</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

<sup>73</sup> See Report of the Act 129 Low-Income Working Group at Docket No. M-2009-2146801, Table 1, at 6, that was adopted by the Commission in an April 27, 2010, Secretarial Letter at the same Docket.

<sup>74</sup> See West Penn PY7 Final Annual Report at 4.

<sup>75</sup> See Table 2-6: EDC Achievement of Act 129 Low-Income Requirements in PY7 of the SWE Final Report.

<sup>76</sup> See Phase II Implementation Order at 53-58.

<sup>77</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>78</sup> See Duquesne PY7 Final Annual Report at 4.

<sup>79</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>80</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>81</sup> See Met-Ed PY7 Final Annual Report at 3.

<sup>82</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>83</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>84</sup> See PECO PY7 Final Annual Report at 5.

<sup>85</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>86</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>87</sup> See Penelec PY7 Final Annual Report at 3.

<sup>88</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

SWE and initially deems Penelec to be in compliance with the low-income consumption reduction requirement.

*e. Penn Power*

Penn Power was required to obtain 4,298 MWh of its total electric consumption reduction from the low-income sector in its service territory.<sup>89</sup> Penn Power reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 12,713 MWh from the low-income sector.<sup>90</sup> In its Phase II Final Annual Report, the SWE validates Penn Power's reported TRM-verified savings of 12,713 MWh and notes that this amounts to 296% of Penn Power's low-income consumption reduction requirement.<sup>91</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by Penn Power and confirmed by the SWE and initially deems Penn Power to be in compliance with the low-income consumption reduction requirement.

*f. PPL*

PPL was required to obtain 36,948 MWh of its total electric consumption reduction from the low-income sector in its service territory.<sup>92</sup> PPL reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 58,703 MWh from the low-income sector.<sup>93</sup> In its Phase II Final Annual Report, the SWE validates PPL's reported TRM-verified savings of 58,703 MWh and notes that this amounts to 159% of PPL's low-income consumption reduction requirement.<sup>94</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by PPL and confirmed by the SWE and initially deems PPL to be in compliance with the low-income consumption reduction requirement.

*g. West Penn*

West Penn was required to obtain 15,189 MWh of its total electric consumption reduction from the low-income sector in its service territory.<sup>95</sup> West Penn reports, in its PY7 Final Annual Report, it attained a TRM-verified reduction of 37,513 MWh from the low-income sector.<sup>96</sup> In its Phase II Final Annual Report, the SWE validates West Penn's reported TRM-verified savings of 37,513 MWh and notes that this amounts to 247% of West Penn's low-income consumption reduction requirement.<sup>97</sup> The Commission agrees with the TRM-verified savings from the low-income sector reported by West Penn and confirmed by the SWE and initially deems West Penn to be in compliance with the low-income consumption reduction requirement.

*5. Challenges To The Phase II Results*

If any party desires to contest the facts the Commission relied upon in making its determinations of compliance contained herein, they have 20 days, from the date this order is entered, to file a petition in accordance with Section 5.41 of the Commission's Regulations, 52 Pa. Code § 5.41. Such petitions are to reference Docket Nos. M-2012-2289411 and the applicable EDC EE&C plan Phase II Docket. The party contesting the Commission's

initial compliance determination shall have the burden of proof in accordance with 66 Pa.C.S. §§ 315 and 332(a). If no parties file a petition within 20 days of the date this order is entered, the Commission's initial compliance determinations for each EDC will be considered final.

*B. Accumulated Savings In Excess Of Reduction Requirements*

In its Phase II Implementation Order, the Commission recognized the importance of the continued implementation of cost-effective Phase I programs until the beginning of Phase II.<sup>98</sup> However, in its Phase III Implementation Order, the Commission expressed concerns that continued carryover of all excess savings from phase to phase will lead to a scenario in which an EDC meets most, if not all, of its reduction target simply with carryover savings. Therefore, EDCs are allowed to bank only those savings attained in Phase II that are in excess of their Phase II targets for application towards Phase III targets.<sup>99</sup>

*1. Carryover And Excess Savings*

The EDCs, in their PY7 Final Annual Reports, have provided the amount of carryover and excess savings resulting from the Phase II EE&C Program. The Commission's initial determination regarding the accuracy of these values for each EDC follows.

*a. Duquesne*

In its PY7 Final Annual Report, Duquesne reports it attained portfolio-level Technical Reference Manual-verified (TRM-verified) electric consumption carryover savings of 100,526 MWh and low-income reduction requirement excess savings of 3,431 MWh; however, it was not able to attain excess savings from the G/E/NP reduction requirement.<sup>100</sup> In its Phase II Final Annual Report, the SWE validates Duquesne's portfolio-level electric consumption carryover savings of 100,526 MWh; and that Duquesne is not able to carry over G/E/NP reduction requirement excess savings.<sup>101</sup> The SWE was not able to verify the low-income reduction requirement excess savings of 3,431 MWh. The SWE notes, low-income excess savings for Phase III are based on an allocation factor determined by the ratio of savings from low-income specific programs to non-low-income specific programs; therefore, Duquesne's verified low-income reduction requirement excess savings total decreased from 3,431 MWh to 2,542 MWh.<sup>102</sup> The Commission agrees with the SWE verified and adjusted low-income reduction requirement excess savings and initially accepts an excess savings total of 2,542 MWh to be credited against Duquesne's Phase III low-income reduction requirements. Furthermore, the Commission agrees with the TRM-verified carryover savings reported by Duquesne, confirmed by the SWE, and initially accepts a portfolio-level carryover total of 100,526 MWh to be credited against Duquesne's Phase III portfolio-level electric consumption reduction requirements.

*b. Met-Ed*

In its PY7 Final Annual Report, Met-Ed reports it attained the portfolio-level TRM-verified electric consumption carryover savings amount of 30,482 MWh and low-income reduction requirement excess savings of 5,025 MWh; however, it was not able to attain excess savings

<sup>89</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>90</sup> See Penn Power PY7 Final Annual Report at 3.

<sup>91</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>92</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>93</sup> See PPL PY7 Final Annual Report at 9.

<sup>94</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>95</sup> See Table 2-2: Act 129 Phase II Three-Year Low-Income and GNI Energy Efficiency Reduction Targets of the SWE Final Report.

<sup>96</sup> See West Penn PY7 Final Annual Report at 3.

<sup>97</sup> See Table 2-4: Low-Income Carve-Out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>98</sup> See Phase II Implementation Order at 58-60.

<sup>99</sup> See Energy Efficiency and Conservation Program Implementation Order at Docket No. M-2014-2424864, (Phase III Implementation Order), at 83-86, entered June 19, 2015.

<sup>100</sup> See Duquesne PY7 Final Annual Report at 6.

<sup>101</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>102</sup> See Table 2-4: Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

from the G/E/NP reduction requirement.<sup>103</sup> In its Phase II Final Annual Report, the SWE validates Met-Ed's portfolio-level carryover of electric consumption in the amount of 30,482 MWh and low-income reduction requirement excess savings of 5,025 MWh; and that Met-Ed is not able to carry over G/E/NP reduction requirement excess savings.<sup>104</sup> The Commission agrees with the TRM-verified carryover and excess savings reported by Met-Ed, confirmed by the SWE, and initially accepts a portfolio-level carryover total of 30,482 MWh to be credited against Met-Ed's Phase III portfolio-level electric consumption reduction requirements and an excess savings total of 5,025 MWh to be credited against Met-Ed's Phase III low-income reduction requirements.

#### c. PECO

In its PY7 Final Annual Report, PECO reports it is not eligible to carryover portfolio-level TRM-verified electric consumption savings; however, it attained G/E/NP reduction requirement excess savings of 115,400 MWh and low-income reduction requirement excess savings of 3,729 MWh.<sup>105</sup> In its Phase II Final Annual Report, the SWE validates that PECO is not eligible to carryover portfolio-level savings towards its Phase III portfolio-level electric consumption reduction requirement, but is eligible to carryover G/E/NP reduction requirement excess savings of 115,400 MWh.<sup>106</sup> However, the SWE has calculated TRM-verified low-income reduction requirement excess savings that are significantly different than PECO's verified total of 3,729 MWh. The SWE notes, that low-income excess savings for Phase III are based on an allocation factor determined by the ratio of savings from low-income specific programs to non-low-income specific programs; therefore, PECO's low-income reduction requirement excess savings total amount increased from 3,729 MWh to 24,332 MWh.<sup>107</sup>

The Commission commends PECO for its efforts to obtain savings in excess of its carve-outs for low-income and G/E/NP customers. However, as PECO did not obtain portfolio-level TRM-verified electric consumption savings in excess of its portfolio-level requirements, PECO cannot carryover the low-income or G/E/NP excess savings. Both the low-income and G/E/NP savings are a carve-out or subset of the whole, accordingly, to allow a carryover for these carve-outs into Phase III, would, in essence, permit a carryover for the total Phase III consumption reduction requirement. As PECO did not obtain Phase II savings in excess of its Phase II consumption reduction requirement, it is not entitled to any carryover savings into Phase III. As such, the Commission initially will deny PECO any carryover savings to be credited against its Phase III consumption reduction requirements.

#### d. Penelec

In its PY7 Final Annual Report, Penelec reports it attained the portfolio-level TRM-verified electric consumption carryover savings amount of 49,695 MWh, G/E/NP reduction requirement excess savings of 83 MWh, and low-income reduction requirement excess savings of 7,872 MWh.<sup>108</sup> In its Phase II Final Annual Report, the SWE validates Penelec's portfolio-level electric consumption carryover of 49,695 MWh, G/E/NP reduction require-

ment excess savings of 83 MWh, and low-income reduction requirement excess savings of 7,872 MWh.<sup>109</sup> The Commission agrees with the portfolio-level TRM-verified carryover savings reported by Penelec and confirmed by the SWE and initially accepts a portfolio-level carryover total of 49,695 MWh to be credited against Penelec's Phase III portfolio-level electric consumption reduction requirements, an excess savings total of 83 MWh to be credited against Penelec's Phase III G/E/NP reduction requirements, and an excess savings total of 7,872 MWh to be credited against Penelec's Phase III low-income reduction requirements.

#### e. Penn Power

In its PY7 Final Annual Report, Penn Power reports it attained the portfolio-level TRM-verified electric consumption carryover savings amount of 13,866 MWh, G/E/NP reduction requirement excess savings of 7,316 MWh, and low-income reduction requirement excess savings of 1,805 MWh.<sup>110</sup> In its Phase II Final Annual Report, the SWE validates Penn Power's portfolio-level electric consumption carryover of 13,866 MWh, G/E/NP reduction requirement excess savings 7,316 MWh, and low-income reduction requirement excess savings of 1,805 MWh.<sup>111</sup> The Commission agrees with the TRM-verified carryover savings reported by Penn Power and confirmed by the SWE and initially accepts a portfolio-level carryover total of 13,866 MWh to be credited against Penn Power's Phase III portfolio-level electric consumption reduction requirements, an excess savings total of 7,316 MWh to be credited against Penn Power's Phase III G/E/NP reduction requirements, and an excess savings total of 1,805 MWh to be credited against Penn Power's Phase III low-income reduction requirements.

#### f. PPL

In its PY7 Final Annual Report, PPL reports it is not eligible to carryover portfolio-level TRM-verified electric consumption savings; however, it reported 11,141 MWh of TRM-verified G/E/NP reduction requirement excess savings and 10,299 MWh of low-income reduction requirement excess savings.<sup>112</sup> In its Phase II Final Annual Report, the SWE validates that PPL is not eligible to carryover savings towards its Phase III portfolio-level electric consumption reduction requirement,<sup>113</sup> but is eligible to carryover 11,141 MWh of G/E/NP reduction requirement excess savings.<sup>114</sup> However, the SWE has calculated TRM-verified low-income reduction requirement excess savings that differ from PPL's total of 10,299 MWh. The SWE notes, that low-income excess savings for Phase III are based on an allocation factor determined by the ratio of savings from low-income specific programs to non-low-income specific programs; therefore, PPL's low-income reduction requirement excess savings total amount increased from 10,299 MWh to 10,520 MWh.<sup>115</sup>

The Commission commends PPL for its efforts to obtain savings in excess of its carve-outs for low-income and G/E/NP customers. However, as PPL did not obtain portfolio-level TRM-verified electric consumption savings

<sup>109</sup> See Tables 2-3, 2-4, and 2-5: Phase II Compliance; Low-Income Carve-out Goal Performance, and GNI Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>110</sup> See Penn Power PY7 Final Annual Report at 5.

<sup>111</sup> See Tables 2-3, 2-4, and 2-5: Phase II Compliance; Low-Income Carve-out Goal Performance, and NI Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>112</sup> See PPL PY7 Final Annual Report at 12.

<sup>113</sup> See Table 2-3: Phase II Compliance Summary by EDC of the SWE Final Report.

<sup>114</sup> See Table 2-5: GNI Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>115</sup> See Table 2-4: Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>103</sup> See Met-Ed PY7 Final Annual Report at 5.

<sup>104</sup> See Tables 2-3 and 2-4: Phase II Compliance and Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>105</sup> See PECO PY7 Final Annual Report at 8.

<sup>106</sup> See Table 2-5: GNI Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>107</sup> See Table 2-4: Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

<sup>108</sup> See Penelec PY7 Final Annual Report at 5.



in excess of its portfolio-level requirements, PPL cannot carryover the low-income or G/E/NP carve-out excess savings. Both the low-income and G/E/NP savings are a carve-out or subset of the whole, accordingly, to allow a carryover for these carve-outs into Phase III, would, in essence, permit a carryover for the total Phase III consumption reduction requirement. As PPL did not obtain Phase II savings in excess of its Phase II consumption reduction requirement, it is not entitled to any carryover savings into Phase III. As such, the Commission initially will deny PPL any carryover savings to be credited against its Phase III consumption reduction requirements.

*g. West Penn*

In its PY7 Final Annual Report, West Penn reports it attained the portfolio-level TRM-verified electric consumption carryover savings amount of 20,540 MWh, and low-income reduction requirement excess savings of 3,354 MWh; however, it was not able to attain excess savings from the G/E/NP reduction requirement.<sup>116</sup> In its Phase II Final Annual Report, the SWE validates West Penn's portfolio-level electric consumption carryover of 20,540 MWh and low-income reduction requirement excess savings of 3,354 MWh; and that West Penn is not able to carry over G/E/NP reduction requirement excess savings.<sup>117</sup> The Commission agrees with the TRM-verified carryover savings reported by West Penn, confirmed by the SWE, and initially accepts a portfolio-level carryover total of 20,540 MWh to be credited against West Penn's Phase III portfolio-level electric consumption reduction requirements and an excess savings total of 3,354 MWh to be credited against West Penn's Phase III low-income reduction requirements.

*2. Phase III Savings*

As indicated above, the Commission initially accepts each EDC's megawatt-hour carryover and excess savings total that was confirmed by the SWE as of the SWE's Phase II Final Annual Report date. The Commission will credit this megawatt-hour amount against each EDC's Phase III electric consumption reduction requirement. At the end of Phase III, an EDC will have an opportunity to present evidence demonstrating that the Phase II carryover should be higher during a compliance proceeding if necessary.

*Conclusion*

With this Order, the Commission releases the Statewide Evaluator's Phase II Final Annual Report. The Commission also provides its initial determinations regarding EDC compliance with the mandates of Act 129 and regarding the level of accumulated savings from Phase II that may be applied to Phase III consumption reduction requirements; *Therefore,*

*It Is Ordered That:*

1. The Statewide Evaluator's Phase II Final Annual Report be released to the public.

2. A copy of this Order shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, and the jurisdictional electric distribution companies subject to the Energy Efficiency and Conservation Program requirements.

3. The Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation, and West Penn Power Company are in compliance with the May 31, 2016, electric consumption reduction requirement in Section 2806.1(c)(3) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 2806.1(c)(3). This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

4. The Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company are in compliance with the requirement to obtain a minimum of ten percent of the required reductions in electric consumption from units of Federal, State and local government, including municipalities, school districts, institutions of higher education and nonprofit entities in Section 2806.1(b)(1)(i)(B) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 2806.1(b)(1)(i)(B). This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

5. The Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company are in compliance with the requirement to include specific energy efficiency measures for households at or below 150% of the Federal poverty income guidelines in proportion to those households' share of the total energy usage in Section 2806.1(b)(1)(i)(G) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 2806.1(b)(1)(i)(G). This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

6. The Commission initially deems Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company are in compliance with the requirement to obtain a minimum of four-and-a-half percent (4.5%) of its consumption reduction requirements from households at or below 150% of the Federal poverty income guidelines. This initial determination will be deemed final unless a Petition is filed contesting this determination within 20 days of the date this Order is entered. Such petitions shall reference Docket Nos. M-2012-2289411 and the applicable electric distribution company Phase II energy efficiency and conservation plan Docket.

7. The verified Phase II carryover and excess savings validated by the Statewide Evaluator in the Phase II Final Annual Report for Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Com-

<sup>116</sup> See West Penn PY7 Final Annual Report at 5.

<sup>117</sup> See Tables 2-3 and 2-4: Phase II Compliance and Low-Income Carve-out Goal Performance, Summary by EDC of the SWE Final Report.

pany, Pennsylvania Power Company, and West Penn Power Company as stated in this Order shall be credited against each electric distribution company's Phase III electric consumption, G/E/NP, and low-income reduction requirements.

8. This Order and the Statewide Evaluator's Phase II Final Annual Report be published on the Commission's public website at [http://www.puc.pa.gov/filing\\_resources/issues\\_laws\\_regulations/act\\_129\\_information/energy\\_efficiency\\_and\\_conservation\\_ee\\_c\\_program.aspx](http://www.puc.pa.gov/filing_resources/issues_laws_regulations/act_129_information/energy_efficiency_and_conservation_ee_c_program.aspx).

9. The contact person for technical issues related to this Order and the Statewide Evaluator's Phase II Final Annual Report is Joseph M. Sherrick, Bureau of Technical Utility Services, 717-787-5369 or [josherrick@pa.gov](mailto:josherrick@pa.gov). The contact person for legal and process issues related to this Order is Kriss Brown, Law Bureau, 717-787-4518 or [kribrown@pa.gov](mailto:kribrown@pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

#### Statement of Chairperson Gladys M. Brown

Before the Commission is the Act 129 of 2008 Energy Efficiency and Conservation Program Compliance Order (Order). With this Order the Commission progresses toward the conclusion of the second phase, or Phase II, of energy efficiency and conservation (EE&C) programs. These steps include releasing the Phase II Final Report documenting initial results for the entirety of the phase, and, making initial determinations on electric distribution companies' (EDCs) compliance with various Phase II mandates. I would like to highlight some of the initial results and determinations being released by the Commission.

Over the three year Phase II time-period commencing June 1, 2013, EDCs achieved a total of 3,370,673 MWh of electricity reductions. These usage reductions include 459,581 MWh from Governmental/Educational/Non-Profit customers, and 324,869 MWh from Low-Income customers. In aggregate the Phase II portfolio of programs resulted in a total of \$2,194,356,000 in savings. This dollar figure produces a total resource cost test result of 1.7.<sup>118</sup> Therefore, in total, these programs achieved \$1.70 in savings for every \$1.00 invested.

Additionally, with this Order the Commission makes an initial determination that all seven EDCs with EE&C programs have met the overall electric consumption reduction requirements, the Governmental/Educational/Non-Profit customer consumption reduction requirements, the Low-Income customer consumption reduction requirements, and the Low-Income customer measure requirements.

These initial results and determinations for Phase II demonstrate the success of EE&C programs. I commend the Commission Staff, the EDCs, and the energy efficiency service providers across the state for their continued work in this arena. I look forward to reviewing any critique(s) of these initial results and determinations.

GLADYS M. BROWN,  
*Chairperson*

[Pa.B. Doc. No. 17-689. Filed for public inspection April 21, 2017, 9:00 a.m.]

<sup>118</sup> As defined in § 2806.1(m)—Total Resource Cost Test is a standard test that is met if, over the effective life of each plan, not to exceed 15 years, the net present value of the avoided monetary cost of supplying electricity is greater than the net present value of the monetary cost of energy efficiency conservation measures.

#### Minor Internal Reorganization

**A-2017-2598499 and A-2017-2598591. Peerless Networks of Pennsylvania, LLC and Airus, Inc.** Joint application of Peerless Networks of Pennsylvania, LLC and Airus, Inc. for approval of a minor internal reorganization.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 8, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* Peerless Networks of Pennsylvania, LLC; Airus, Inc.

*Through and By Counsel:* Edward A. Yorkgitis, Jr., Esquire, Winifred Brantl, Esquire, Kelley Drye & Warren, LLP, 3050 K Street, NW # 400, Washington, DC 20007; and Julie Oost, Vice President of Regulatory Affairs, Peerless Network, Inc., 222 South Riverside Plaza, Suite 2730, Chicago, IL 60606

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-690. Filed for public inspection April 21, 2017, 9:00 a.m.]

#### OneLink Communications, Inc.

Public Meeting held  
April 6, 2017

*Commissioners Present:* Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

*OneLink Communications, Inc.; A-2017-2587715*

#### Tentative Order

*By the Commission:*

OneLink Communications, Inc. (OneLink) is an Interexchange Carrier Reseller certificated at A-311174. The Company's certificate was granted on April 11, 2002.

By letter dated January 3, 2017, OneLink advised the Commission that it had ceased all operations and had gone out of business. The letter also stated that OneLink had no assets, funds, staff or other resources and that it had closed its corporate office. OneLink stated that it notified all Pennsylvania long distance customers of the termination and assisted them with finding another long distance carrier prior to termination of business. A Secretarial Letter dated February 7, 2017 was sent to OneLink stating that its letter was processed as an Application to Abandon Services and that OneLink would be advised of any further procedure. The Secretarial Letter was returned to the Commission as undeliverable. Additionally, the telephone number of record for OneLink is disconnected and no new contact information is available.

Where a company no longer provides utility service to the public, there is no reason to maintain a certificate of public convenience for that company. Based on the above

facts, particularly that we can no longer effectuate service on OneLink, we tentatively conclude that grant of OneLink's abandonment of its Certificate of Public Convenience pursuant to 66 Pa.C.S. § 1102(a)(2) is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of grant of abandonment, if OneLink seeks relief from this Tentative Order; *Therefore, It Is Ordered That:*

1. The application of OneLink Communications, Inc. is hereby tentatively approved as being in the public interest.

2. Waiver of the \$350 filing fee for abandonment of service, as set forth at 52 Pa. Code § 1.43, is appropriate in this instance.

3. The Secretary's Bureau serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation and Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

4. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the certificate of public convenience held by OneLink Communications, Inc., utility code 311174, is cancelled and the case may be closed.

5. Upon entry of the Final Order described in ordering Paragraph No. 4 above, OneLink Communications Inc.'s name will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, and the docket shall be closed.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-691. Filed for public inspection April 21, 2017, 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 May 8, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2017-2592033 (Amended). Jacob S. Stoltzfus** (4987 Brush Valley Road, Rebersburg, Centre County, PA 16872) for the right to transport as a common carrier, by

motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Centre County, to points in Pennsylvania, and return.

**A-2017-2595192. Wisa Enterprises, LLC** (2041 Brookes Lane, Harrisburg, PA 17110) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Cumberland, Dauphin, Lancaster, Lebanon and York, to points in Pennsylvania, and return.

**A-2017-2597093. Hartman Hauling and Logging, LLC** (646 Preserve Road, Danville, Montour County, PA 17821) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Columbia, Lycoming, Montour and Northumberland, to points in Pennsylvania, and return. *Attorney:* Thomas D. Hess, Esquire, Hess and Hess, PC, 30 South Main Street, Hughesville, PA 17737.

**A-2017-2597250. Kevin B. Tyson, t/a Uptown Transportation** (2001 East Tulpehocken Street, Philadelphia, Philadelphia County, PA 19138) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service from points in the City and County of Philadelphia to correctional facilities in Pennsylvania, and return; and also to transport people whose personal convictions prevent them from owning or operating motor vehicles, from points in the City and County of Philadelphia to points in Pennsylvania, and return.

**A-2017-2597483. BHN Financial, LLC** (821 Levivk Street, 2nd Floor, Philadelphia, PA 19111) persons in limousine service, between points in Chester County.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2017-2598148. Johnny Albritton, t/a Johnny on the Spot Moving** (260 East Green Street, Nanticoke, Luzerne County, PA 18634) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Counties of Lackawanna, Luzerne and Wyoming to points in Pennsylvania, and vice versa. *Attorney:* John J. Gill, Jr., Esquire, Gallagher, Brennan & Gill, 220 Pierce Street, Kingston, PA 18704-4641.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2017-2596296. Blakeney Transportation Service, LLC** (1353 East Vernon Road, Philadelphia, Philadelphia County, PA 19150) for the discontinuance of service and cancellation of their certificate, as a common carrier, by motor vehicle, at A-6417452, authorizing the transportation of persons, in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-692. Filed for public inspection April 21, 2017, 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 May 8, 2017, 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. We Serve You as Christ Serves Us Transportation Ministries, LLC; Docket No. C-2017-2480567

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That We Serve You as Christ Serves Us Transportation Ministries, LLC, Respondent, maintains its principal place of business at 50 Uteley Drive, Suite 400, Camp Hill, Pennsylvania, 17011.

2. That Respondent was issued a certificate of public convenience by this Commission to transport property from one point to another in the Commonwealth of Pennsylvania on May 1, 2015, at Application Docket No. A-2015-2477970.

3. That PUC District Office Supervisor Alan Taylor attempted to contact the Respondent to schedule a Safety Fitness Review, but was unable to contact Respondent by telephone. A certified letter was mailed on June 8, 2016, instructing the owner to contact Supervisor Taylor to schedule the SFR. No response was received from Respondent and the letter was unclaimed and returned to the PUC.

4. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

5. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(5) and 66 Pa.C.S. § 1102(a)(2). The penalty for this violation is revocation of the Certificate of Public Convenience.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by respondent at Docket No. A-2015-2477970.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/22/17

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. D. Richardson Trucking, Inc.; Docket No. C-2017-2590145**

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 D. Richardson Trucking, Inc., (respondent) is under suspension effective February 08, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 124 State Route 435, Elmhurst Township, PA 18444.
3. That respondent was issued a Certificate of Public Convenience by this Commission on November 18, 2014, at A-8916939.
4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8916939 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: 3/7/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

\_\_\_\_\_

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. DJ Transportation, Inc.; Docket No. C-2017-2590148**

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 DJ Transportation, Inc., (respondent) is under suspension effective February 08, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 30 High Street, Woodland, PA 16881.
3. That respondent was issued a Certificate of Public Convenience by this Commission on August 21, 2012, at A-8914684.
4. That respondent has failed to maintain evidence of both Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and En-

forcement'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-8914684 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: 3/7/2017

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. SEPA 235 Development Group, LLC; Docket No. C-2017-2591355**

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 SEPA 235 Development Group, LLC, (respondent) is under suspension effective February 02, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1402 North 9th Street, Reading, PA 19604-1802.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 08, 2016, at A-8918878.

4. That respondent has failed to maintain evidence of Cargo and Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918878 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: 3/7/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Synergy Gas Solutions, LLC; Docket No. C-2017-2594575**

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 Synergy Gas Solutions, LLC, (respondent) is under suspension effective February 25, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 3102, Williamsport, PA 17701.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 22, 2015, at A-8916891.

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-8916891 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: 3/22/17

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-693. Filed for public inspection April 21, 2017, 9:00 a.m.]

### Telecommunications Services

**A-2017-2595868. Atlantic Broadband Enterprise, LLC.** Application of Atlantic Broadband Enterprise, LLC for approval to offer, render, furnish or supply telecommunications services as a competitive local exchange carrier to the public in this Commonwealth in the service territories of all incumbent local exchange carriers.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 8, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Atlantic Broadband Enterprise, LLC

*Through and By Counsel:* Leslie Brown, General Counsel, Atlantic Broadband Enterprise, LLC, 2 Batterymarch Park, Suite 205, Quincy, MA 02169

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-694. Filed for public inspection April 21, 2017, 9:00 a.m.]

### Transfer of Control

**A-2017-2598525. Legacy Long Distance International, Inc., d/b/a Legacy Inmate Communications and Jail Education Solutions, Inc., d/b/a Edovo.** Joint application of Legacy Long Distance International, Inc., d/b/a Legacy Inmate Communications and Jail Education Solutions, Inc., d/b/a Edovo for approval of a transfer of control as a general rule transaction under 52 Pa. Code § 63.324 (relating to Commission approval of a general rule transaction subject to 66 Pa.C.S. §§ 1102(a)(3) and 1103).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 8, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* Legacy Long Distance International, Inc., d/b/a Legacy Inmate Communications; Jail Education Solutions, Inc., d/b/a Edovo

*Through and By Counsel:*

*For Legacy Long Distance International, Inc.:* Sharon R. Warren, Consultant, Technologies Management, Inc., 151 Southhall Lane, Suite 450, Maitland, FL 32751; and Curtis Brown, President and Chief Executive Officer, 10833 Valley View Street, Suite 150, Cypress, CA 90630

*For Jail Education Solutions, Inc.:* Valerie Hedge, In-House Counsel, 500 West Madison Avenue, Suite 801, Chicago, IL 60661; and Brian Hill, President and CEO, 500 West Madison Avenue, Suite 801, Chicago, IL 60661

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-695. Filed for public inspection April 21, 2017, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

**Taxicab Rate Review; Request for Public Comment; Doc. No. P-17-02-01**

On March 31, 2017, the Philadelphia Parking Authority (Authority) approved, through oral resolution, the recommendation of the Taxicab and Limousine Division (TLD)

to reopen a rate review investigation under a Petition for Rate Change (Petition) that was filed with the TLD on February 22, 2017. The Petition may be found on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

The TLD previously issued notice by e-mail to all industry members on March 8, 2017, seeking public comment concerning the Petition, along with posting the notice to the general public on the Authority's web site and publication at 47 Pa.B. 1718 (March 18, 2017). These notices also contained information regarding the public comment hearing that was held by the TLD on March 30, 2017, at the Independence Visitor's Center.

Now, based upon the Petition and the TLD's recommendation to the Authority, the TLD seeks further information and comment from the public at large and the industry concerning the reopening of a rate review, including:

- 1) Peak-hour surcharges.
- 2) A review of the current method for determining a fuel surcharge.
- 3) The boundaries outlined in the current taxicab tariff for flat-rate trips between the "Center City Zone" and the Philadelphia International Airport (PHL).
- 4) Service fees and surcharges.
- 5) Flat-rate trips.
- 6) Minimum trips in and out of PHL.
- 7) Any other requests as outlined in the Petition.

Interested parties are invited to submit written comments by May 12, 2017, to the attention of Christine A. Kirlin, Esq., TLD Administrative Counsel, at [ckirlin@philapark.org](mailto:ckirlin@philapark.org) or by mail to her attention at Philadelphia Parking Authority, Taxicab and Limousine Division, 2415 South Swanson Street, Philadelphia, PA 19148-4113.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-696. Filed for public inspection April 21, 2017, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 17-041.S, Cleaning Services for the Port Administration Building, until 2 p.m. on Wednesday, May 17, 2017. Information (including mandatory prebid information) can be obtained from [www.philaport.com](http://www.philaport.com) under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-697. Filed for public inspection April 21, 2017, 9:00 a.m.]

**Request for Bids**

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 17-038.1, Pier 78 Column Repair, until 2 p.m. on Friday, May 19, 2017. Information (including mandatory prebid information) can be obtained from [www.philaport.com](http://www.philaport.com) under “Our Port,” then “Procurement” or call (215) 426-2600.

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-698. Filed for public inspection April 21, 2017, 9:00 a.m.]

**STATE BOARD  
OF NURSING**

**Bureau of Professional and Occupational Affairs v.  
Kathleen Conner Bridge, RN; Doc. No. 1928-51-  
14; File No. 13-51-08405**

On March 27, 2017, Kathleen Conner Bridge, RN, Pennsylvania license No. RN222555L, last known of Boothwyn, Delaware County, and Goldsboro, NC, was indefinitely suspended and assessed a \$500 civil penalty based on disciplinary action taken by two other states and failure to report same to the State Board of Nursing.

**STATE CONSERVATION COMMISSION**

**Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth’s Facility Odor Management Program**

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501–522 (relating to nutrient management and odor management).

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

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

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

**Odor Management Plan—Public Notice Spreadsheet—Actions**

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Jodie Brubaker 1681 Hossler Road Manheim, PA 17545	Lancaster County/ Rapho Township	184.93	Broilers	Amended	Approved
S. & A. Kreider & Sons, Inc.— Stoner Farm 128 Black Bear Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	80	Cattle	New	Approved

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-699. Filed for public inspection April 21, 2017, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Heather M. Pegram, RN, LPN; File No. 16-51-  
06575; Doc. No. 0115-51-17**

On February 21, 2017, the State Board of Nursing (Board) issued a Memorandum Order indefinitely suspending the licenses of Heather M. Pegram, RN, LPN, license Nos. RN518080L and PN254580L, of Mount Pleasant, Westmoreland County, 30 days from the publication of this notice, unless an answer and request for hearing is filed within that timeframe, based upon her failure to attend a Board ordered evaluation.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-700. Filed for public inspection April 21, 2017, 9:00 a.m.]

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
John Cornelius 40.289717—77.993758 State Route 655 Mapleton Depot, PA 17052	Huntingdon County/ Cass Township	672.7	Swine	New	Approved
Matthew Martin— Kenbrook Road Farm 1830 Kenbrook Road Lebanon, PA 17046	Lebanon County/ Swatara and North Lebanon Townships	209.09	Broiler	New	Approved
Jerrel B. Brubaker— Meeting House Lane Farm 269 Meeting House Lane Lewisburg, PA 17837	Union County/ Buffalo Township	89.98	Broilers	New	Approved
Howard Reyburn 1021 Limestone Road Oxford, PA 19363	Chester County/ Upper Oxford Township	672.66	Swine	New	Approved
James Brubaker 508 Brubaker Lane Port Trevorton, PA 17864	Snyder County/ Union Township	186.23	Broilers	New	Approved

PATRICK McDONNELL,  
*Acting Chairperson*

[Pa.B. Doc. No. 17-701. Filed for public inspection April 21, 2017, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on May 11, 2017, at 2:30 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will also hear testimony on a request for waiver of 18 CFR 806.3 and 806.4 (relating to definitions; and projects requiring review and approval) by EOG Resources, Inc., as well as proposals to amend its Regulatory Program Fee Schedule and the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. These projects, request and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 16, 2017, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects, request and proposals. The deadline for the submission of written comments is May 22, 2017.

For further information contact Jason Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02\\_Access\\_to\\_Records\\_Policy\\_20140115.pdf](http://www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf).

### Supplementary Information

The public hearing will cover a request for waiver of 18 CFR 806.3 and 806.4 by EOG Resources, Inc., as well as proposed amendments to the Commission's Regulatory Program Fee Schedule and the Comprehensive Plan for the Water Resources of the Susquehanna River Basin, as posted on the Commission's Public Participation Center webpage at [www.srbc.net/pubinfo/publicparticipation.htm](http://www.srbc.net/pubinfo/publicparticipation.htm). The public hearing will also cover the following projects:

#### Projects Scheduled for Action

1. Project Sponsor and Facility: Town of Big Flats, Chemung County, NY. Application for groundwater withdrawal of up to 0.792 mgd (30-day average) from Well 1-1.
2. Project Sponsor and Facility: Michael and Sandra Buhler (Bennett Branch Sinnemahoning Creek), Huston Township, Clearfield County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130603).
3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130303).
4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130304).
5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek), Rush Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.715 mgd (peak day).
6. Project Sponsor and Facility: DS Services of America, Inc., Clay Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.028 mgd (30-day average) from existing Well 4.

7. Project Sponsor and Facility: DS Services of America, Inc., Clay Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.042 mgd (30-day average) from existing Well 5.

8. Project Sponsor and Facility: Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, PA. Application for modification to request a combined withdrawal limit for Well 1, Cocalico Creek, and Mountain Home Springs of 2.310 mgd (30-day average) (Docket No. 20110902).

9. Project Sponsor and Facility: Equipment Transport, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20130613).

10. Project Sponsor and Facility: Kraft Heinz Foods Company, Town of Campbell, Steuben County, NY. Application for renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Well 3 (Docket No. 19860203).

11. Project Sponsor and Facility: Mount Joy Borough Authority, Mount Joy Borough, Lancaster County, PA. Application for modification to request a reduction of the maximum instantaneous rate for Well 3 from the previously approved rate of 1,403 gpm to 778 gpm and revise the passby to be consistent with current Commission policy (Docket No. 20070607). The previously approved withdrawal rate of 1.020 mgd (30-day average) will remain unchanged.

12. Project Sponsor: P.H. Glatfelter Company. Project Facility: Paper/Pulp Mill and Cogen Operations (Codorus Creek), Spring Grove Borough, York County, PA. Application for renewal of surface water withdrawal of up to 16.000 mgd (peak day) (Docket No. 19860602).

13. Project Sponsor: P.H. Glatfelter Company. Project Facility: Paper/Pulp Mill and Cogen Operations, Spring Grove Borough, York County, PA. Application for renewal of consumptive water use of up to 0.900 mgd (peak day) (Docket No. 19860602).

14. Project Sponsor and Facility: Rausch Creek Land, L.P., Porter Township, Schuylkill County, PA. Application for renewal of groundwater withdrawal of up to 0.100 mgd (30-day average) from Pit # 21 (Docket No. 20120612).

15. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Towanda Creek), Franklin Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20130311).

16. Project Sponsor and Facility: Spring Township Water Authority, Spring Township, Centre County, PA. Application for groundwater withdrawal of up to 0.499 mgd (30-day average) from Cerro Well.

17. Project Sponsor: Talen Energy Corporation. Project Facility: Royal Manchester Golf Links, East Manchester Township, York County, PA. Minor modification to add new sources (Wells PW-1 and PW-6) to existing consumptive use approval (Docket No. 20060604). The previously approved consumptive use quantity of 0.360 mgd (peak day) will remain unchanged.

18. Project Sponsor: Talen Energy Corporation. Project Facility: Royal Manchester Golf Links, East Manchester Township, York County, PA. Application for groundwater withdrawal of up to 0.145 mgd (30-day average) from Well PW-1.

19. Project Sponsor: Talen Energy Corporation. Project Facility: Royal Manchester Golf Links, East Manchester Township, York County, PA. Application for groundwater withdrawal of up to 0.298 mgd (30-day average) from Well PW-6.

20. Project Sponsor and Facility: Warren Marcellus LLC (Susquehanna River), Washington Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130305).

21. Project Sponsor and Facility: Village of Waverly, Tioga County, NY. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

22. Project Sponsor and Facility: Village of Waverly, Tioga County, NY. Application for groundwater withdrawal of up to 0.480 mgd (30-day average) from Well 2.

23. Project Sponsor and Facility: Village of Waverly, Tioga County, NY. Application for groundwater withdrawal of up to 0.470 mgd (30-day average) from Well 3.

#### *Projects Scheduled for Action Involving a Diversion*

1. Project Sponsor and Facility: City of DuBois, Union Township, Clearfield County, PA. Application for modification to the diversion from Anderson Creek Reservoir by expansion of the existing service area as a result of interconnection and bulk water supply to Falls Creek Borough Municipal Authority (Docket No. 20060304).

2. Project Sponsor: Seneca Resources Corporation. Project Facility: Impoundment 1, receiving groundwater from Seneca Resources Corporation Wells 5H and 6H and Clermont Wells 1 and 2, North 2—4, Norwich and Sergeant Townships, McKean County, PA. Application for modification to add four additional sources (Clermont North Well 1, Clermont North Well 3, Clermont South Well 7, and Clermont South Well 10) and increase the into-basin diversion from the Ohio River Basin by an additional 1.044 mgd (peak day), for a total of up to 3.021 mgd (peak day) (Docket No. 20141216).

#### *Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on any project, request or proposal listed previously. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Guidelines for the public hearing will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any project, request or proposal listed previously may also be mailed to Jason Oyler, General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through [www.srbc.net/pubinfo/publicparticipation.htm](http://www.srbc.net/pubinfo/publicparticipation.htm). Comments mailed or electronically submitted must be received by the Commission on or before May 22, 2017, to be considered.

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* April 6, 2017

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 17-702. Filed for public inspection April 21, 2017, 9:00 a.m.]





