

# PENNSYLVANIA BULLETIN

Volume 47

Number 31

Saturday, August 5, 2017 • Harrisburg, PA

Pages 4511—4612

## **Agencies in this issue**

The Courts

Delaware River Basin Commission

Department of Banking and Securities

Department of Environmental Protection

Department of Health

Department of Human Services

Department of Transportation

Game Commission

Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

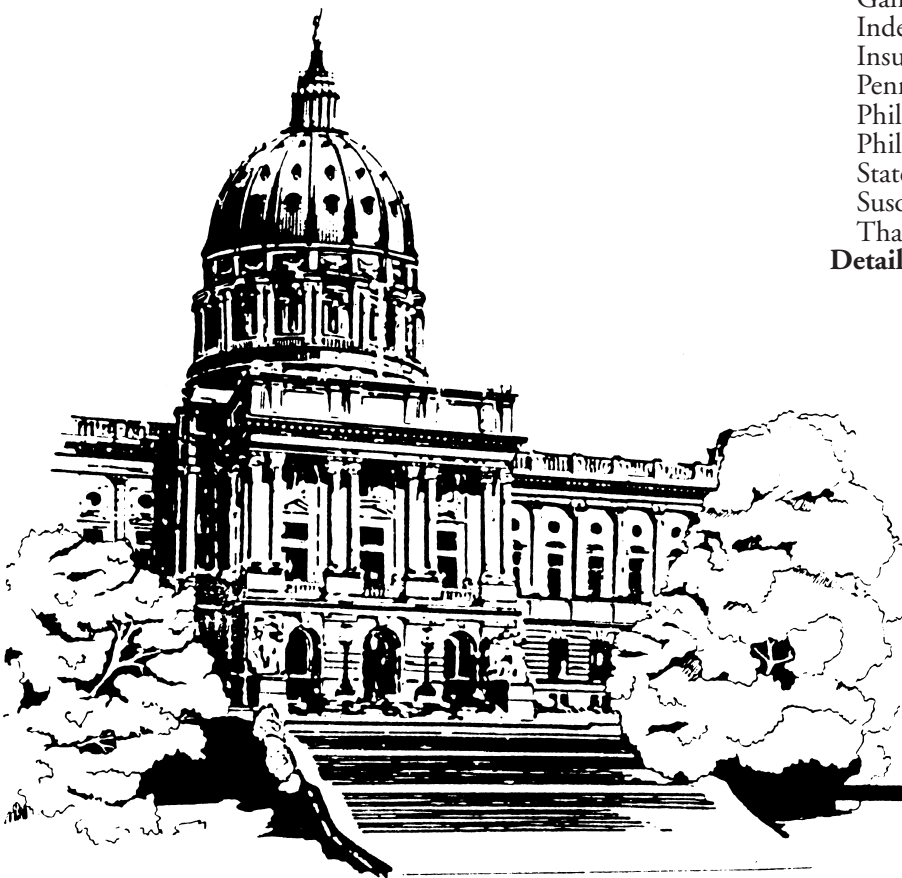
Philadelphia Regional Port Authority

State Board of Nursing

Susquehanna River Basin Commission

Thaddeus Stevens College of Technology

**Detailed list of contents appears inside.**



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

**No. 513, August 2017**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please email changes to [info@pabulletin.com](mailto:info@pabulletin.com) or mail to:

**FRY COMMUNICATIONS, INC.**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2017 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE COURTS

**JUDICIAL SYSTEM GENERAL PROVISIONS**  
 Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; order No. 82 ..... 4519

**LOCAL COURT RULES**

**Adams County**  
 Rules of civil procedure 1905; administrative order No. 13 of 2017 ..... 4522  
 Rules of civil procedure 1905; administrative order No. 13A of 2017 ..... 4523

**Crawford County**  
 Courthouse and judicial center security; misc. MD 271-2017; misc. AD 2017-466 ..... 4523

**Mercer County**  
 Local rules of court; No. 17-1 ..... 4524

**RULES OF CRIMINAL PROCEDURE**  
 Proposed revision of the comment to Pa.R.Crim.P. 150 and proposed amendment of Pa.R.Crim.P. 602 ..... 4520

## EXECUTIVE AND INDEPENDENT AGENCIES

**DELAWARE RIVER BASIN COMMISSION**

**Notices**  
 Public hearing and business meeting ..... 4531

**DEPARTMENT OF BANKING AND SECURITIES**

**Notices**  
 Actions on applications ..... 4534

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Notices**  
 Application period for Municipal Recycling Program performance grant applications under Act 101, section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act—calendar year 2016; extension of application deadline and additional information ..... 4594  
 Applications, actions and special notices ..... 4535  
 Availability of the 2016 Integrated Water Quality Monitoring and Assessment Report ..... 4594

**DEPARTMENT OF HEALTH**

**Notices**  
 Newborn Screening and Follow-Up Technical Advisory Board meeting ..... 4595

**DEPARTMENT OF HUMAN SERVICES**

**Notices**  
 Medical Assistance Program fee schedule revisions; 2017 Healthcare Common Procedure Coding System updates; prior authorization requirements ..... 4595

## DEPARTMENT OF TRANSPORTATION

**Notices**  
 Contemplated sale of land no longer needed for transportation purposes ..... 4598

**GAME COMMISSION**

**Notices**  
 Chronic wasting disease—designation of disease management areas and endemic states and Canadian provinces order # 2 ..... 4598

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notices**  
 Notice of comments issued ..... 4602

**INSURANCE DEPARTMENT**

**Notices**  
 Alleged violation of insurance laws; Christopher Edward Buckley a/k/a Christopher I. Hauptmann; doc. No. SC17-07-010 ..... 4606  
 Review procedure hearings; cancellation or refusal of insurance ..... 4606  
 Review procedure hearings under the Unfair Insurance Practices Act ..... 4607

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**  
 Service of notice of motor carrier applications ..... 4607  
 Service of notice of motor carrier formal complaints ..... 4607  
 Telecommunications ..... 4609

**PHILADELPHIA PARKING AUTHORITY**

**Notices**  
 Petition for changes to taxicab tariff; doc. No. 17-005 ..... 4609  
 Request for proposals (3 documents) ..... 4610, 4611  
 Service of notice of motor carrier application in the City of Philadelphia ..... 4611

**PHILADELPHIA REGIONAL PORT AUTHORITY**

**Notices**  
 Request for proposals ..... 4611

**STATE BOARD OF NURSING**

**Notices**  
 Bureau of Professional and Occupational Affairs v. Jennifer Marie Stocklas, LPN; file No. 16-51-10231; doc. No. 0034-51-17 ..... 4611

**SUSQUEHANNA RIVER BASIN COMMISSION**

**Notices**  
 Projects approved for consumptive uses of water ... 4611  
 Projects rescinded for consumptive uses of water ... 4612

**THADDEUS STEVENS COLLEGE OF TECHNOLOGY**

**Notices**  
 Request for resumes ..... 4612

---

Available Online at <http://www.pabulletin.com>

---

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211  
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

### Printing Format

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

### Fiscal Notes

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

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

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

#### § 3.44. General permission to reproduce content of *Code* and *Bulletin*.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2017.

### 4 Pa. Code (Administration)

#### Proposed Rules

91	2332
95	2332
97	2332
98	2332
99	2332
103	2332
105	2332
110	2332

#### Statements of Policy

9	832, 1163, 1515, 1855, 2105, 3220, 3372, 3975
---	---

### 19 Pa. Code (Corporations and Business Associations)

#### Statements of Policy

71	1165
----	------

### 22 Pa. Code (Education)

#### Adopted Rules

11	3091
741	3093

### 25 Pa. Code (Environmental Protection)

#### Adopted Rules

252	4085
806	4107
901	313

#### Proposed Rules

121	1157, 3356
126	1157
129	3356
208	1636
215	2722
216	2722
217	2722
218	2722
219	2722
220	2722
221	2722
223	2722
225	2722
227	2722
228	2722
230	2722
240	2722
806	4140

### 28 Pa. Code (Health and Safety)

#### Adopted Rules

23	1300
1141	199
1151	199
1161	217
1181	3096

### 34 Pa. Code (Labor and Industry)

#### Statements of Policy

123	440
-----	-----

### 40 Pa. Code (Liquor)

#### Proposed Rules

9	2977
11	2977

### 49 Pa. Code (Professional and Vocational Standards)

#### Adopted Rules

5	3494
43b	3814
45	3814

#### Proposed Rules

27	1509
----	------

### 52 Pa. Code (Public Utilities)

#### Adopted Rules

1	3099
3	3099
23	3099
29	429, 3099
57	4118
1001	2558
1002	2558
1003	2558
1005	2558
1011	2558
1013	2558
1017	2558
1019	2558
1021	2558
1027	2558
1029	2558
1030	2558
1051	2558
1053	2558
1055	2558
1057	2558
1059	2558
1063	2558

#### Proposed Rules

56	965, 4135
59	19

### 58 Pa. Code (Recreation)

#### Adopted Rules

65	1465, 1466
131	1467, 2710
133	1467
135	2599, 2600, 2715
137	2601
139	2603, 2609, 2717
141	2610, 2710, 2718
147	2611, 2612, 2720

#### Proposed Rules

65	1469
105	3974
131	1769
135	1475, 1477, 1479, 2774
137	1493
139	1480, 1486
141	1472, 1473, 1769, 2774
143	2774
147	1490, 1492, 2776, 2777
423a	3827
429a	3827
437a	3827
439a	3827
440a	3827

461a ..... 3827  
 465a ..... 3827  
 601a ..... 3827  
 609a ..... 3827  
 617a ..... 3182  
 621a ..... 3827  
 625a ..... 3182  
 635a ..... 3827  
 637a ..... 3182  
 639a ..... 3182  
 641a ..... 3182  
 643a ..... 3182  
 647a ..... 3182  
 649a ..... 3827  
 653a ..... 3182  
 655a ..... 3182  
 657a ..... 3182  
 659a ..... 3827  
 669a ..... 3827  
 670a ..... 3827  
 674a ..... 3827  
 675a ..... 3827  
 677a ..... 3182  
 678a ..... 3827  
 679a ..... 3182  
 680a ..... 3827  
 682a ..... 1495  
 683a ..... 1495  
 684a ..... 3182

**67 Pa. Code (Transportation)**

**Proposed Rules**  
 175 ..... 1748

**Statements of Policy**

173a ..... 3116

**70 Pa. Code (Weights, Measures and Standards)**

**Proposed Rules**  
 110 ..... 2974

**201 Pa. Code (Rules of Judicial Administration)**

**Adopted Rules**  
 1 ..... 937

**204 Pa. Code (Judicial System General Provisions)**

**Adopted Rules**  
 83 ..... 1276, 2539  
 87 ..... 3075, 4519  
 89 ..... 3075  
 93 ..... 2539, 3075  
 213 ..... 291

**Proposed Rules**

71 ..... 2423  
 81 ..... 1122, 2181  
 82 ..... 3487  
 83 ..... 3488, 3490  
 303 ..... 1999  
 305 ..... 1999

**207 Pa. Code (Judicial Conduct)**

**Adopted Rules**  
 33 ..... 2181

**210 Pa. Code (Appellate Procedure)**

**Adopted Rules**  
 25 ..... 1277  
 69 ..... 2101

**Proposed Rules**

1 ..... 7

**225 Pa. Code (Rules of Evidence)**

**Adopted Rules**  
 Article VI ..... 1623  
 Article VIII ..... 1623  
 Article IX ..... 3491

**231 Pa. Code (Rules of Civil Procedure)**

**Adopted Rules**  
 200 ..... 178  
 400 ..... 178  
 1000 ..... 178, 937, 3805  
 1650 ..... 3805  
 1910 ..... 1123, 3744

**Proposed Rules**

1000 ..... 3076  
 1910 ..... 2540  
 1915 ..... 2181, 3333  
 1920 ..... 2540  
 2000 ..... 3076

**234 Pa. Code (Rules of Criminal Procedure)**

**Adopted Rules**  
 5 ..... 2871

**Proposed Rules**

1 ..... 179, 1731, 4520  
 2 ..... 182, 3958  
 4 ..... 1850, 3959  
 5 ..... 182, 185, 306, 1731  
 6 ..... 4520  
 10 ..... 186

**237 Pa. Code (Juvenile Rules)**

**Adopted Rules**  
 1 ..... 941, 2313  
 2 ..... 941, 2313, 3078  
 4 ..... 820  
 5 ..... 2313, 2969  
 6 ..... 2969  
 8 ..... 2313  
 11 ..... 2313  
 12 ..... 2313, 3078  
 13 ..... 2313, 3079  
 15 ..... 2313  
 16 ..... 2313  
 18 ..... 2313

**Proposed Rules**

1 ..... 938, 3336, 3342  
 4 ..... 942  
 5 ..... 942, 3336  
 6 ..... 942  
 11 ..... 3336, 3342, 3962  
 12 ..... 3962  
 13 ..... 3962  
 14 ..... 3342, 3962  
 15 ..... 3342, 3962  
 16 ..... 947, 3342, 3962, 3970

**4518**

**246 Pa. Code (Minor Court Civil Rules)**

**Proposed Rules**

300 ..... 4082  
500 ..... 2324  
1000 ..... 2324

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 420, 1628, 1732, 2330, 3492, 3806

**252 Pa. Code (Allegheny Rules)**

Unclassified ..... 3809

**255 Pa. Code (Local Court Rules)**

Unclassified .. 8, 9, 12, 14, 15, 17, 18, 188, 190, 191, 192,  
193, 194, 195, 308, 309, 310, 311, 420, 422, 423, 426, 428,  
666, 667, 669, 825, 828, 829, 830, 949, 950, 951, 952, 958,  
959, 963, 1278, 1279, 1628, 1630, 1736, 1738, 1741, 1742,  
1852, 2101, 2102, 2103, 2187, 2188, 2330, 2424, 2431,  
2544, 2874, 2880, 2973, 3081, 3086, 3087, 3088, 3180,  
3181, 3348, 3349, 3350, 3352, 3354, 3810, 3972, 4083,  
4522, 4523, 4524



# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 87 ]

#### Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 82

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania is amending its Rules of Organization and Procedure to modify Rule 87.2 and 87.3 to permit the filing of complaints in electronic form.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Secretary of the Board shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the  
Supreme Court of Pennsylvania*

JULIA M. FRANKSTON-MORRIS,  
*Secretary*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

#### CHAPTER 87. INVESTIGATIONS AND INFORMAL PROCEEDINGS

##### Subchapter A. PRELIMINARY PROVISIONS COMPLAINTS

§ 87.2. [ Contents ] Manner of filing, form, and contents of complaint.

[ Each complaint relating to alleged misconduct of an attorney shall be in writing and signed by the

complainant and shall contain a brief statement of the facts upon which the complaint is based. Verification of the complaint shall not be required. If necessary the Office of Disciplinary Counsel will assist the complainant in reducing the grievance to writing. ]

Any person who alleges misconduct against an attorney may file a complaint, which may be in either paper or electronic form.

(a) A written complaint may be in the form of a letter or other appropriate writing, or submitted on an official complaint form (Form DB-2). Complaints in paper form may be filed by mail, facsimile transmission, or delivery in person to the location identified in § 85.5(a) (relating to location of the Office of the Chief Disciplinary Counsel) or one of the locations identified in § 85.5(b) (relating to the locations of the Disciplinary District Offices).

(b) The filing of complaints electronically shall be conducted only through electronic means approved by the Board. Instructions for electronic filing and protocols shall be available on the Disciplinary Board's website.

(c) A complaint shall be signed by the complainant and shall contain a statement of the facts upon which the complaint is based. Submission of a complaint through electronic means signifies intent to sign. Verification of the complaint shall not be required. If necessary the Office of Disciplinary Counsel will assist the complainant in reducing the grievance to writing.

#### § 87.3. Distribution of complaint forms.

The Office of Disciplinary Counsel shall [ furnish blank complaint forms (Form DB-2) (Complaint Against Attorney) to ] provide each person who alleges misconduct against an attorney with a blank paper complaint form, or direct such person to the electronic form. [ Such blank forms may also be made available to the public through the office of the prothonotary or clerk of each court of common pleas and through such other offices and agencies designated by the Board as agree to distribute such forms. ]

#### § 87.5. Transmission to disciplinary district office for investigation.

Enforcement Rule 208(a)(1) provides that all investigations, whether upon complaint or otherwise, shall be initiated and conducted by Disciplinary Counsel. The complaint shall be transmitted [ by means of Form DB-1 (Complaint Referrals) ] to the district office of the Office of Disciplinary Counsel for the appropriate district as determined by § 93.2 (relating to venue).

[Pa.B. Doc. No. 17-1296. Filed for public inspection August 4, 2017, 9:00 a.m.]

# Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 1 AND 6 ]

## Proposed Revision of the Comment to Pa.R.Crim.P. 150 and Proposed Amendment of Pa.R.Crim.P. 602

The Criminal Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Rule 602 (Presence of the Defendant) and the revision of the Comment to Rule 150 (Bench Warrants) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

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

All communications in reference to the proposal should be received by no later than Friday, September 15, 2017. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural Rules Committee*

CHARLES A. EHRLICH,  
*Chair*

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

#### PART E. Miscellaneous Warrants

#### Rule 150. Bench Warrants.

\* \* \* \* \*

#### Comment

\* \* \* \* \*

As used in this rule, “court” includes magisterial district judge courts.

**For procedures for a defendant who is apprehended on a bench warrant issued as a result of a proceeding *in absentia*, see Rule 602(C).**

For the bench warrant procedures in summary cases, see Rules 430(B) and 431(C).

For the arrest warrants that initiate proceedings in court cases, see Chapter 5, Part B(3)(a), Rules 513, 514, 515, 516, 517, and 518. For the arrest warrants that initiate proceedings in summary cases, see Chapter 4, Part D(1), Rules 430(A) and 431(B).

**Official Note:** Adopted December 30, 2005, effective August 1, 2006; Comment revised October 24, 2013, effective January 1, 2014; **Comment revised** , **2017, effective** , **2017.**

#### *Committee Explanatory Reports:*

Final Report explaining new Rule 150 providing procedures for bench warrants published with the Court’s Order at 36 Pa.B. 184 (January 14, 2006).

Final Report explaining the October 24, 2013 Comment revision adding a cross-reference to new Rule 151 published with the Court’s Order at 43 Pa.B. 6655 (November 9, 2013).

**Report explaining the proposed Comment revision cross-referencing the Rule 602 procedures for a defendant to challenge a proceeding being held in absentia published for comment at 47 Pa.B. 4521 (August 5, 2017).**

### CHAPTER 6. TRIAL PROCEDURES IN COURT CASES

#### PART A. General Provisions

#### Rule 602. Presence of the Defendant.

(A) The defendant shall be present at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by this rule. The defendant’s absence without cause at the time scheduled for the start of trial or during trial shall not preclude proceeding with the trial, including the return of the verdict and the imposition of sentence.

(B) A corporation may appear by its attorney for all purposes.

#### (C) CHALLENGES TO A FINDING OF ABSENCE WITHOUT CAUSE

(i) If a defendant is tried *in absentia* but not sentenced *in absentia*, the defendant, prior to or at time of sentencing, may file a motion seeking a new trial on the grounds that his or her absence at trial was with cause.

(ii) If a defendant is tried and sentenced *in absentia*, or if a defendant is present at trial but sentenced *in absentia*, and the defendant is subsequently taken into custody:

(a) the defendant promptly shall be brought before the sentencing judge, or a judge designated by the president judge, and notified that he or she may file a motion within 30 days seeking a new trial or sentencing hearing on the grounds that his or her absence at trial or at sentencing was with cause.

(b) Counsel for the defendant shall be present at the proceeding at which this notification is given.

(c) The notification shall occur while the defendant is within the jurisdiction of the sentencing court.

(d) The defendant shall remain within the jurisdiction of the sentencing court during the pendency of any motion filed pursuant to this rule or 30 days, whichever is longer.

Comment

\* \* \* \* \*

A defendant's presence may be deemed waived by the defendant intentionally failing to appear at any stage of the trial after proper notice. See *Commonwealth v. Wilson*, 551 Pa. 593, 712 A.2d 735 (1998) (a defendant, who fled courthouse after jury was impaneled and after subsequent plea negotiations failed, was deemed to have knowingly and voluntarily waived the right to be present); *Commonwealth v. Sullens*, 533 Pa. 99, 619 A.2d 1349 (1992) (when a defendant is absent without cause at the time his or her trial is scheduled to begin, the defendant may be tried *in absentia*).

**Any defendant who has been convicted or sentenced *in absentia* may challenge the holding of the proceeding in his or her absence by filing a motion for a new trial or sentencing hearing once the defendant is before the court. The defendant has the burden of demonstrating that there was justifiable cause for his or her absence. If the judge determines that the absence was with cause, the defendant must be afforded a new trial or sentencing hearing. Any defendant who is apprehended on a bench warrant as a result of a sentencing *in absentia* must be notified that he or she may file a motion, within 30 days of the notification, challenging the sentencing having been held *in absentia*. This notice must be given while the defendant is still within the jurisdiction of the sentencing court and prior to any transfer to a correctional facility for execution of sentence. Once a motion is filed pursuant to this rule, the defendant must be retained within the jurisdiction of the sentencing court. If no motion has been filed within the 30 days permitted under this rule, the sentence may be executed.**

Nothing in this rule is intended to preclude a defendant from affirmatively waiving the right to be present at any stage of the trial, see, e.g., *Commonwealth v. Vega*, 553 Pa. 255, 719 A.2d 227 (1998) (plurality) (requirements for a knowing and intelligent waiver of a defendant's presence at trial includes a full, on-the-record colloquy concerning consequences of forfeiture of the defendant's right to be present). Once a defendant appears before the court, he or she cannot waive his or her right to appear in capital case. See *Commonwealth v. Ford*, 539 Pa. 85, 650 A.2d 433 (1994) (right of defendant to be present at trial of capital offense is transformed into obligation due to gravity of potential outcome).

\* \* \* \* \*

**Official Note:** Rule 1117 adopted January 24, 1968, effective August 1, 1968; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; renumbered Rule 602 and amended March 1, 2000, effective April 1, 2001; amended December 8, 2000, effective January 1, 2001; Comment revised September 21, 2012, effective November 1, 2012; amended May 2, 2013, effective June 1, 2013; **amended** , **2017**, **effective** , **2017**.

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the May 2, 2013 amendments concerning trials conducted in the defendant's absence published with the Court's Order at 43 Pa.B. 2710 (May 18, 2013).

**Report explaining the proposed amendment concerning motions to challenge in absentia proceedings published for comment at 47 Pa.B. 4521 (August 5, 2017).**

REPORT

***Proposed Amendment to Pa.R.Crim.P. 602; Proposed Revision of the Comment to Pa.R.Crim.P. 150***

***In Absentia Relief***

The Committee recently examined the question of relief for those defendants who assert that they have been tried or sentenced *in absentia* under Rule 602. Rule 602(A) provides that "the defendant's absence without cause at the time scheduled for the start of trial or during trial shall not preclude proceeding with the trial, including the return of the verdict and the imposition of sentence." However, the rule does not specify a procedure for challenging an incorrect finding of absence without cause. There was a suggestion that the rules should provide a specific procedure for raising such challenges, particularly when the defendant has been sentenced *in absentia*.

During the Committee's discussion it was argued that there was no need to develop separate procedures since existing procedures such as a writ of *habeas corpus* or *nunc pro tunc* post-sentence motions should be sufficient to raise these types of challenges. Other members argued that these suggested remedies are not likely to be available. Any post-sentence motion or appeal that is filed by a fugitive defendant will be quashed due to fugitivity, and that, generally, a trial judge loses authority to enter an order in a case 30 days after the judgment of sentence pursuant to 42 Pa.C.S. § 5505. *Habeas corpus* would not be available because the *habeas corpus* statute specifically excludes any claims that might be covered by the PCRA and these challenges might be cognizable under the PCRA. However, a PCRA does not appear to be an adequate vehicle for these types of claims due to the fact that challenges cannot be filed while the defendant is a fugitive since the defendant must be in custody serving a sentence and, while the defendant may be able to raise this in a PCRA once taken into custody, he or she may be precluded from this remedy by the PCRA's severe time limitations.

The Committee concluded that the rules should provide explicit procedures to give a defendant a venue to seek this relief. Where a defendant is tried but not sentenced *in absentia*, the finding of absence without cause may be challenged at the sentencing hearing. This was based on a concept first proposed in a concurrence by Justice Papadakos in the case of *Commonwealth vs. Sullens*, 619 A.2d. 1349 (Pa. 1992). In that case, Justice Papadakos suggested an erroneous order permitting trial *in absentia* could be corrected when the defendant appears for sentencing and establishes good cause for his absence at trial, in which case a new trial will be awarded. However, the case in which a defendant is also sentenced *in absentia* was not addressed in *Sullens*. Ordinarily when such a defendant is arrested, because sentence has already been imposed, they normally would be taken for execution of sentence.

The Committee discussed the fact that when a defendant is tried *in absentia*, a bench warrant would have been issued against him or her. In that case, the defendant would be required to be brought before the judge who issued the bench warrant for a bench warrant hearing when apprehended. Initially it was thought that a challenge to the *in absentia* finding could be raised at the bench warrant hearing or at least the defendant could

be advised of the option of seeking relief from the *in absentia* finding. However, the Committee believed that a bench warrant hearing would be an inadequate venue for determining such an issue, particularly since the burden would be on the defendant to prove that his or her absence was with cause. Additionally, there was a concern that by combining the advice regarding *in absentia* relief with the bench warrant proceeding, there may be confusion for the defendant regarding the *in absentia* relief procedures. The Committee concluded that the advice regarding the motion procedure for *in absentia* challenges should be given at a separate proceeding, conducted by the sentencing judge or a judge designated by the president judge. In order for the defendant to understand the significance of this advice, particularly because this might be his or her last opportunity before the execution of his or her sentence, counsel must be present.

The defendant would have 30 days from the time of the advice proceeding to file the motion challenging the *in absentia* sentencing. As a logistical matter, the defendant should be kept within the geographical jurisdiction of the sentencing court during the 30 days in which he or she may file the motion. If no motion is filed, the defendant's sentence would be executed.

The provisions for seeking relief from an *in absentia* proceeding, either guilt determination or sentencing or both, would be included in a new paragraph (C) in Rule 602. Further explanation would be included in the Comment to Rule 602. A cross-reference to Rule 602(C) would be added to the Comment to Rule 150 to alert the judge conducting the bench warrant hearing that a defendant who had been sentenced *in absentia* will need to be scheduled for a Rule 602(C) proceeding.

[Pa.B. Doc. No. 17-1297. Filed for public inspection August 4, 2017, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Rules of Civil Procedure 1905; Administrative Order No. 13 of 2017

##### Order of Court

*And Now*, this 18th day of July, 2017, the Court hereby Orders the following amendment to the Adams County Rules of Civil Procedure:

Rule 1905. **Indirect Criminal Contempt Hearing.**

A. *Arrest.* When the Court is available, a defendant arrested for contempt shall be produced without unnecessary delay before a judge for **preliminary** arraignment. If arrest occurs when the Court is unavailable, the defendant shall **[ be arraigned ] have preliminary arraignment** before the on-call Magisterial District Judge. Upon request, defendant shall be provided with an application form for the appointment of a lawyer. Unless scheduled by a court order for a different time, contempt hearings shall be scheduled for 1:00 p.m. on the **[ first business day of the week, at least seven (7) and no more than ten (10) days ] Wednesday following preliminary arraignment which is the furthest**

**Wednesday within ten (10) calendar days** after the defendant's arrest. Bail shall be set by the Magisterial District Judge[, and ] **with the** defendant given an opportunity to post bail. The bail may be subject to special conditions, such as **[ cessation of abuse ] requiring defendant to follow all specified conditions contained in the Protection From Abuse Order. [ If the defendant is not released on bail, he or she shall be produced before a judge at the first available opportunity following arrest. ]** The Magisterial District Judge shall also, when applicable, follow the procedure outlined in Pa.R.C.P. Rule 1901.

At the **preliminary** arraignment, the Magisterial District Judge **or Common Pleas Judge** shall advise the defendant of the following:

1. A description of the alleged contemptuous acts;
2. That those acts violate a specific Order of Court;
3. Defendant is subject because of the alleged contempt to a prison sentence of six (6) months and a fine of One Thousand Dollars (\$1,000.00);
4. A hearing will be held by a judge on a specified court business day at 1:00 p.m.;
5. Defendant is entitled to be represented by a lawyer in the contempt proceeding and that, if defendant qualifies, a lawyer will be appointed to represent him or her free of charge. The defendant shall be notified that he or she must apply for the appointment of a free counsel, and the Magisterial District Judge shall provide an application form upon request;

B. **[ Petition and Rule: Plaintiff will first enter the petition in the Prothonotary's office and then present it to the Court Administrator for the scheduling of a hearing. Except in unusual circumstances, hearings will be scheduled in the same manner as in arrest cases. If a specific time is requested, the Court Administrator will select a time, which will afford speedy relief and afford defendant time to prepare a defense. No answer shall be required by defendant.**

##### C. *Criminal ] Private Complaint[ : ].*

1. Plaintiff may file a private criminal complaint pursuant to 23 Pa.C.S.A. § 6113 by filing the complaint in the Prothonotary's Office. The Prothonotary's Office shall, after clocking in the complaint, immediately forward it to the Court Administrator for the scheduling of a hearing. **Except in unusual circumstances, hearings will be scheduled in the same manner as in arrest cases and shall be scheduled by court order. Service of the order, once entered, shall be made on the defendant by the Sheriff's Department. No answer shall be required by defendant.**

2. Contempt proceedings may be commenced by the filing of a criminal complaint before a Magisterial District Judge. Service shall be accomplished as in other criminal proceedings, by a constable, or police officer. If neither is available, the complaint shall be served by the Sheriff. **[ Procedures will be the same as are followed in other protection from abuse proceedings begun before a Magisterial District Judge ] Upon filing of a private complaint for criminal contempt in the office of a Magisterial District Judge, the Magiste-**

**rial District Judge shall promptly forward the same to Court Administration who will schedule contempt hearing pursuant to paragraph B(1) above.**

These rules shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

a. A copy of this order shall be submitted to the Civil Procedural Rules Committee for review to rulescommittees@pacourts.us;

b. Upon receipt of a statement from the Civil Procedural Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to adminrules@pacourts.us.

d. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;

e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 17-1298. Filed for public inspection August 4, 2017, 9:00 a.m.]

## ADAMS COUNTY

### Rules of Civil Procedure 1905; Administrative Order No. 13A of 2017

#### Order of Court

*And Now*, this 21st day of July, 2017, after review by the Supreme Court of Pennsylvania Domestic Relations Procedural Rules Committee, the Court makes a correction to the proposed Civil Procedural Rule 1905(B)(1) as outlined in Administrative Order 13 of 2017, as follows:

**Plaintiff may file a private criminal complaint pursuant to 23 Pa.C.S.A. § 6113.1 by filing the complaint in the Prothonotary's Office. The Prothonotary's Office shall, after clocking in the complaint, immediately forward it to the Court Administrator for the scheduling of a hearing. Except in unusual circumstances, hearings will be scheduled in the same manner as in arrest cases and shall be scheduled by court order. Service of the order, once entered, shall be made on the defendant by the Sheriff's Department. No answer shall be required by defendant.**

In all other respects, Administrative Order 13 of 2017 remains in full effect.

The District Court Administrator is hereby directed to proceed to submit these proposed Rules to the *Pennsylvania Bulletin* for publication.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 17-1299. Filed for public inspection August 4, 2017, 9:00 a.m.]

## CRAWFORD COUNTY

### Courthouse and Judicial Center Security; Misc. MD 271-2017; Misc. AD 2017-466

#### Administrative Order

*And Now*, this 14th day of July, 2017, the Court has determined that for the safety of persons working in and conducting business in court offices located in the Crawford County Judicial Center and the Crawford County Courthouse, the Sheriff of Crawford County and his Deputy Sheriffs are best qualified and trained to provide protection within the facilities. Therefore it is hereby *Ordered* and *Decreed* that the provisions of 18 Pa.C.S.A. § 913 shall be enforced by the Crawford County Sheriff.

Consistent with the provisions of 18 Pa.C.S.A. § 913, firearms and dangerous weapons are strictly prohibited in the Crawford County Judicial Center and the Crawford County Courthouse except as permitted within the provisions of 18 Pa.C.S.A. § 913(c).

The Sheriff of Crawford County and his Deputy Sheriffs are authorized to conduct security screenings and reasonable searches of persons entering the Crawford County Judicial Center and the Crawford County Courthouse for the purpose of enforcing the provisions of 18 Pa.C.S.A. § 913.

All packages, briefcases, purses and any other containers in the immediate possession of persons entering the Crawford County Judicial Center or Crawford County Courthouse shall be subject to inspection. An initial search shall be conducted by requiring persons and property to pass through a walk through metal detector or x-ray machine as may be appropriate and a hand held metal detector may be moved in close proximity to all areas of the body of a person being searched as well as in close proximity to all areas of a package being searched.

If a metal detector emits an alert signal, the Sheriff or Deputy Sheriffs may conduct a pat down search of the immediate area of the body of the person being searched which activated the signal if they cannot ascertain otherwise what has caused the alert signal. A pat down search will be conducted only by a Sheriff or Deputy Sheriffs of the same gender as the person being searched. Any package or other item which indicates after the initial screening by x-ray or otherwise that any substances or contraband may be contained therein may be opened and searched by the Sheriff or Deputy Sheriffs in the presence of the person who brought the item into the building and in the event the Sheriff or Deputy Sheriffs need assistance from the person bringing the item into the building in conducting that search, the person shall cooperate in aiding the item to be searched. For the purposes of this

Order, a “dangerous weapon” and a “firearm” shall be defined in a manner set forth in 18 Pa.C.S.A. § 913(f).

It shall be the responsibility of the Sheriff of Crawford County in conjunction with the District Court Administrator to post notices as required by 18 Pa.C.S.A. § 913(d) conspicuously at the public entrance to the Crawford County Judicial Center and the Crawford County Courthouse. This Administrative Order shall take effect thirty (30) days after it is published in the *Pennsylvania Bulletin*.

By the Court

ANTHONY J. VARDARO,  
President Judge

#### Administrative Order

And Now, this 14th day of July, 2017, the Court Orders and Directs that the Administrative Order related to security for the Crawford County Judicial Center and the Crawford County Courthouse shall be published forthwith in the *Pennsylvania Bulletin*.

It is further ordered that the Administrative Order regarding security shall be effective 30 days after publication thereof in the *Pennsylvania Bulletin*.

It is further ordered that in accordance with Pennsylvania Rules of Judicial Administration 103, the District Court Administrator shall:

(a) Distribute two paper copies of the Administrative Order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. It shall also be distributed to the Legislative Reference Bureau a copy of the Administrative Order on a computer diskette, CD-ROM or other agreed upon alternate format that complies with the requirements of 1 Pa. Code § 13.11(b);

(b) File one copy of the Administrative Order with the Administrative Office;

(c) Publish a copy of the Administrative Order on the website for Crawford County when it becomes effective;

(d) Compile the Administrative Order within the Local Rules of Judicial Administration no later than 30 days following publication in the *Pennsylvania Bulletin*;

(e) Distribute a copy of the Administrative Order together with this Order to the Judges of the Court of Common Pleas of Crawford County, the Crawford County District Attorney, the Crawford County Sheriff and the Crawford County Commissioners.

By the Court

ANTHONY J. VARDARO,  
President Judge

[Pa.B. Doc. No. 17-1300. Filed for public inspection August 4, 2017, 9:00 a.m.]

#### MERCER COUNTY

#### Local Rules of Court; No. 17-1

And Now, this 24th day of July, 2017, The Court Hereby Approves, Adopts and Promulgates the following Mercer County Local Rules Of Orphans' Court, Rules 1 through 15, inclusive. These Rules will become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It is further Ordered and Directed that the Court Administrator of Mercer County shall file one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts and furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

It is further Ordered and Directed that these Local Rules shall be kept continuously available for public inspection and copying in the Office of the Clerk of Courts of Mercer County and the Office of the Prothonotary of Mercer County. These Local Rules shall be published in the *Mercer County Law Journal*.

By the Court

THOMAS R. DOBSON,  
President Judge

#### LOCAL RULES OF THE COURT OF COMMON PLEAS OF MERCER COUNTY, 35TH JUDICIAL DISTRICT

#### Supplementing the Orphans' Court Rules Promulgated by the Supreme Court of Pennsylvania

#### RULE 1. JUDGES—LOCAL RULES

#### Local Rule 1.3:1. Definitions.

In addition to those words and phrases defined by the Supreme Court Rules, the following words and phrases when used in these Local Rules unless the context clearly indicates otherwise shall have the meaning ascribed to them in this Local Rule:

“Hearing Judge” means that Judge to whom a motion, petition or other pleading is presented.

#### Local Rule 1.9. Costs.

When not otherwise regulated by law, the Court will allocate costs in such manner as it deems equitable.

#### Local Rule 1.10. Acknowledgment and Satisfaction.

Acknowledgment of satisfaction of all sums of money or property ordered to be paid or delivered by any award or decree of this Court shall be in writing and filed with the Clerk, or acknowledged in such other manner as the Court may require.

#### Local Rule 1.11. Certificates of Fiduciary Appointment.

The Clerk shall not issue a certificate of appointment of any fiduciary, excluding personal representatives, until the security, if any required, has been entered.

#### Local Rule 1.12. Witnesses. Attachment.

Attachment to compel the appearance of a witness will not be issued, except under special circumstances, and unless the witness shall have been served with a subpoena at least twenty-four (24) hours before the date for hearing.

#### Local Rule 1.13. Individual Sureties.

a. *Application for Approval. Justification for Surety*—Except as otherwise provided by paragraph (b) of this Local Rule, an application for the approval of an individual surety shall be accompanied by a justification of surety, in affidavit form, of the proposed surety, setting forth:

1. name, residence address;
2. location of any real property owned;
3. a brief description of the real estate and what it consists of;

4. how, or from whom, the real estate was obtained and when obtained;

5. that the surety or sureties do not contemplate selling of said property;

6. any encumbrance upon the real property;

7. the assessed value of the property for taxation purposes; and

8. a certification of the value of said property.

b. *Bond Without Surety. Confession of Judgment*—The Court, in its discretion may permit an interested party to execute an individual bond, without surety. When an interested party is authorized to execute an individual bond or individual surety is approved, the Court may direct that the bond to be executed contain a warrant of attorney to confess judgment, with or without default, and that judgment thereon be entered of record in the Office of the Prothonotary.

#### **Local Rule 1.14. Corporate Sureties.**

a. *In General*—Surety companies duly authorized to do business in this Commonwealth may become surety on any bond or obligation required to be filed in Court.

b. *Exceptions*—Except where required by statute or for special cause shown, a bond will not be required of an approved corporate fiduciary.

#### **Local Rule 1.15. Assets and Investments.**

a. *Segregation and Designation of Assets*—Assets held by individual fiduciaries subject to the jurisdiction of the Court shall be kept separate and apart from their individual assets and, except where otherwise permitted by Act of Assembly, shall be held in the name of the fiduciary as such.

b. *Deposit of Uninvested Funds*—All funds held uninvested shall be deposited in a bank or banks, or trust company or trust companies, the deposits of which are insured by the Federal Deposit Insurance Corporation in such manner as to obtain the maximum deposit insurance coverage.

#### **Local Rule 1.16. Court Depository.**

a. *Official Depository*—The Court will, from time to time, designate a banking institution as the official depository of the Court.

b. *Deposits*—Monies and securities paid or delivered into the Court shall immediately, upon the receipt thereof by the Clerk, be deposited with the Court depository or credited to the proper estate or proceeding. The depository shall keep separate accounts for each payment and delivery and designate each by name of the proper estate or proceedings.

c. *Withdrawal Orders*—No money shall be paid or delivered by such depository except upon the check or order of the Clerk, countersigned by a Judge of the Court, and accompanied by a certificate endorsed on the check or order, under the hand of the Clerk and the seal of the Court, that the money or property was ordered to be paid or delivered.

d. *Accounting by Clerk*—Each year, or at such other times as the Court may direct, the Clerk shall have the bank or deposit book settled by the depository and shall make and present to the Court an account of the monies paid into and out of the account, and shall exhibit the deposit book as a voucher for the correctness thereof.

#### **Local Rule 1.17. Termination of Inactive Cases.**

During the month of April of each year, the Clerk of the Orphans' Court shall determine in which matters not concluded there has been no activity during the previous two years. The Clerk of the Orphans' Court shall then give notice in each such matter as provided by Pa.R.J.A. 1901(c). If no action is taken, or no written objection stating good cause is filed in such matter within 30 days, the Clerk of the Orphans' Court shall enter an order terminating the matter. If written objection is filed in such matter within 30 days, the Clerk of the Orphans' Court shall list the matter for the next available Argument List without further praecipe and give notice to all parties. Failure of any party to appear and to show good cause may result in the dismissal of the action.

Where publication is required, such publication shall be twice printed in the *Mercer County Law Journal*.

#### **Local Rule 1.18. Argument Court.**

a. *Time*—Argument Court shall be held on the first Monday of each month unless otherwise specially ordered by the Court in any particular case.

b. *Listing and Notice thereof*—All cases for argument shall be placed on the Argument List at least thirty (30) days prior to the argument by praecipe to the Clerk. A copy of the praecipe ordering the case on the Argument List shall be sent to the opposing counsel and to the Court Administrator by the party placing the case on the Argument List, which praecipe shall include the name of the opposing counsel and whether the matter listed requires the taking of testimony.

c. *Scheduling*—The Court Administrator shall give notice to all counsel that the case has been placed on the Argument List and said notice shall contain the date upon which argument will be held. The Argument List shall also be published in the *Mercer County Law Journal*.

d. *Briefs*—At least fifteen (15) days before the date of Argument Court, it shall be the duty of counsel for the rule or motion, or petitioner, objector or party filing preliminary objections, to serve on adverse counsel a typewritten brief on paper 8 1/2 inches by 11 inches in size, double spaced, except for quotations containing a concise statement of the relevant facts, the questions involved, the argument, and the authorities relied upon. Counsel for the adverse party may prepare a brief which need only contain an argument and authorities relied upon, but counsel may add a counter statement of the facts, and a counter statement of the questions involved. Unless counsel does so, however, it will be assumed counsel is satisfied with them or such parts of them as remained unchallenged. At least five (5) days before Argument Court, counsel shall serve a copy of the reply brief upon opposing counsel, and copies of both briefs shall be delivered to the Court Administrator at least five (5) days before Argument Court. If either party fails to file a brief in accordance with these Local Rules, the Court shall dispose of the argument without brief.

### **RULE 2. ACCOUNTS, OBJECTIONS AND DISTRIBUTION**

#### **Local Rule 2.5:1. Contents of Notice. Additional Requirements.**

The notice to interested parties shall set forth the date on which the account will be confirmed, and that the account will be confirmed unless objections are filed before the account is confirmed.

**Local Rule 2.5:2. Advertisement of Accounts.**

All accounts required by law to be filed with the Clerk shall be advertised by the Clerk in the manner prescribed by law and shall also state that unless objections are filed before the date set for confirmation, the account will be approved and that thereafter distribution may be decreed by the Court, without reference to an auditor, in accordance with any statement of proposed distribution filed with the account.

**Local Rule 2.5:3. Notice and Advertisement.**

Notice and advertisement of a statement of proposed distribution shall be given at the same time and in the same manner as the account as provided in Local Rules 2.5:1 and 2.5:2.

**Local Rule 2.9:1. Accounts.**

The accounts of fiduciaries shall be presented to Court for confirmation at the date and time set for confirmation of accounts by the Court as set forth in the Annual Court Calendar, unless otherwise directed by the Court.

**Local Rule 2.9:2. Confirmation.**

a. Unless objections are filed in accordance with Orphans' Court Rule 2.7, the confirmation of accounts and statements of proposed distribution filed with accounts shall be confirmed. The confirmation of the account and any statement of proposed distribution filed with the account shall be placed upon the record by the Clerk.

b. No account, or statement of proposed distribution filed with any account, shall be considered finally approved except by written affirmation by the Clerk as hereinbefore provided or by order of Court; and such final approval, if relating to a statement of proposed distribution filed with any account, shall expressly state that it is a final confirmation of the account and the statement of proposed distribution filed therewith.

**Local Rule 2.9:3. Form of Statement of Proposed Distribution.**

The statement of proposed distribution shall specify the names of the person or persons to whom the balance available for distribution is awarded, the exact amount of share awarded to such person or persons, and whether the proposed distribution is in cash or in kind.

**Local Rule 2.9:4. Confirmation of Title to Real Property.**

a. *In General*—When the account and the statement of proposed distribution filed therewith has been finally affirmed as hereinbefore provided, such affirmation shall be in the nature of confirmation of title to real property in the respective distributes.

b. *Separate Awards*—A schedule of distribution shall set forth separate awards of real property in separate paragraphs.

c. *Description*—Real property shall be described in the manner appearing in the last deed of record, or in some other proper manner, and in addition, shall include information pertinent to the derivation of title.

d. *Certification by Clerk*—The Clerk may, at the request of any interested party, certify excerpts from a decree of distribution for recording in any public office for recording deeds.

**Local Rule 2.9:5. Distribution Without Audit.**

After confirmation of the account, the Court, on motion or petition, may decide that the matter does not call for reference to an auditor and may decree distribution

substantially in conformance with the statement of proposed distribution filed with the account, provided such motion or petition is accompanied by:

1. an affidavit or verification by the accountant or one of the next of kin or beneficiaries stating the names and addresses of all the beneficiaries, and that they are all sui juris, or if not, the names and addresses of their fiduciaries;

2. a statement by the attorney for the accountant that the schedule of distribution is correct and in accordance with law; and

3. a proposed decree of distribution.

**Local Rule 2.10. Report by Fiduciary.**

The report required by the Supreme Court Rules shall be submitted to the Court or to an auditor appointed by the Court, and shall include substantially the following:

1. *Unknown Distributee*—If it appears that the identity or whereabouts of a distributee is unknown, or there are no known beneficiaries, the fiduciary shall submit a written report, sworn to or verified by the fiduciary or his counsel, setting forth:

A. The nature of the investigation made to locate the beneficiaries or heirs of the decedent, in complete detail; and

B. in cases of intestacy, a family tree, as complete as possible under the circumstances, supported by such documentary evidence as the fiduciary has been able to obtain.

2. *Investigation Defined*—The term "investigation" as used in this Local Rule, shall include inquiry of or as to as many of the following as may be pertinent and feasible: residents of the household in which the decedent resided; friends and neighbors; labor union membership; places of employment; social fraternal, or beneficial organization; insurance records; church membership; school records; social security, Veterans' Administration, or military service records; naturalization records, if not native born; and such other sources of information as the circumstance may suggest.

3. *Non-Resident Distributee*—If the fiduciary requests the Court to withhold distribution to a non-resident distributee, the fiduciary shall submit a written report, sworn to or verified by the fiduciary or the fiduciary's counsel, which shall set forth:

A. the relationship of the distributee to the decedent, and any available information concerning the distributee's present whereabouts;

B. in cases of intestacy, a family tree, as complete as possible under the circumstances, supported by such documentary evidence as the fiduciary has been able to obtain; and

C. the reason for the request that distribution be withheld, and the suggested manner of withholding.

**Local Rule 2.11:1. Appointment and Duties of Official Examiners.**

In the exercise of its visitorial and supervisory powers over charitable trusts the Court will, in its discretion, from time to time, by general rule or special order, direct the official examiner, or a special examiner appointed for the purpose, to make an examination of the assets of a designated trust and an investigation to determine whether the purposes of the trust are being carried out in the manner provided by the trust instrument; and to submit to the Court a written report thereon which shall



follow as nearly as may be the form prescribed by these Local Rules for a master's report and shall contain specific recommendation for the Court's consideration.

**Local Rule 2.11:2. Compensation of Official Examiners.**

a. *In General*—Each estate or trust shall be liable for the compensation of the examiner based upon a schedule of fees fixed by the Court. In special circumstances, the compensation of the examiner will be fixed by special order of the Court.

b. *Charitable Trusts*—Each charitable estate or trust shall be liable for the compensation of the examiner in such amount as the Court shall specifically fix in each case.

**RULE 3. PETITION, PRACTICE AND PLEADINGS**

**Local Rule 3.1:1. Hearing Judge.**

When a proceeding on a particular estate or matter has been previously heard by a Hearing Judge, all subsequent proceedings pertaining to the same estate or matter, whenever possible, shall be presented to the same Hearing Judge.

**Local Rule 3.1:2. Hearings.**

Petitions and motions shall have attached thereto a proposed order of Court, which shall be prepared by the party presenting the petition or motion, and which shall include a date and time for a hearing and for the taking of testimony, if necessary.

**RULE 5. RULES COVERING SPECIFIC TYPES OF PETITIONS**

**Local Rule 5.2:1. Appraisal.**

a. *When Appraisal Unnecessary*—Unless otherwise directed by the Court, no appraisal shall be required if the exemption is claimed:

1. from personal property; or
2. wholly or in part from real estate, if all parties in interest agree on the valuation.

b. *Procedure for Appraisal When Required*—

1. Upon petition the Court may appoint two (2) appraisers who shall, within thirty (30) days after their appointment, file with the Clerk an appraisal of the property claimed.

2. Upon the filing of the appraisal with the Clerk, the appraisers shall also give notice thereof to the personal representative and to the next of kin; and, if there be neither personal representative nor next of kin, to the Attorney General.

3. The notice shall contain a copy of the petition and the appraisal, and a statement that nisi confirmation of the appraisal will be requested and may be allowed by the Court at a stated date, and unless objections are filed thereto, the appraisal shall be confirmed thereafter by the Clerk without further Order of Court. Said notice shall be given by the petitioner not less than twenty (20) days prior to the date set for confirmation.

**Local Rule 5.2:2. Voluntary Distribution.**

When the personal representative, at his own risk, delivers assets of the estate in satisfaction of the exemption, he shall set forth the same as a credit in the account. The same may be the subject of objection by any claimant of interested party.

**Local Rule 5.2:3. Conclusiveness of Averments.**

If the averments of the petition are not conclusive as to the right of the individual to the allowance being claimed, the matter may be referred to a master, auditor, or to a Hearing Judge.

**Local Rule 5.2:4. Appraisal. Notice. Practice and Procedure.**

a. *Filing of Appraisal*—The appraisers shall, within thirty (30) days after their appointment, file with the Clerk an appraisal of the property claimed.

b. *Notice of Appraisal*—Upon the filing of the appraisal, notice thereof shall be given to the personal representative and to the next of kin, and if there be neither personal representative nor the next of kin, to the Attorney General. The notice shall contain a copy of the petition and appraisal, and a statement that confirmation of the appraisal will occur on a stated date and the setting apart of the real estate to the individual who will be requesting the family exception and may be allowed by the Court at a stated time, and unless exceptions are filed before the date of confirmation. Said notice shall be given not less than twenty (20) days prior to the date set for confirmation. If the address or whereabouts of any of the next of kin is unknown, notice shall be given in such manner as the Court shall direct.

c. *Confirmation and Setting Apart of Allowance*—Unless exceptions are filed, the appraisal and award of real estate shall be confirmed.

d. *Objections*—Objections to an appraisement shall be filed with the Clerk before confirmation. Copies of the objection shall be served on the fiduciary, if any, and on the individual who will be requesting the family exemption or their attorney within five (5) days after filing. If objections are filed, the matter may be placed on the Argument List by praecipe for disposition.

e. *Claim for Money*—If the entire claim is for money, which need not be appraised, claim may be made at or before the audit of the fiduciary's account, provided no payment shall be made to the spouse until it appears that the money claimed is not required for payment of debts.

**Local Rule 5.4:1. Extension of Time. Contents of Petition.**

A petition for the extension of time in which the surviving spouse may file an election to take against the Will shall comply with all existing Orphans' Court Rules.

**Local Rule 5.4:2. Extension of Time. Practice and Procedure.**

The petitioner shall file the petition with the Clerk and thereafter given twenty (20) days written notice of intention to request the extension at a stated day to all persons adversely affected thereby who do not join in the prayer of the petition. In the absence of objection, upon the presentation of a Certificate of Service on or after said day, an appropriate decree may be entered by the Court.

**Local Rule 5.5:1. Guardians and Trustees Ad Litem. Appointment and Compensation.**

Each estate shall be liable for the compensation of the guardian ad litem or the trustee ad litem based upon a schedule of fees fixed by the Court. In special circumstances, the compensation of the guardian ad litem or the trustee ad litem will be fixed by special order of the Court.

**Local Rule 5.6:1. Information Required from Counsel.**

At the time of the presentation of the petition for the appointment of an individual guardian, for a minor's estate, counsel shall state the following in court:

1. the total amount of the assets;
2. whether or not the minor resides in the same household with the proposed guardian; and
3. whether it is proposed to deposit the share of the minor in a restricted account.

**Local Rule 5.6:2. Minor's Estate. Restricted Account.**

a. *Waiver of Security*—In lieu of the entry of security, the Court, in the decree appointing the guardian, may authorize the guardian to deposit the funds of the minor in an interest-bearing deposit insured by the Federal Deposit Insurance Corporation subject to the express restriction, to be noted on the records of the institution, that no withdrawals shall be made therefrom without order of Court, with a further requirement that the evidence of the deposit or investment, marked to indicate the restriction, shall be promptly exhibited to the Court.

b. *Limitation*—The deposit under paragraph (1) of this Local Rule shall not exceed the statutory limitation as provided in Section 5103 of the Probate, Estates, and Fiduciaries Code (20 Pa.C.S. § 5103).

c. *Payment at Majority of Minor*—

1. The decree of the Court may contain a further provision that if no withdrawals are made from the account during minority, the institution may pay over the funds when the minor attains his majority, upon the joint agreement of the guardian and the former minor without further order of the Court.

2. If, upon subsequent order of the Court, withdrawals have been made from the account during minority, the guardian shall file a petition for discharge upon the minor attaining his majority. There shall be attached to the petition:

A. an affidavit or verified statement in the nature of an account, containing items of administration, distribution, principal, and income, which shall be separately stated;

B. an affidavit or verified statement by the guardian setting forth the date the minor attained his majority; that he has examined the account, that he has received the money, or benefit of the money, for which credit is taken in the account; that he approves the account and requests that it be confirmed; and that, upon distribution to him of the balance shown thereon, subject to such additional credits as may be authorized by law and set forth in the petition and order, he agrees that the guardian shall be discharged.

d. *Additional Assets*—When the guardian has received assets in addition to the deposit or investment made in accordance with this Local Rule, he shall account as if the restricted account did not form part of the estate.

**Local Rule 5.6:3. Minor's Estate Not Exceeding Statutory Limitation.**

a. *Disposition. In General*—If the value of the real and personal estate of a minor does not exceed the statutory limitation as provided in Section 5103 of the Probate, Estates, and Fiduciaries Code (20 Pa.C.S.A. § 5103), the Court may:

1. authorize payment or delivery thereof to the minor or the parent or other person maintaining the minor;

2. direct the deposit of the minor in a restricted account in the name of a natural guardian of the minor or of the minor individually; or

3. make such provision for the retention or deposit of securities or other assets as the Court shall deem for the best interests of the minor.

b. *Mortgage or Sale of Real Property*—If the value of the entire estate of a minor does not exceed the statutory limitation as provided in Section 5103 of the Probate, Estates, and Fiduciaries Code (20 Pa.C.S.A. § 5103), the Court upon petition, may authorize the parent or other person maintaining the minor to convey or mortgage any real property forming a part or all of such estate, without the appointment of a guardian or the entry of security. The petition shall conform to the requirements of the provisions governing the same or mortgage of real property by a guardian. The order of the Court may be conditioned upon the deposit of the proceeds of the sale or mortgage in a restricted account.

**Local Rule 5.6:4. Minor's Estate. Allowances.**

a. *In General. Responsibility of Guardian*—Expenditures from income for the benefit of the minor, and counsel fees in a nominal amount for routine services, whether payable from principal or income, should ordinarily be made by the guardian upon his own responsibility without application to the Court for approval.

b. *Permissive Petition*—The guardian may petition the Court for approval of periodical payments from income needed for the maintenance, support, or education of the minor, the minor's spouse or children.

c. *Mandatory Petition*—Except as provided in paragraph (1) of this Local Rule, unless approval by the Court is first obtained, no payments shall be made by the guardian when payment is to be made from principal, or when special services have been performed by counsel and the guardian is in doubt as to the reasonableness of the fee.

d. *Contents of Petition. Allowance for Maintenance, Support, or Education*—A petition for an allowance from a minor's estate for the maintenance, support or education of the minor, the minor's spouse or children, shall set forth:

1. the manner of the guardian's appointment and qualification, and the dates thereof; and the terms of the instrument creating the estate;

2. the age and residence of the minor; whether the minor's parents are living; the name of the person with whom the minor resides, and, if married, the name and age of the minor's spouse and children;

3. the value of the minor's estate, real and personal, and the net annual income;

4. the circumstances of the minor, whether employed or attending school; if the minor's parents, or the person charged with the duty of supporting him, are living, the financial condition and income of such person and why they are not discharging their duty to support the minor; and whether there is adequate provision for the support and education of the minor, or the minor's spouse and children;

5. the date and amount of any provision previously allowed by the Court, and the name of the Judge who granted it;

6. the financial requirements of the minor and the minor's family unit, in detail, and the circumstances making such allowance necessary; and

7. if the petition is presented by someone other than the guardian, that demand was made upon the guardian to act, and the reason, if any given by him/her for his/her failure to do so.

**Local Rule 5.8:1. Discharge of a Fiduciary. Additional Provisions.**

a. *Affidavit or Verification*—The affidavit or verified statement to the petition shall include an averment that the parties who have signed the consents to discharge are all interested parties in the estate, or the reason for the failure of any party to consent. If any party shall fail to consent, the Court may, if the circumstances require, direct the issuance of notices by citation or otherwise.

b. *Exhibits. Consent*—Written consent of all interested parties, and of the surviving or successor fiduciary, shall be attached to the petition. Such consent may be included in a satisfaction of award attached to the petition.

c. *Discharge of a Personal Representative*—When the value of the gross, real, and personal estate of a decedent does not exceed the value of the statutory limitation, the personal representative, after the expiration of one (1) year from the first complete advertisement of the grant of letters, may present a petition to the Court with an account attached under the provisions of Section 3531 of the Probate, Estate and Fiduciaries Code (20 Pa.C.S.A. § 3531). The petition shall conform as far as practicable to the requirements of a petition under Supreme Court Orphans' Court Rules.

**Local Rule 5.9:1. Partition. Additional Provisions.**

The fiduciary selling real property in a partition proceeding shall file an account after the sale is completed. The Court may dispose of the matter or may appoint an auditor to ascertain whether there are any liens or other encumbrances on such real property affecting the interests of the parties.

**RULE 9. AUDITORS AND MASTERS**

**Local Rule 9.1:1. Notice of Hearings.**

a. *Original Hearing*—Twenty (20) days notice of the time and place of the first hearing before the auditor or master shall be served, in writing, on all known heirs, devisees, unpaid legatees, and distributees, or their attorneys, and to all others by advertisement in one newspaper of general circulation within the county and the *Mercer County Law Journal* once a week for three (3) consecutive weeks prior to the date of the hearing, unless notice be dispensed with by agreement of all interested parties, or by order of Court. Auditors and masters shall state in their report the manner and to whom notice was given.

b. *Subsequent Hearings*—Notice of succeeding hearings given by the auditor or master, at a hearing or which prior notice has been given, shall constitute sufficient notice of such succeeding hearings.

**Local Rule 9.6:1. Notice of Filing Report. Preliminary Objections.**

After the report is prepared, the auditor or master shall serve on the parties, or their attorneys, twenty (20) days written notice of the day fixed for filing the same and in the meantime, such parties shall be allowed access thereto. Any party interested may file preliminary exceptions to the report, before the day fixed for the filing thereof. If preliminary exceptions are filed, the auditor or

maser shall re-examine the report and amend the report if the preliminary exceptions are, in whole or in part, well founded. If the report is not filed at the time fixed therefore in said notice, said report shall only be filed after five (5) days written notice is given to the parties, or their attorneys. The auditor or master shall certify in the report the manner and time of serving the notice herein required.

**Local Rule 9.7:1. Confirmation of Auditor's Reports. Objections.**

All reports of auditors shall be filed in open court at the time and date set by the auditor, pursuant to these Rules. Upon the filing of the report, it shall be confirmed nisi, which confirmation shall be made absolutely by the Clerk without further order of Court, unless exceptions thereto are filed.

**Local Rule 9.7:2. Confirmation of Master's Reports. Objections.**

All report of masters shall be filed in open court at the time and date set by the master pursuant to these Rules. Upon the filing of the report, the Court shall enter a decree nisi either adopting the master's recommendations or rejecting the same. A decree nisi shall be made final by the Clerk without further order of Court, unless exceptions thereto are filed.

**Local Rule 9.7:3. Approval of Expenses and Fees prior to Confirmation.**

No auditor's or master's reports shall be confirmed or otherwise approved until such time as the Court shall have entered an order approving the amount of expenses to be reimbursed until and the amount of fees to be awarded until the auditor or master. The Court may assess said expenses and fees upon any party in interest, as it deems fit.

**Local Rule 9.8:1. Absolute Confirmation. Auditor's and Master's Expenses and Fees.**

No master's or auditor's report shall be confirmed by the Clerk until all expenses and auditor's or master's fees have been paid to the Clerk. Upon confirmation, the Clerk shall pay all expenses and the balance of the auditor's or master's fee to the auditor or master, after deducting ten percent (10%) of the auditor's or master's fee to be paid to the treasurer of the Mercer County Bar Association.

**RULE 10. REGISTER OF WILLS**

**Local Rule 10.4:1. Notice of Appeal.**

Any person desiring to appeal from a judicial act or decision of the Register shall file a written notice thereof with the Register, specifying generally the act or decision complained of, accompanied by an affidavit or verification that said appeal is not taken for delay, but because appellant believes that injustice results from the act or decision which is appealed.

**Local Rule 10.4:2. Petition for Appeal.**

Within thirty (30) days from the filing of the notice of appeal, the appellant shall present a petition to the Court which shall set forth:

1. the nature of the proceedings before the Register;
2. a copy of any Will in controversy;
3. a statement of the facts and circumstances relied upon;
4. a precise statement of the questions of law or of fact involved;

5. the filing and approval by the Register of the security required by law; and

6. the names and addresses of all interested parties.

**Local Rule 10.4:3. Certification and Citation.**

a. If the averments of the petition for appeal appear to be prima facie sufficient, the Court shall award a citation and, if it has not been done by the Clerk on his/her own motion, order certification of the entire record of the Clerk to the Court. The citation shall be directed to all interested parties and shall require them to file a complete answer under oath or verification to the averments of the petition, on or before a day certain which shall not be less than twenty (20) days after the service thereof, and to show cause as the decree of the Court shall provide.

b. Proof of service of the citation shall be filed with the Clerk on or before the return date of the citation.

**Local Rule 10.4:4. Argument List and Hearing.**

After the return date of the citation, any party may place the matter on the Argument List for the purpose of fixing a time for taking any testimony required to support the issue or for the argument of any legal issue raised by the pleadings. After the testimony has been transcribed and filed, any party may place the matter on the Argument List for purposes of argument.

**Local Rule 10.4:5. Grant of Jury Trial.**

a. *Determination by Judge*—The Hearing Judge shall determine whether a jury trial will be granted upon any issue of fact arising upon the certification of appeal.

b. *Decree*—If a jury trial is granted, the decree shall specify the issues to be tried, which may be agreed upon by the parties or as the Hearing Judge shall determine.

**RULE 14. INCAPACITATED PERSON'S ESTATES**

**Local Rule 14.2:1. Incapacitated Person's Estate. Proof of Service.**

Proof of service of notice shall be presented at the hearing. The affidavit or verification of service shall, in all cases, recite that the petition and citation were read to the alleged incapacitated person. When the alleged incapacitated person is in a hospital, service may be made by a physician in charge.

**RULE 15. ADOPTIONS**

**Local Rule 15.5(a):2. Preliminary Order and Decree of Adoption.**

A petition for adoption shall have attached thereto:

A. A scheduling order in conformance with the applicable statute; and

B. A proposed decree of adoption.

[Pa.B. Doc. No. 17-1301. Filed for public inspection August 4, 2017, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, August 16, 2017, at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA. A business meeting will be held on Wednesday, September 13, 2017, at the Links Pavilion, Bucks County Community College, 275 Swamp Road, Newtown, PA. The hearing and meeting are open to the public.

**Public hearing.** The public hearing on August 16, 2017, will begin at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges and other water-related projects subject to the Commission's review.

Written comments on matters scheduled for hearing on August 16, 2017, will be accepted through 5 p.m. on August 21, 2017. Time permitting, an opportunity for open public comment will be provided upon the conclusion of Commission business at the September 13, 2017, business meeting; in accordance with recent format changes, this opportunity will not be offered upon completion of the public hearing.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review, and items may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that project details commonly change in the course of the Commission's review, which is ongoing.

1. *Mount Airy # 1, LLC, D-1977-058-5.* An application to renew the approval of the existing 0.22 million gallons per day (mgd) Mount Airy wastewater treatment plant (WWTP) and its discharge. The WWTP will continue to discharge treated effluent to Forest Hills Run, which is a tributary of Paradise Creek which is a tributary of Brodhead Creek, at River Mile (RM) 213.2—10.5—4.4—2.8 (Delaware River—Brodhead Creek—Paradise Creek—Forest Hills Run). The WWTP is located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Paradise Township, Monroe County, PA.

2. *Arcelor Mittal Plate, D-1979-026-3.* An application to renew the approval of the applicant's existing 1.2 mgd Conshohocken industrial wastewater treatment plant (IWTP) and its discharge. The IWTP will continue to discharge treated industrial wastewater effluent and non-contact cooling water (NCCW) to the Schuylkill River at RM 92.47—21.5 (Delaware River—Schuylkill River) in Plymouth Township, Montgomery County, PA.

3. *Chester County Department of Facilities Management, D-1983-015 CP-5.* An application to renew the approval of the applicant's existing 0.2 mgd Pocopson Home and Prison WWTP and its discharge to land by means of spray-irrigation. The WWTP will continue to

discharge treated effluent to 34.1 acres of spray-irrigation fields located in the Pocopson Creek Watershed in Pocopson Township, Chester County, PA.

4. *Robeson Township Municipal Authority, D-1983-034 CP-4.* An application to renew the approval of the applicant's existing 0.3 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at RM 92.47—65.8 (Delaware River—Schuylkill River) in Robeson Township, Berks County, PA.

5. *Aqua Pennsylvania, Inc., D-1985-055 CP-4.* An application to renew the approval of an existing groundwater withdrawal (GWD) and decrease the allocation from 5.5 million gallons per 30 days (mg/30 days) to 5.0 million gallons per month (mgm) to supply the applicant's public water supply system from the existing Lily Street Well No. 1, Lily Street Well No. 2 and Anchorage Well No. 2. The application also requests to add new wells Lily Street Well No. 2 and Anchorage Well No. 2 to the applicant's public water supply system. Anchorage Well No. 2 has replaced the old Anchorage Road Well and Lily Street Well No. 2 will replace Lily Street Well No. 1 once it is operational. The project wells are located in the Marcellus Formation in the Buckwha Creek Watershed, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Ross and Hamilton Townships, Monroe County, PA.

6. *Catasauqua Borough, D-1986-032 CP-3.* An application to renew the approval of the applicant's existing 2.25 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Lehigh River at RM 183.7—20.2 (Delaware River—Lehigh River) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Catasauqua Borough, Lehigh County, PA.

7. *Bath Borough Authority, D-1988-051 CP-3.* An application to renew the approval to upgrade the applicant's existing 0.51 mgd WWTP and its discharge by constructing a new 0.51 mgd WWTP to replace the existing WWTP. Commission Docket No. D-1988-051 CP-2 approved the WWTP reconstruction. The WWTP will continue to discharge treated effluent to Monocacy Creek, which is a tributary of the Lehigh River, at RM 183.7—11.5—13.2 (Delaware River—Lehigh River—Monocacy Creek) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Bath Borough, Northampton County, PA.

8. *Brodhead Creek Regional Authority, D-1991-001 CP-4.* An application to modify the Commission Docket No. D-1991-001 CP-3 to approve an expansion of the docket holder's public water supply service area into a limited area of Paradise Township, Monroe County. The docket is also modified to update the docket holder's increase in its bulk water purchase from East Stroudsburg Borough from a monthly maximum average of 0.250 mgd to 0.400 mgd in accordance with the amended water service agreement between East Stroudsburg Borough and the docket holder. No increase in the previously approved combined total allocation of 217.97 mgm from the existing water sources is requested.

The existing project withdrawals are located in the Brodhead Creek and McMichael Creek watersheds, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Stroud Township, Monroe County, PA.

9. *Freeland Borough Municipal Authority, D-1994-063 CP-3*. An application to renew the approval of a GWD project to continue to supply up to 17.2 mgm of water to the applicant's public water supply system from existing Wells Nos. 9, 12 and 14 (also known as Well No. 17). The wells are completed in the Mauch Chunk Formation in the Sandy Run Watershed, in Freeland Borough and Foster Township, Luzerne County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

10. *North Coventry Municipal Authority, D-1997-001 CP-4*. An application to renew the approval of the applicant's existing 2.01 mgd WWTP and its discharge. The WWTP will continue to discharge to the Schuylkill River at RM 92.47—52.0 (Delaware River—Schuylkill River), in North Coventry Township, Chester County, PA.

11. *Aqua Pennsylvania Wastewater, Inc., D-2001-054-3*. An application to renew the approval of the applicant's existing 0.145 mgd Little Washington WWTP and its discharges to subsurface disposal beds and surface water. The WWTP will continue to discharge treated effluent to subsurface disposal beds and to Culbertson Run, which is a tributary of East Branch Brandywine Creek, which is a tributary of Brandywine Creek, which is a tributary of the Christina River, at RM 70.7—1.8—20.0—14.2—2.3 (Delaware River—Christina River—Brandywine Creek—East Branch Brandywine Creek—Culbertson Run) in East Brandywine Township, Chester County, PA.

12. *Spring Ford Country Club, D-2006-016-2*. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 22.32 mgm to irrigate the applicant's golf course from existing Well No. 1 and an existing intake on an unnamed tributary to Mingo Creek. The approval will also renew the GWD from Well No. 1 of up to 11.57 mgm. Well No. 1 is completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Commission's designated Ground Water Protected Area in the Mingo Creek Watershed in Limerick Township, Montgomery County, PA.

13. *Vogel Farm and Broad Mountain Spring Water Companies, D-2007-010-2*. An application to renew the approval of an existing GWD of up to 6.47 mgm to supply the applicant's bottled water facilities from existing Wells Nos. VF-PW-1, VF-PW-2 and BM-PW-1. The requested allocation is not an increase from the previous allocation. The project wells are completed in the Mauch Chunk Formation. The project is located in the Quakake Creek Watershed in Packer Township, Carbon County, PA within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

14. *Upper Makefield Township, D-2007-025 CP-3*. An application to renew the approval of the applicant's existing 0.055 mgd The Enclave WWTP (previously referred to as the Gray Tract WWTP) and its discharge. The WWTP will continue to discharge treated effluent to Houghs Creek at River Mile 140.5—3.7 (Delaware

River—Houghs Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Upper Makefield Township, Bucks County, PA.

15. *Pennsylvania American Water Company, D-2008-002 CP-3*. An application to renew the approval of the applicant's existing 6.0 mgd Yardley Water Filtration Plant (WFP) and its discharge of up to 0.402 mgd of filter backwash and settling lagoon supernatant. The WFP will continue to discharge to Brock Creek, which is a tributary of Buck Creek, at RM 138.0—0.54—1.6 (Delaware River—Buck Creek—Brock Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lower Makefield Township, Bucks County, PA.

16. *Keystone Mobile Home Park, D-2008-007 CP-3*. An application to renew the approval of the applicant's existing 0.0375 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Lehigh River at River Mile 183.66—26.4 (Delaware River—Lehigh River), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, PA.

17. *Aqua Pennsylvania, Inc., D-2008-025 CP-3*. An application to renew the approval of the applicant's existing 6.0 mgd Ridley Creek WFP and its discharge of up to 0.150 mgd of filter backwash. The WFP will continue to discharge to Ridley Creek at RM 83.80—8.61 (Delaware River—Ridley Creek), in Middletown Township, Delaware County, PA.

18. *London Grove Township Municipal Authority, D-2008-033 CP-3*. An application to renew the approval of the applicant's existing 0.143 mgd WWTP and its discharge to land by means of spray-irrigation. The WWTP will continue to discharge treated effluent to the Kauffman Farms spray fields, located in the Middle Branch White Clay Creek Watershed, in London Grove Township, Chester County, PA.

19. *Lower Bucks County Joint Municipal Authority, D-2012-001 CP-2*. An application to renew the approval of the applicant's existing 16.0 mgd WFP and its discharge of up to 0.7 mgd of filter backwash. The WFP will continue to discharge directly to Delaware River Water Quality Zone 2 at RM 122.3, in Tullytown Borough, Bucks County, PA.

20. *Giorgio Foods, Inc., D-1988-043-6*. An application to upgrade the docket holder's existing 0.5 mgd IWTP. The upgrade consists of replacing the existing filter building with a new chilled water plant, replacing the existing outfall pipe with an insulated effluent pipe and appurtenant improvements. The IWTP will remain at 0.50 mgd and continue to discharge treated effluent to Willow Creek, which is a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at RM 92.47—86.7—0.6—2.4 (Delaware River—Schuylkill River—Maiden Creek—Willow Creek), in Maiden Creek Township, Berks County, PA.

21. *Pennsylvania American Water Company, D-1990-028-3*. An application to approve an upgrade to the applicant's existing Marcel Lakes WWTP and its discharge. The upgrade consists of replacing the existing

sequencing batch reactor decanters and ultra-violet disinfection system, converting the tertiary clarifier to an effluent equalization basin, adding a polymer feed system and a reaeration system and replacing the existing aerobic digesters. The WWTP is designed and will remain designed for an annual average flow of 0.1 mgd. The WWTP will continue to discharge treated effluent to Dingmans Creek at RM 239.5—7.2 (Delaware River—Dingmans Creek) within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Delaware Township, Pike County, PA.

22. *Borough of Fleetwood, D-1995-058 CP-3.* An application to renew the approval of an existing GWD and decrease the allocation from 54.39 mg/30 days to 22.61 mgm to supply the applicant's public water supply system from existing Wells Nos. 1, 2, 6, 10—15 and Springs Nos. 10—12. The requested allocation is not an increase from the previous allocation. The project wells are completed in Granitic Gneiss, except for Wells Nos. 13 and 15, which are completed in the Leithsville Formation and Allentown Formation, respectively. The project is located in the Willow Creek Watershed in the Borough of Fleetwood, Ruscombmanor and Richmond Townships, Berks County, PA.

23. *Pennsylvania American Water Company, D-2006-025 CP-2.* An application to approve new Well No. 5A for inclusion into the applicant's public water supply system and to renew the approval of an existing GWD of up to 10.26 mgm from Well No. 3 and new Well No. 5A. Existing Well No. 5 is being replaced by Well No. 5A due to screen failure in Well No. 5. The requested allocation is not an increase from the previous allocation. The project wells are completed in Quaternary sands and gravels in the Delaware River Watershed, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which is classified as Special Protection Waters, in Westfall Township, Pike County, PA.

24. *DTE Midstream Appalachia, LLC, D-2016-008-1.* An application to approve the construction of the Birdsboro pipeline project consisting of approximately 13.2 miles of new 12-inch diameter natural gas pipeline and associated above-ground facilities including a meter/interconnect site and pig launcher, pig receiver and four mainline valves. The project is designed to provide approximately 79,000 dekatherms per day of natural gas transportation capacity which will be used to fuel the proposed Birdsboro Power facility. The pipeline will extend from the existing Texas Eastern Transmission Company pipeline in Rockland Township to the proposed Birdsboro Power facility in the Borough of Birdsboro. The project is located within the Schuylkill River Watershed in the Townships of Rockland, Oley, Amity and Union, and the Borough of Birdsboro, Berks County, PA.

25. *Sunoco Logistics Partners, LP, D-2016-010-1.* An application to approve the relocation and replacement of approximately 6,500 linear feet of existing 8-inch and 12-inch diameter liquid petroleum pipelines to provide adequate burial and clearance distance under the Delaware River Federal navigation channel meeting United States Army Corps of Engineers (USACE) requirements. Recent dredging in the Delaware River performed by the USACE has left the existing pipelines with inadequate cover. Both pipelines will be installed in a single horizontal directional drill. Following the installation of the new

pipelines, the existing pipelines within and adjacent to the navigation channel will be removed and the remainder of the former pipelines in the Delaware River will be cleaned, plugged and abandoned in place. The pipelines cross the Delaware River at RM 90.6 between Tincum Township, Delaware County, PA and West Deptford Township, Gloucester County, NJ. The Commission issued an emergency certificate for the replacement project on December 7, 2016, to allow sufficient time for the applicant to satisfy USACE's project completion date.

*Public meeting.* The public business meeting on September 13, 2017, will begin at 10:30 a.m. and will include adoption of the minutes of the Commission's June 14, 2017, business meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel, and consideration of any items for which a hearing has been completed or is not required. The latter are expected to include resolutions: (1) authorizing the Executive Director to enter into an agreement with the Wildlands Conservancy for project services associated with dam removals to be performed as mitigation for natural resource damages associated with the 2005 ash slurry spill from the PPL Martins Creek Steam Electric Station in Lower Mount Bethel Township, PA; (2) authorizing the Executive Director to establish a purchasing card system for making electronic payments for certain Commission expenses; and (3) providing for replacement of the 1970s-era HVAC system at the Commission's West Trenton office building.

After all scheduled business has been completed and as time allows, the business meeting will also include up to 1 hour of open public comment.

There will be no opportunity for additional public comment for the record at the September 13, 2017, business meeting on items for which a hearing was completed on August 16, 2017, or a previous date. Commission consideration on September 13, 2017, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment on the record during the public hearing on August 16, 2017, or to address the Commissioners informally during the open public comment portion of the meeting on September 13, 2017, as time allows, are asked to sign-up in advance through EventBrite, the online registration process recently introduced by the Commission. For assistance, contact Paula Schmitt at paula.schmitt@drbc.nj.gov.

*Addresses for written comment.* Written comment on items scheduled for hearing may be made through SmartComment, the web-based comment system recently introduced by the Commission, a link to which is provided at drbc.net. Although use of SmartComment is strongly preferred, comments may also be delivered by hand at the public hearing or by hand, United States Mail or private carrier to the Commission Secretary, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628. For assistance, contact Paula Schmitt at paula.schmitt@drbc.nj.gov.

*Accommodations for special needs.* Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational meeting, conference session or hearings should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711 to discuss how the Commission can accommodate their needs.

*Additional information and contacts.* Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Carol Adamovic, (609) 883-9500, Ext. 249. For other questions concerning hearing items, contact Judith Scharite, Project Review Section Assistant, at (609) 883-9500, Ext. 216.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 17-1302. Filed for public inspection August 4, 2017, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 25, 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

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-21-2017	Troy T. Taylor Miami Beach Miami-Dade County  Application for approval to acquire more than 5% of the common stock of Hyperion Bank, Philadelphia.	Approved

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-20-2017	Riverview Financial Corporation Harrisburg Dauphin County  Application for approval to acquire 100% of CBT Financial Corp, Clearfield, and thereby indirectly acquire 100% of CBT Bank, Clearfield.	Filed

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-20-2017	Riverview Bank Marysville Perry County  Application for approval to merge CBT Bank, Clearfield, with and into Riverview Bank, Marysville.	Filed

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-12-2017	PeoplesBank, A Codorus Valley Company York York County	1800 Village Circle Lancaster Lancaster County (Limited Service Facility)	Opened
7-15-2017	Republic First Bank Philadelphia Philadelphia County	610 Cross Keys Road Sicklerville Camden County, NJ	Opened



<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-17-2017	Luzerne Bank Luzerne Luzerne County	669 State Route 93 Highway Sugarloaf Luzerne County	Opened
7-21-2017	Fleetwood Bank Fleetwood Berks County	216 East Philadelphia Avenue Boyertown Berks County	Approved

**CREDIT UNIONS**

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-20-2017	Utilities Employees Credit Union Wyomissing Berks County	Filed

Application for approval to merge ClearChoice Federal Credit Union, Wyomissing, with and into Utilities Employees Credit Union, Wyomissing.

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. 17-1303. Filed for public inspection August 4, 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>
PA0203891 (Sewage)	Western Area Vocational-Tech School STP 688 Western Avenue Canonsburg, PA 15317-1477	Washington County Chartiers Township	Chartiers Run (20-F)	Yes
PA0252735 (Sewage)	Hustons Hickory Hollow Campground 626 Cross Road Rockwood, PA 15557-7415	Somerset County Milford Township	Unnamed Tributary to South Glade Creek (19-F)	Yes
PA0217123 (Sewage)	Plumville STP 602 Kolter Drive Indiana, PA 15701-3570	Indiana County South Mahoning Township	North Branch Plum Creek (17-E)	Yes
PA0095940 (Sewage)	Albert Gallatin School District 2625 Morgantown Road Uniontown, PA 15401-6703	Fayette County Georges Township	York Run (19-G)	Yes
PA0219169 (Sewage)	New Centerville Borough STP PO Box 93 Rockwood, PA 15557-0093	Somerset County New Centerville Borough	Middle Creek (19-F)	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>
PA0064343 (Industrial)	Pennsylvania America Water Stony Garden WTP Routes 33 & 115 Hamilton Twp., PA 18360	Monroe County Hamilton Township	Unnamed Tributary to Aquashicola Creek (2-B)	Yes
PA0062910 (Sewage)	Bowmanstown Borough WWTP 800 Lincoln Avenue Bowmanstown, PA 18030	Carbon County Bowmanstown Borough	Lehigh River (2-B)	Yes
PA0062031 (Sewage)	Twin Cedars Senior Living LLC 364 Little Walker Road Shohola, PA 18458-2805	Pike County Shohola Township	Unnamed Tributary to Walker Lake Creek (01D)	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>
PA0248029 (SEW)	Hustontown Joint Sewer Authority 6551 Guitner Road Greencastle, PA 17225	Dublin Township & Taylor Township/Fulton County	UNT Lamberson Branch (13-C)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0080616 (SEW)	Mountain View MHP Pleasant Valley Rentals LLC 851 Roth Church Road Spring Grove, PA 17362	Reading Township/ Adams County	Plum Creek (7-F)	Y
PA0024147 (SEW)	Cumberland Township South STP 1370 Fairfield Road Gettysburg, PA 17325	Cumberland Township/ Adams County	Willoughby Run (13-D)	Y
PA0024139 (SEW)	Cumberland Township North STP 1370 Fairfield Road Gettysburg, PA 17325	Cumberland Township/ Adams County	Rock Creek (13-D)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0007455 (Industrial)	Lycoming Engines 652 Oliver Street Williamsport, PA 17701-4410	Lycoming County Williamsport City	Lycoming Creek and Unnamed Tributary to Lycoming Creek (10-A)	No

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

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

**PA0026069**, Sewage, SIC Code 4952, **Latrobe Municipal Authority**, PO Box 88, Latrobe, PA 15650-0088. Facility Name: Latrobe Municipal Authority STP. This existing facility is located in Latrobe Borough, **Westmoreland 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), Loyalhanna Creek, is located in State Water Plan watershed 18-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.0 MGD.—Interim Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 6.0 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Average Weekly	
Copper, Total	0.750	XXX	XXX	0.015	0.023 Daily Max	XXX
Selenium, Total	0.550	XXX	XXX	0.011	0.017 Daily Max	XXX
Zinc, Total	6.004	XXX	XXX	0.120	0.188 Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 6.0 MGD.—Limits.

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

## NOTICES

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Average Weekly	
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	1,001.0	1,501.0	XXX	20.0	30.0	40
May 1 - Oct 31	500.0	751.0	XXX	10.0	15.0	20
		Wkly Avg			Wkly Avg	
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	1,251.0	1,877.0	XXX	25.0	37.5	50
		Wkly Avg			Wkly Avg	
Total Suspended Solids Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Dissolved Solids	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	375.0	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	125.0	XXX	XXX	2.5	XXX	5
Aluminum, Total	37.53	XXX	XXX	0.75	0.75	XXX
					Daily Max	
Iron, Total	75.06	XXX	XXX	1.50	3.0	XXX
					Daily Max	
Manganese, Total	50.04	XXX	XXX	1.00	2.00	XXX
					Daily Max	
Sulfate, Total	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Chloride	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Bromide	Report	XXX	XXX	Report	Report	XXX
					Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 6.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Average Weekly	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Toxicity, Chronic—Pimephales Survival (TUC)	XXX	XXX	XXX	XXX	2.2	XXX
					Daily Max	
Growth (TUA)	XXX	XXX	XXX	XXX	2.2	XXX
					Daily Max	

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

The EPA Waiver is not in effect.

**PA0003255**, Storm Water, SIC Code 3312, **Latrobe Specialty Metals**, 2626 Ligonier Street, Latrobe, PA 15650. Facility Name: Carpenter Latrobe Specialty Metals. This existing facility is located in Latrobe Borough, **Westmoreland County**.

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

The receiving stream, Loyalhanna Creek is located in State Water Plan watershed 18-C and is classified for Warm Water Fishes, aquatic life 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.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Precipitation (in.)	Report	Report	XXX	XXX	XXX	XXX
Total Aluminum (lbs.) (Total Facility Load)	Report	6,530	XXX	XXX	XXX	XXX
Total Iron (lbs.) (Total Facility Load)	Report	15,714	XXX	XXX	XXX	XXX
Total Manganese, (Total Facility Load)	Report	8,709	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX
Fluoride, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, 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 MGD.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX
Fluoride, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Loading (lbs.)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (gal)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	XXX	Report	XXX
Iron, Total	Report	XXX	XXX	XXX	Report	XXX
Manganese, Total	Report	XXX	XXX	XXX	Report	XXX

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

- Kiskiminetas-Conemaugh TMDL annual reporting requirements.
- Stormwater benchmark value reporting requirements.

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

The EPA Waiver is not in effect.

**PA0206041**, Storm Water, SIC Code 3087, **Washington Penn Plastics**, 2080 North Main Street, PO Box 236, Washington, PA 15301. Facility Name: Washington Penn Plastics Arden Division. This existing facility is located in South Strabane Township, **Washington County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of varied, stormwater.—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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
TSS (mg/L)	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, 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:

- The permit contains benchmark values for discharge parameters and part C condition if stormwater discharge concentrations are above benchmark concentrations.

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

The EPA Waiver is not in effect.

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

**PA0034088**, Sewage, SIC Code 6515, **UMH of PA, Inc.**, 3499 Route 9 North, Suite 3C, Freehold, NJ 07728. Facility Name: Oakwood Lake Village MHP. This existing facility is located in Tunkhannock Township, **Wyoming 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, Swale Brook, is located in State Water Plan watershed 4-F and is classified for Cold Water Fishes, migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 MGD.

From Permit Effective Date until Permit Expiration Date.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	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
Geo Mean						
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	5.5	XXX	11.0
Nov 1 - Apr 30	XXX	XXX	XXX	16.5	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 MGD.

From Permit Effective Date until 3 Years After Permit Effective Date.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 MGD.

From 3 Years After Permit Effective Date until Permit Expiration Date.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.34	XXX	0.80

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

- Solids Management
- Requirements for Total Residual Chlorine (TRC)
- High Flow Management Plan
- Plant Operation Standard Operating Procedures

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

The EPA Waiver is in effect.

**PA0062464**, Sewage, SIC Code 4941, **Pennsylvania American Water Company**, 2699 Stafford Avenue, Scranton, PA 18505. Facility Name: Blue Mountain Lake WWTP. This existing facility is located in Stroud Township, **Monroe 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, Sambo Creek, is located in State Water Plan watershed 1-E and is classified for cold water fishes, migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.275 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.04	XXX	0.1
Fecal Coliform (No./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
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
May 1 - Oct 31	22.9	XXX	XXX	10.0	XXX	20.0
Nov 1 - Apr 30	45.8	XXX	XXX	20.0	XXX	40.0
Total Suspended Solids	68.8	XXX	XXX	30.0	XXX	60.0
Ammonia-Nitrogen						
May 1 - Oct 31	4.6	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	13.8	XXX	XXX	6.0	XXX	12.0
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	XXX
Nitrate-Nitrite as N	21.8	XXX	XXX	9.5	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	4.6	XXX	XXX	2.0	XXX	XXX
Influent Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Influent Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

**PA0276014**, Pesticides, SIC Code 0782, 7900, **Lake Naomi Club**, Rte 423, PO Box T, Pocono Pines, PA 18350.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge associated with the application of pesticides in Tobyhanna Township, **Monroe County**.

The receiving stream(s), Upper Tunkhannock Creek, is located in State Water Plan watershed 2-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is not in effect.

---

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

**PA0232921**, Sewage, SIC Code 4952, **Patience McCullough**, 48 Lee Run Road, Mahaffey, PA 15757-9400.

Facility Name: McCullough SFTF. This proposed facility will be located in Greenwood Township, **Clearfield County**.

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



The receiving stream(s), Unnamed Tributary to Bell Run, is located in State Water Plan watershed 8-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

**PA0009024**, Industrial, SIC Code 3339, **Global Tungsten & Powders Corp.**, 1 Hawes Street, Towanda, PA 18848-2134. Facility Name: Global Tungsten & Powders Corp. This existing facility is located in North Towanda Township, **Bradford 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), Susquehanna River, is located in State Water Plan watershed 4-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.607 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	157.5	325.7	XXX	Report	Report	77.7
Total Dissolved Solids	119,157	135,790	XXX	Report	Report	XXX
Ammonia-Nitrogen	885.2	2,012.5	XXX	Report	Report	436.7
Arsenic, Total	3.98	10.06	XXX	Report	Report	2.47
Cobalt, Total	8.69	19.83	XXX	Report	Report	4.27
Copper, Total	3.50	9.11	XXX	Report	Report	2.23
Fluoride, Total	140.7	247.6	XXX	Report	Report	69.4
Lead, Total	0.79	1.71	XXX	Report	Report	0.37
Molybdenum, Total	216.0	432.1	XXX	Report	Report	106.6
Nickel, Total	11.83	26.64	XXX	Report	Report	5.82
Selenium, Total	2.34	5.82	XXX	Report	Report	1.15
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Tantalum, Total	3.22	3.22	XXX	Report	Report	1.57
Tungsten, Total	477.8	1,073.7	XXX	Report	Report	235.7
Zinc, Total	2.54	6.25	XXX	Report	Report	1.25
1,4-Dioxane	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 002, 003, and 004 are:

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
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Iron, Total						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Annual Avg			Annual Avg		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Annual Avg			Annual Avg		

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	600,515	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	1,577	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

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

**PA0103942—Amendment No. 1**, Sewage, SIC Code 4952, **American Carpatho Russian Church**, 339 Pew Road, Mercer, PA 16137. Facility Name: Camp Nazareth. This existing facility is located in Delaware Township, **Mercer County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit to expand an existing discharge of treated sewage.

The receiving stream, the Shenango River, is located in State Water Plan watershed 20-A and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 MGD (Interim) and 0.013 MGD (Final).

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen						
(Interim)	XXX	XXX	Report	XXX	XXX	XXX
(Final)	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
(Interim)	XXX	XXX	XXX	1.4	XXX	3.3
(Final)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX		XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Chlorine Minimization
- Solids Management
- Electronic Discharge Monitoring Reporting requirement

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.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD150039	Avon Grove Charter School 1 Commerce Boulevard Suite 205 West Grove, PA 19390	Chester	Franklin Township	Unnamed Tributary to Big Elk Creek HQ-TSF-MF
PAD150022	Edwin P. Henderson, Sr. 1764 Horseshoe Pike Honey Brook, PA 19344	Chester	West Brandywine Township	Indian Run HQ-CWF-MF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD450035	PPL Electric Utilities Corp. Two North Ninth Street Allentown, PA 18101	Monroe	Jackson Township, Chestnuthill Township, Polk Township	UNT to Appenzel Creek 1, 2, 3 (HQ-CWF, MF) Fall Creek (EV, MF) UNT to Fall Creek 1, 2 (EV, MF) Hypsie Creek (EV, MF) UNT to Sugar Hollow Creek 1, 2 (CWF, MF) McMichael Creek (EV, MF) Sugar Hollow Creek (CWF, MF) Pohopoco Creek (HQ-CWF, MF) UNT to Pohopoco Creek 1-6 (CWF, MF) UNT to McMichaels Creek (EV, MF)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD210009	Trinity MSB, LLC 700 Ayers Avenue Lemoyne, PA 17043	Cumberland County	Monroe Township	Yellow Breeches Creek (HQ-CWF) UNT Yellow Breeches Creek (HQ-CWF)

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481. Mercer County Conservation District: 747 Greenville Road, Mercer, PA 16137, 724-662-2242.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD430001	Greenville-Reynolds Development Corp.	Mercer	Pymatuning Township	Shenango River WWF

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

PAG-12 CAFOs

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

**NPDES Permit No. PAG124862**, CAFO, **Robert R. Kucharski**, 9351 Route 414, Liberty, PA 16930-9505.

This proposed facility is located in Liberty Borough, **Tioga County**.

Description of size and scope of proposed operation/activity: The Kucharski Hog Farm is an existing farm consisting of a total of 422.2 acres; including 306.1 acres of cropland and 10.5 acres of farmstead. The operation averages 4,200 finishing swine, 79 milk cows, 35 heifers, 20 calves, and 15 beef steers.

The receiving stream, Unnamed Tributary to Blockhouse Creek, is in watershed 9-A and classified for: Cold Water Fishes and Migratory Fishes.

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

#### MS4 Notices of Intent Received

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

NPDES Permit No.	Applicant Name & Address	Municipality, County	Waiver Application Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAG134816	Riverside Borough PO Box 307 Riverside, PA 17868-0307	Riverside Borough Northumberland County	Y	N

### STATE CONSERVATION COMMISSION

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

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

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

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should

include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

#### APPLICATIONS

##### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Furnace Hill Holsteins Joel Krall 480 Schaeffer Road Lebanon, PA 17042	Lebanon	9.4	671.2	Dairy	NA	Renewal
Chris Hoffman Lazy Hog Farm 240 Long Hollow Lane Lewistown, PA 17044	Mifflin	0	532.33	Finisher Swine	NA	renewal
Elvin Martin 980 Little Mountain Road Myerstown, PA 17067	Berks	140	376.41	Swine, Beef, Heifer replacements	N/A	Renewal
Gerald Musser 118 Killinger Rd Annville, PA 17003	Lebanon	56	795.88	Layers	NA	Renewal
Shadow Ridge Farm Phil Good 1259 Lime Valley Road Lancaster, PA 17602	Lancaster	148	801.43	Layers/ Heifer	NA	N
David H. Martin 420 Nottingham Road Nottingham, PA 19362	Lancaster	214.3	595.11	Swine/ Pullets	HQ	R
Zartman Farms, LLC Thomas Zartman 820 Hilltop Road Ephrata, PA 17522	Lancaster	520	620.25	Swine	NA	R
David Brenize 7201 Sunset Road Newburg, PA 17240	Franklin	113.6	447.59	Turkeys (Toms)	N/A	New
John Pfleeger 460 Gold Road Muncy, PA 17756	Northumberland	434.3	682.47	Finishing Swine and Beef Steers	N/A	Renewal
Garret & Darren Moyer 1200 Red Bank Road Middleburg, PA 17842	Snyder	107.9	780.8	Swine Dairy	NA	Renewal

#### PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

### SAFE DRINKING WATER

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

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

**Permit No. [9996609]**, Public Water Supply.

Applicant **[Western Addition Ltd]**  
 [Township or Borough] [Paeroa, New Zealand]  
 Responsible Official [Brigitte Schween, Office & Quality Assurance Manager]  
 Type of Facility [Out of State Bottled Water System]  
 Application Received Date [July 11, 2017]  
 Description of Action [Applicant requesting Department approval to sell bottled water in Pennsylvania under the brand names: Pure New Zealand Artesian Water and New Zealand Artesian Water Naturally Alkaline.]

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

**Permit No. 6717505 MA, Minor Amendment**, Public Water Supply.

Applicant **SUEZ Water Pennsylvania**  
 Municipality Fairview Township  
 County **York**  
 Responsible Official John D. Hollenbach, Vice-President  
 4211 East Park Circle  
 Harrisburg, PA 17111-0151  
 Type of Facility Public Water Supply  
 Consulting Engineer Daniel Cargnel, P.E.  
 Buchart Horn, Inc.  
 445 West Philadelphia Street  
 York, PA 17404  
 Application Received: 7/13/2017  
 Description of Action The existing chlorine gas feed system will be replaced with a liquid sodium hypochlorite feed system including bulk storage tanks, a day tank, and feed pumps. An additional injection point on the settled water line and a chlorine analyzer are also proposed.

**Permit No. 2217508 MA, Minor Amendment**, Public Water Supply.

Applicant **Pillow Borough Authority**  
 Municipality Mifflin Township  
 County **Dauphin**

Responsible Official Walter Tweitmann, Chairman  
 PO Box 206  
 Pillow, PA 17080  
 Type of Facility Public Water Supply  
 Consulting Engineer N Peter Fleszar, P.E.  
 Glace Associates, Inc.  
 3705 Trindle Road  
 Camp Hill, PA 17011  
 Application Received: 7/14/2017  
 Description of Action Abandonment of the Well No. 4 reservoir and repiping of the well discharge piping.

**Permit No. 6717506, Minor Amendment**, Public Water

Applicant **St. Jacob's (Stone) Church**  
 Municipality Codorus Township  
 County **York**  
 Responsible Official Mike Sterner, Trustee  
 5152 Stone Church Road  
 Glenville, PA 17329  
 Type of Facility Public Water Supply  
 Consulting Engineer N Peter Fleszar, P.E.  
 Glace Associates, Inc.  
 3705 Trindle Road  
 Camp Hill, PA 17011  
 Application Received: 7/18/2017  
 Description of Action The ATS Model SKMB-20-186K ultraviolet (UV) disinfection unit has been proposed to provide 4-Log treatment of the groundwater source. Sodium hypochlorite injection has also been proposed for water going to the neighboring residence to provide a disinfectant residual in the underground pipe. A new pump will also be installed in the raw water reservoir.

**Permit No. 3617512 MA, Minor Amendment**, Public Water Supply.

Applicant **City of Lancaster**  
 Municipality Millersville Borough  
 County **Lancaster**  
 Responsible Official Charlotte Katzenmoyer  
 Public Works Director  
 120 North Duke Street  
 Lancaster, PA 17608-1559  
 Type of Facility Public Water Supply  
 Consulting Engineer Matthew D. Warfel  
 The ARRO Consulting, Inc.  
 108 West Airport Road  
 Lititz, PA 17543  
 Application Received: 7/17/2017  
 Description of Action Rehabilitation of waterlines within the Quaker Hills and Bausman Developments.

**Permit No. 6717503**, Public Water Supply.  
 Applicant **Northstar Properties Management**  
 Municipality Franklin Township  
 County **York**  
 Responsible Official Keith Shanahan  
 Certified Water Operator  
 PO Box 396  
 Mechanicsburg, PA 17055  
 Type of Facility Public Water Supply  
 Consulting Engineer Kevin L. Little, P.E.  
 Barton & Loguidice DPC  
 3901 Hartzdale Drive  
 Camp Hill, PA 17013  
 Application Received: 6/1/2017  
 Description of Action A new arsenic treatment system will be installed for the Stoney Run Apartments water system due to a routine sample exceeding the maximum contaminant level of 10 µg/L.

**Permit No. 7360389, Minor Amendment**, Public Water Supply.  
 Applicant **Charles N Groff**  
 Municipality Mount Joy Township  
 County **Lancaster**  
 Responsible Official Charles N. Groff, Owner  
 650 Pinkerton Road  
 Mount Joy, PA 17552  
 Type of Facility Public Water Supply  
 Consulting Engineer Charles A. Kehew II, P.E.  
 James R. Holley & Associates, Inc.  
 18 South George Street  
 York, PA 17401  
 Application Received: 7/10/2017  
 Description of Action Installation of facilities for providing 4-log treatment of viruses.

**Permit No. 0617512 MA, Minor Amendment**, Public Water Supply.  
 Applicant **Hamburg Municipal Authority**  
 Municipality Windor Township  
 County **Berks**  
 Responsible Official Stephen Smith, Chairman  
 61 North 3rd Street  
 Hamburg, PA 19526  
 Type of Facility Public Water Supply  
 Consulting Engineer Pamela J. Stevens, P.E.  
 Systems Design Engineering, Inc.  
 1032 James Drive  
 Leesport, PA 19533  
 Application Received: 7/11/2017

Description of Action Hamburg Municipal Authority has submitted an application to change the disinfection method from gaseous chlorination to liquid chlorination at the Water Filtration Plant and Well House No. 5. The project will include the installation of new chemical tanks, piping, chemical feed pumps and fittings at both locations.  
*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 2517504**, Public Water Supply.  
 Applicant **North East Borough**  
 Township or Borough North East Borough  
 County **Erie**  
 Responsible Official Randy Culver  
 Water Superintendent  
 31 West Main Street  
 North East, PA 16428  
 Type of Facility Public Water Supply  
 Consulting Engineer Jeffrey L. Kordes, P.E.  
 Greenman-Pedersen, Inc.  
 8 Gibson Street  
 North East, PA 16428  
 Application Received Date June 26, 2017  
 Description of Action Permit amendment to permit existing upgrade to pump at Freeport pump station.

**MINOR AMENDMENT**

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

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

**Application No. 4817505MA, Minor Amendment**, Public Water Supply.  
 Applicant **Northampton Borough Municipal Authority**  
 1 Clear Springs Drive  
 Northampton, PA 18067-0156  
 Municipality Allen Township  
 County **Northampton**  
 Responsible Official Stephen J. Kerbacher, Manager  
 Type of Facility Public Water Supply  
 Consulting Engineer R. Scott Hughes, P.E.  
 Gannett Fleming, Inc.  
 P.O. Box 80794  
 Valley Forge, PA 19484-0794  
 Application Received Date July 18, 2017  
 Description of Action This application proposes construction of a 250,000-gallon welded steel elevated water storage tank and approximately 1,200 linear feet of 12-inch connecting main.

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

**Application No. 3017507MA, Minor Amendment.**

Applicant	<b>Southwestern Pennsylvania Water Authority</b> 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
[Township or Borough]	Richhill Township
Responsible Official	Timothy Faddis, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. Suite 200 267 Blue Run Road Cheswick, PA 15024
Application Received Date	July 19, 2017
Description of Action	Installation of the Bambino meter vault.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period

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

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

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

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Hal H. Clark Park**, Ely Road/River, Solebury Township, **Bucks County**. Jennifer Krekeler, AECOM, 525 Vine Street, Suite 1800, Cincinnati, OH 45202, Pam Tetarenko, Shell Oil Products, U. S., 1160 Rustling Wind Lane, League City, TX 77573 on behalf of William M. Mitchell, Bucks County Parks and Recreation, 901 East Bridgetown Pike, Langhorne, PA 19047 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with petroleum-related constituents that have impacted soil, seep water and groundwater on the property. The proposed future use of the property is considered residential as a county park. The Notice of Intent to Remediate was published in the *Intelligencer* on June 18, 2017.

**33 Tomlinson Road**, 33 Tomlinson Road, Lower Moreland Township, **Montgomery County**. David Everitt, MEA, Inc., 1365 Ackermanville Road, Banghor, PA 18013, Gregg Walter, MEA, Inc., 1365 Ackermanville Road, Banghor, PA 18013 on behalf of Mary Kay Parsek, Indigo Investment Servicing, LLC, 5318 East 2nd Street # 502, Long Beach, CA 90803 submitted a Notice of Intent to Remediate. The Notice of Intent to Remediate states that the site was impacted by a release of chlorinated solvents into the soil and groundwater from historic site operations. Future use of the property will include commercial offices and/or a warehouse. The Notice of Intent to Remediate was published in the *Times Herald* on June 22, 2017.

**600 Haverford Road Property**, 600 Haverford Road, Haverford Township, **Delaware County**. Terrence A. O'Reilly, Tristate Environmental Management Services Inc., 368 Dunksferry Road, Bensalem, PA 19020 on behalf of Daniel G. Donley, 600 Haverford Road Investors LLC, 931 Haverford Road, Bryn Mawr, PA 19010 submitted a Notice of Intent to Remediate. Soil and groundwater at the site have been found to be impacted by constituents of no. 2 fuel oil. The future use of the property will continue



to be non-residential. The Notice of Intent to Remediate was published in the *Daily Times and Sunday Times* on June 14, 2017.

**Madison Lansdale Station**, Madison Street & South Wood Street, Lansdale Borough, **Montgomery County**. Jeffery T. Bauer, Whitestone Associates Inc., 160 Manor Drive, Suite 220, Chalfont, PA 18914, John Knott, Lansdale Multi-Family Development, L.P., 301 Oxford Valley Road, Suite 1203, Yardley, PA 19067 on behalf of Daniel Dunigan, Lansdale Parking Authority, 1 Vine Street, Lansdale, PA 19446 submitted a Notice of Intent to Remediate. This Notice of Intent to Remediate states that the site historically was used for industrial purposes and the site was found to be contaminated with arsenic and benzo(a)pyrene. The proposed future use of the property will be mixed-use residential and commercial. The Notice of Intent to Remediate was published in the *Reporter* on June 17, 2017.

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

**Park 100 Logistics/Kraft Heinz Food Company**, 7532 Industrial Boulevard, Upper Macungie Township, **Lehigh County**. Advantage Engineers LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of Ridgeline Property Group, 20130 Lakeview Center Plaza, Suite 400, Ashburn, VA 20147, submitted a Notice of Intent to Remediate. # 6 fuel oil contamination was discovered in the soil during the removal of two underground storage tanks. The proposed future use of the property is for non-residential purposes. The Notice of Intent to Remediate was published in *The Morning Call* on July 21, 2017.

#### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGR019D010.** Weatherly Casting and Machine Company, P.O. Box 21, Weatherly, PA 18255. A permit renewal application for continued coverage under General Permit WMGR019 for the beneficial use of foundry waste as roadway construction material, a component or ingredient in the manufacturing of concrete or asphalt products, a soil additive or soil substitute, and for non-roadway construction activity. The foundry operation is located in Weatherly Borough, **Carbon County**. The application was received by the Regional Office on June 30, 2017 and deemed administratively complete by the Regional Office on July 21, 2017.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

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

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

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

**10-001P: AK Steel Corporation—Butler Works** (210 Pittsburgh Road, Butler, PA 16003), for the proposed modification to plan approval 10-001N emission limitations and removal of 40 CFR 63 Subpart DDDDD requirements for Source 162 (Carlite Line Dry Furnace 26) in Butler City, **Butler County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 103-001P is for the proposed modification to Plan Approval 10-001N emission limitations for Source 162 (Carlite Line Dry Furnace 26). The new potential emission due to the change in emission limitations are 4.01 tpy for PM<sub>10</sub> and 2.01 tpy for PM<sub>2.5</sub>. This results in a potential emission increase of 3.63 tpy for PM<sub>10</sub> and 1.88 tpy for PM<sub>2.5</sub> from the original plan approval 10-001N analysis. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 127 (# 26 Carlite Acid Clean)
  - Subject to 25 Pa. Code § 123.13
  - The permittee shall maintain at a convenient location a magnehelic gauge or equivalent to indicate pressure drop across the control device and a water flow meter to indicate flow rate to the control device.
  - The permittee shall maintain a record of all preventative maintenance inspections of the source that are required pursuant to a condition of this permit. The records of the maintenance inspections shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.
  - The permittee shall record, weekly, the pressure drop across the control device and the water flow rate to the control device.
  - The permittee shall maintain and operate the source in accordance with the manufacturer's specifications or in accordance with good air pollution control practices.

- The permittee shall perform a monthly preventative maintenance inspection of the control device.
- Source 162 (Carlite Line Dry Furnace 26)
  - Subject to 25 Pa. Code § 123.13
  - Subject to 25 Pa. Code § 123.21
  - Emissions shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor, and visible emissions respectively.
  - The emissions from the source shall not exceed the following:
    - NO<sub>x</sub>: 1.96 #/hr and 8.57 tpy based on a consecutive 12-month period [This condition replaces the following condition from plan approval 10-001N: NO<sub>x</sub>: 0.073 #/MMBtu]
    - CO: 13.43 #/hr and 58.81 tpy based on a consecutive 12-month period [This condition replaces the following condition from plan approval 10-001N: CO: 0.501 #/MMBtu]
    - PM<sub>10</sub>: 0.92 #/hr and 4.01 tpy based on a consecutive 12-month period [This condition replaces the following condition from plan approval 10-001N: PM<sub>10</sub>: 0.003 #/MMBtu]
  - The source shall burn only natural gas.
  - Stack test, initially, for filterable PM, NO<sub>x</sub>, CO, and PM<sub>10</sub> and at operating permit renewal.
  - The permittee shall maintain a record of all preventative maintenance inspections of the source that are required pursuant to a condition of this permit. The records of the maintenance inspections shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.
  - From 25 Pa. Code § 127.203a(a)(5)(iii), If the projected actual emissions for a regulated NSR pollutant are in excess of the baseline actual emissions, the following apply: (A) The projected actual emissions for the regulated NSR pollutant must be incorporated into the required plan approval or the operating permit as an emission limit. (B) The owner or operator shall monitor the emissions of the regulated NSR pollutant for which a limit is established in clause (A) and calculate and maintain a record of emissions, in TPY on a calendar year basis, for 5 years following resumption of regular operations after the change, or for 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit of that regulated NSR pollutant at the emissions unit. (C) The owner or operator shall record sufficient information to identify for all emission units in the approved project their total actual annual emissions and their actual annual emissions increase due to the project. (D) The owner or operator shall submit a report to the Department, within 60 days after the end of each calendar year, which contains the emissions data required by clauses (B) and (C). This report must also contain a demonstration of how these emissions were determined if the determination was not by direct measurement with a Department-certified CEMS system. [Submission of the annual emissions statement for the facility, pursuant to 25 Pa. Code 135, satisfies the reporting and

recordkeeping requirements of 25 Pa. Code 127.203a(a)(5)(iii)(D) as long as actual NO<sub>x</sub>, VOC, PM<sub>2.5</sub>, & SO<sub>2</sub> emissions are below the value used in the NSR analysis]

- The permittee shall record each adjustment conducted in a permanently bound log book. This log shall contain, at a minimum, the following:
  - The date of the tuning procedure
  - The name of the service company and technicians
  - The final operating rate or load
  - The final CO and NO<sub>x</sub> emission rates
  - The final excess oxygen rate
- The permittee shall perform an annual adjustment or tuneup. This adjustment shall include, at a minimum, the following:
  - Inspection, adjustment, cleaning or replacement of fuel-burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.
  - Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO<sub>x</sub>, and to the extent practicable minimize emissions of CO.
  - Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer.
- The permittee shall maintain and operate the source in accordance with the manufacturer's specifications or in accordance with good air pollution control practices.
- The source is not subject to 40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters) because the furnace is direct-fired and doesn't meet the definition of "Process Heater" in 40 CFR 63.7575.

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

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [10-001P] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

*Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

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

**37-318B: Kennametal International Specialty Alloys—Northgate Facility** (PO Box 5186, New Castle, PA 16105) for the installation of a replacement baghouse at their facility in Neshannock Township, **Lawrence County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that DEP intends to issue Plan Approval 37-318B to Kennametal International Specialty Alloys for the installation of a replacement baghouse at their facility in Neshannock Township, Lawrence County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 20-302B is for the installation a replacement baghouse for control of particulate emissions from the existing thermite reduction process (Source ID 101). Based on the information provided by the applicant and DEP's own analysis, this source will have the potential to emit 1.38 ton of particulate matter per year.

The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 37-318B and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of

Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

### OPERATING PERMITS

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

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

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

**36-05146: EPP Renewable Energy, LLC** (1605 N. Cedar Crest Blvd., Suite 509, Allentown, PA 18104) for the operation of a landfill gas-fired engine generator set at the Frey Farm Landfill site in Manor Township, **Lancaster County**. The facility's reported AIMs emissions for 2016 were 42.9 tons of CO, 6.27 tons of NO<sub>x</sub>, 2.0 tons of SO<sub>x</sub>, 0.54 ton of PM<sub>10</sub>, 8.12 tons of VOCs, and 7.26 tons of 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. Among other items, the conditions include applicability to the RICE requirements of 40 CFR Part 60, Subpart JJJJ, and 40 CFR Part 63, Subpart ZZZZ.

**06-05078: FR&S, Inc. dba Pioneer Crossing Landfill** (4251 SW High Meadows Ave., Palm City, FL 34990) for the landfill located at 727 Red Lane Road in Exeter Township, **Berks County**. The actual emissions from the facility in 2015 year were estimated at 1 ton of CO, 13 tons of PM<sub>10</sub>, 2 tons of PM<sub>2.5</sub> and 9 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart WWW (Standards of Performance for Municipal Solid Waste Landfills), 40 CFR 61 Subpart M (National Emission Standard for Asbestos) and 40 CFR 63 Subpart AAAA (National Emission Standard for Hazardous Air Pollutants: Municipal Solid Waste Landfills).

**06-05105: Pioneer Crossing Energy** (5087 Junction Road, Lockport, NY 14094-9601) to issue a Title V Operating Permit for the landfill-gas-to-energy plant located on the Pioneer Crossing Landfill property in Exeter Township, **Berks County**. The actual emissions from the facility in 2015 year are estimated at 212 tons of CO, 37 tons of NO<sub>x</sub>, 1 ton of PM<sub>10</sub>, 64 tons of SO<sub>x</sub> and 16 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart WWW, 40 CFR 63 Subpart AAAA, 40 CFR Part 63, Subpart ZZZZ and 40 CFR 60 Subpart JJJJ.

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

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

**61-00004: Electralloy G.O. Carlson** (175 Main Street, Oil City, PA 16301) the Department intends to modify the Title V Operating Permit for the facility located in Oil City, **Venango County**.

The modification was for incorporation of a VOC emission limit of less than 50 TPY based on stack testing. The facility also has conditions in the permit which require stack testing, compliance with scrap management requirements pertaining to 40 CFR 63 Subpart YYYYY, the NESHAP for Area Source Electric Arc Furnace Steelmaking Facilities, and recordkeeping of production. The requirements will provide a reasonable assurance of compliance with the emission limit. The facility has never reported VOC emissions of 50 TPY or greater. Based on the emission limit and the potential NO<sub>x</sub> emissions less than 100 TPY, the facility will not be a major source of VOC or NO<sub>x</sub> and will not be subject to RACT 2 requirements in 25 Pa. Code §§ 129.96—129.100.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Any person wishing to provide the Department of Environmental Protection with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit # TV 61-00004) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Eric A. Gustafson, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Mr. Matthew Williams at the same address or phone at (814) 332-6940.

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

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

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

**46-00262: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) for operation of a pigment dispersion and color concentrates manufacturing plant owned and operated by Penn Color, Inc. located in Hatfield Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. Facility wide criteria pollutant emissions are restricted to less than the major facility thresholds; therefore, the facility is classified as a Synthetic Minor facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**39-00084: AOC Acquisitions, Inc., Allen Organ Company** (150 Locust Street, Macungie, PA 18062-1165). The Department intends to issue a renewal State-Only Natural Minor Permit for this manufacturing of musical instruments facility located in Macungie Borough, **Lehigh County**. The main sources at this facility consists of a vapor degreaser and spray paint booths. The control devices consist of panel filters. The sources are considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00070: Berwick Offray LLC, Berwick Plant** (2015 W Front Street, Berwick, PA 18603-4102). The Department intends to issue a renewal State-Only Synthetic Minor Permit for the manufacturing of commercial printing and gravure facility located in Berwick, **Luzerne County**. The main sources at this facility consists of extrusion lines and presses. The sources are considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**36-03105: Pennsy Supply Co.** (2742 Lancaster Road, Manheim, PA 17545) to issue a State Only Operating Permit for the quarry located in East Hempfield Township, **Lancaster County**. The potential emissions from the facility are estimated at 17.7 tpy of PM<sub>10</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**07-03009: Tyrone Borough STP** (1100 Logan Avenue, Tyrone, PA 16686) to issue a State Only Operating Permit for two diesel fired emergency generators at the facility located in Snyder Township, **Blair County**. The potential emissions from the IC engines at the facility are estimated at 8.2 tons per year of NO<sub>x</sub>; 1.06 ton per year of CO and less than one ton each per year of VOCs, PM and SO<sub>2</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

**65-00726: Gutchess Hardwoods, Inc.** (185 Devereux Drive, Latrobe, PA 15650) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that DEP intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Gutchess Hardwoods, Inc. to authorize the operation of their facility located in Unity Township, **Westmoreland County**.

The company sizes, grades and dries hardwoods at their Latrobe Plant. Sources at this facility include two boilers, a dimension mill, and a hammer mill as well as several emission control devices. In order to remain below Title V thresholds for CO, the company has taken a limit of 3,333 hours per year of operations on the 450 hp Hurst boiler. This is a synthetic minor permit.

Facility-wide estimated potential emissions are 83.18 tpy of PM<sub>10</sub>, 33.06 tpy of NO<sub>x</sub>, 13.87 tpy of VOCs, 1.49 tpy of SO<sub>x</sub> and 91.83 tpy of CO.

The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145, and 40 CFR Part 60, Subpart Dc.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (65-00726) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Gutchess Hardwoods State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Gutchess Hardwoods State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

## 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*

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

**Permit No. 32820134 and NPDES No. PA 0606154, MB Energy Inc.**, 175 McKnight Road, Blairsville, PA 15717, transfer of an existing bituminous surface mine from Arcadia Co., Inc., 175 McKnight Road, Blairsville, PA 15717, located in Grant, Banks, Canoe & Montgomery Townships, **Indiana County**, affecting 1,166 acres. Re-

ceiving streams: unnamed tributaries to/and Little Mahoning Creek, unnamed tributary to Cush Creek classified for the following use: high quality—cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 8, 2017.

**Permit No. 32120105, Britt Energies, Inc.**, P.O. Box 515, 5450 Ferguson Road, Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface and auger mine in Burrell Township, **Indiana County**, affecting 117.3 acres. Receiving stream: unnamed tributary to Blacklick Creek to Conemaugh River classified for the following uses: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 14, 2017.

**Permit No. 11120101 and NPDES No. PA0268917, E.P. Bender Coal Company, Inc.**, P.O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in White Township, **Cambria County**, affecting 92 acres. Receiving streams: unnamed tributaries to/and Dutch Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 14, 2017.

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

**03090103 and NPDES Permit No. PA0251631. M & M Lime Company, Inc.** (215 Nichola Road, Worthington, PA 16262). Revision application for land use change from forestland to industrial/commercial to an existing bituminous surface mine, located in West Franklin Township, **Armstrong County**, affecting 8.2 acres. Receiving streams: Buffalo Creek, classified for the following use: HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: July 7, 2017.

**26100104 and NPDES Permit No. PA0252158. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 100.6 acres. Receiving streams: unnamed tributaries to Mill Run and Mill Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: July 20, 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. 4975SM5 and NPDES No. PA0612430, Glen-Gery Corp.**, 1166 Spring Street, Wyomissing, PA 19610, renewal of NPDES permit, Oxford Township, **Adams County**. Receiving stream: unnamed tributary to South Branch Conewago Creek classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is New Oxford Municipal Authority. Application received: April 28, 2017. Permit issued: July 19, 2017.

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

**Permit No. 58070807. John Sholtiss**, (29981 SR 171, Susquehanna, PA 18847), Stage I & II bond release of a quarry operation in Thompson Township, **Susquehanna County** affecting 1.0 acre on property owned by John Sholtiss. Application received: June 22, 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:

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

\*The parameter is applicable at all times.

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

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

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

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

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

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

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

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

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

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments

received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA061237 (Mining permit no. 03793072), Consol Mining Co., CNX Center**, 1000 Consol Energy Drive, Canonsburg, PA 15317, renewal NPDES permit for a bituminous surface mine in Kiskiminetas and Young Townships, **Armstrong and Indiana Counties**, affecting 302 acres. Receiving stream: Big Run, classified for the following use: CWF. This stream is included in the Kiskiminetas—Conemaugh TMDL. Application received: April 6, 2015.

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

The treated wastewater outfalls listed below discharge to Big Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
012	N	Mine Drainage Treatment (MDT)
013	N	Mine Drainage Treatment (MDT)

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)		Monitor & Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

**NPDES No. PA0202134 (Mining permit no. 03970110), Mears Enterprises, Inc.**, 2770 Tanoma Road, Clymer, PA 15728, revised NPDES permit for a bituminous surface mine in Valley Township, **Armstrong County**, affecting 27.4 acres. Receiving stream(s): Unnamed Tributary to Cowanshawnock Creek classified for the following use: WWF. Application received: 4/27/16.

The treated wastewater outfall(s) listed below discharge to an unnamed tributary to Cowanshawnock Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
MP-A	N	MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

**NPDES Permit No. PA0223972 on Underground Mining Permit No. 54991302. S & S Coal Company**, (66 Snyder Lane, Hegins, PA 17938), renewal of an NPDES Permit for an underground mine operation in Foster, Barry and Hegins Townships, **Schuylkill County**, affecting 8.0 acres (25.0 subsurface acres). Receiving stream: Hans Yost Creek, classified for the following uses: warm water and migratory fishes. Application received: April 15, 2015.

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. 0599549 (Mining Permit No. 29920301), H.B. Mellott Estate, Inc.**, 100 Mellott Drive, Suite 100, Warfordsburg, PA 17267, renewal of an NPDES permit for a limestone quarry in Ayr Township, **Fulton County**, affecting 75.7 acres. Receiving streams: unnamed tributary to/and Esther Run, classified for the following use: cold water fishes. Application received: June 1, 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 mine drainage/stormwater outfall listed below discharges to Esther Run:

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

The stormwater outfall listed below discharges to unnamed tributary to Esther Run:

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

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

<i>Outfalls: 001 and 002 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Settleable Solids (ml/l)			0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

**NPDES No. PA0234362 (Mining Permit No. 56970301), Garrett Limestone Company, Inc.**, 451 Stoystown Road, Suite 104, Somerset, PA 15501, revised/renewal of an NPDES permit for a large noncoal mine site Black and Summit Townships, **Somerset County**, affecting 192.5 acres. Receiving stream: Casselman River, classified for the following use: cold water fishes. Application received: June 29, 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 outfalls listed below discharges to Casselman River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Facility	N
003—Sediment Trap # 1	N
004—Sediment Pond # 2	N
005—Sediment Pond # 3	N
006—Sediment Trap # 2	Y
007—Sediment Pond # 4	Y

**NPDES No. PA0234991 (Mining Permit No. 56980301), Keystone Lime Company**, P.O. Box 278, Springs, PA 15562, renewal of an NPDES permit for a noncoal mine site in Addison and Elk Lick Townships, **Somerset County**, affecting 223.2 acres. Receiving streams: Christner Run and Zehner Run, classified for the following use: High—Quality Cold Water Fishes. This receiving stream is included in the Casselman River TMDL. Application received: February 14, 2014.

The outfalls listed below discharge to Christner Run and Zehner Run:

\*The outfall (007) listed below uses non-discharge alternative technology.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond D/Mine Drainage	N
002—Sediment Pond A	N
003—Sediment Pond E	N
004—Sediment Trap T1	N
005—Sediment Pond F/Mine Drainage	N
006—Sediment Pond G/Mine Drainage	N
*007—Sediment Pond H/Infiltration Gallery Non-Discharge Alternative	N

The following proposed limits apply to the mine drainage treatment facility outfalls:

<i>Outfalls: 001, 005 and 006 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Lead (µg/l)			Monitor and Report
Total Copper (µg/l)			Monitor and Report
Total Zinc (µg/l)			Monitor and Report
Sulfate (mg/l)			Monitor and Report
Osmotic Pressure (mOsm/kg)			50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following proposed limits apply to dry weather discharges from stormwater facility outfalls:

<i>Outfalls: 002, 003 and 004</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Lead (µg/l)			Monitor and Report
Total Copper (µg/l)			Monitor and Report
Total Zinc (µg/l)			Monitor and Report
Sulfate (mg/l)			Monitor and Report
Osmotic Pressure (mOsm/kg)			50.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

The following proposed limits apply to discharges from stormwater facilities during precipitation events up to and including the 10 year/24 hour events:

<i>Outfalls: 002, 003 and 004</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)			Monitor and Report
Total Settleable Solids (ml/l)			0.5
Total Aluminum (mg/l)			Monitor and Report
Total Manganese (mg/l)			Monitor and Report
Total Lead (µg/l)			Monitor and Report
Total Copper (µg/l)			Monitor and Report
Total Zinc (µg/l)			Monitor and Report
Sulfate (mg/l)			Monitor and Report
Osmotic Pressure (mOsm/kg)			50.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

Waters entering the infiltration system service facility 007 must meet the following instantaneous limitations:

<i>Discharge Parameter</i>	<i>Limit (mg/l)</i>	<i>Measurement</i> <i>Frequency</i>	<i>Type</i>
Total Suspended Solids (mg/l)	90.0	2/Month	Grab
Oil and Grease	Monitor Only	Once/Year	Grab

The following proposed alternate discharge limitations apply to discharges from stormwater facilities during precipitation events greater than or equal to the 10 year/24 hour events:

<i>Outfalls: 002, 003 and 004</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)			Monitor and Report
Total Suspended Solids (mg/l)			Monitor and Report
Total Aluminum (mg/l)			Monitor and Report
Total Manganese (mg/l)			Monitor and Report
Total Lead (µg/l)			Monitor and Report
Total Copper (µg/l)			Monitor and Report
Total Zinc (µg/l)			Monitor and Report
Sulfate (mg/l)			Monitor and Report
Osmotic Pressure (mOsm/kg)			Monitor and Report

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

Section B alternate discharge limitations and monitoring requirements are subject to demonstration by the permittee that the discharge occurred only as a result of a precipitation event in accordance with 25 Pa. Code § 87.103, § 88.93, § 88.188, § 88.293, § 89.53 or § 90.103.

[25 Pa. Code §§ 87.102, 88.92, 88.197, 88.292, 89.52, 90.102]. This section is not applicable due to water quality requirements for Christner Run and Zehner Run, a High-Quality Stream.

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

**NPDES No. PA241682 (Mining permit no. 63080601), Green Global Machine, LLC**, P.O. Box 277, Southwest, PA 15685. Renewal NPDES permit for a bituminous surface mine in Buffalo Township, **Washington County**, affecting 31.3 acres. Receiving stream(s): Unnamed tributary to Buffalo Creek, classified for the following use(s): HQ-WWF. Application received: July 25, 2014.

The outfalls listed below will be using a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Sample port before the infiltration gallery for Sediment Pond 1
002	N	Sample port before the infiltration gallery for Sediment Pond 2
003	N	Sediment Pond 1 Emergency Spillway
004	N	Sediment Pond 2 Emergency Spillway

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	3.7
Manganese (mg/l)	N/A	N/A	3.2
Aluminum (mg/l)	N/A	N/A	5.0
Total Suspended Solids (mg/l)	N/A	N/A	90

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E58-321. Pentagon Energy, LLC**, 1600 Ponce de Leon Boulevard, Suite 1208, Coral Gables, FL 33134-4096, in New Milford Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To authorize the following water obstructions and encroachments associated with the construction of a compressed natural gas fueling station:

1. To place approximately 15,500 square feet of fill within the floodway of two UNT's to Salt Lick Creek (HQ-CWF, MF);
2. To construct and maintain a roadway crossing of to an UNT to Salt Lick Creek (HQ-CWF, MF) consisting of 50-foot long 24-inch diameter pipe depressed 6-inches below the existing streambed elevation with headwalls;
3. To construct and maintain a sanitary line crossing of UNT to Salt Lick Creek (HQ-CWF, MF);
4. To construct and maintain a gas line crossing of wetlands located in the watershed of an UNT to Salt Lick Creek (HQ-CWF, MF);
5. To construct and maintain 2 outfall structures to an UNT to Salt Lick Creek (HQ-CWF, MF). The first outfall consists of a pipe with a concrete headwall and riprap apron. The second outfall consists of a rip rap swale;
6. To permanently impact 0.66 acre wetland (PEM).

The project is located approximately 0.38 mile east of the East Lake Road and SR 492 intersection (Harford, PA Quadrangle, Latitude: 41°51'51"; Longitude: -75°41'54").

**E45-604. Dolores Boisselle**, 137 Manhattan Avenue, Teaneck, NJ 07666, in Coolbaugh Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain approximately 100 linear-feet of 1 1/4 inch sewer lateral through a de minimus amount of Exceptional Value (EV) wetlands equal to 0.01 acre to provide sewer access to a proposed home. The project is located approximately 400 feet Northeast of the intersection of Onawa Trail & Watami Road (Thornhurst, PA Quadrangle, Latitude: 41°9'33.4"; Longitude: -75°34'30.9"). Subbasin: 2A.

**E48-440. Wildlands Conservancy**, 3701 Orchid Place, Emmaus, PA 18049, in Lower Mount Bethel Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream and floodplain restoration project in Oughoughton Creek (CWF) with work consisting of the installation of approximately thirty-four (34) single vane rock weirs, six (6) root wad deflectors, floodway grading, and riprap bank stabilization spanning six designated reaches of watercourse totaling approximately 2,400 linear feet of permanent stream impacts. This project is proposed in order to alleviate flooding issues, erosion issues, and to improve water quality and stream habitat within Oughoughton Creek. The project begins approximately 2,000 feet downstream of Miller Road Bridge over Oughoughton Creek and terminates approximately 700 feet downstream of the bridge across Oughoughton Creek that conveys Martins Creek Belvidere Highway (Thornhurst, PA Quadrangle, Latitude: 40°48'44.5"; Longitude: -75°07'19.3"). Subbasin: 1F.

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

**E05-391: Hopewell Township**, 2759 Raystown Road, Hopewell, PA 16650 in Hopewell Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain 1) a 330-foot long, 8-inch PVC gravity main pipe, thru an Exceptional Value (EV) Palustrine Emergent (PEM) wetland and an unnamed tributary to Yellow Creek (HQ-CWF, MF), permanently impacting 0.030 acre of the PEM wetland, and permanently impacting 20-foot of stream and 80-foot of floodway; 2) a 316-foot long, 3-inch PVC pressure sewer main pipe, thru an EV PEM wetland and an unnamed tributary to Yellow Creek (HQ-CWF, MF), permanently impacting 0.030 acre of the PEM wetland, and permanently impacting 12-foot of stream and 48-foot of floodway; The project is located at the intersection of SR 0026 and SR 0036 in the village of Cottles Corner; (Latitude: 40°08'18", Longitude: -78°20'26") in Hopewell Township, Bedford County. The permanent wetland impacts are not proposed to lose wetland acreage and no wetland replacement is proposed. The purpose of the project is to maintain and continue to operate wastewater collection systems in areas of Yellow Creek, Tatesville and Sunnyside.

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

**E17-500. Aqua Pennsylvania, Inc.**, 204 East Sunbury Street, Shamokin, PA 17872. Aqua Pennsylvania Dam By-Pass Watermain Project, Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Sabula, PA Quadrangle, Latitude 41° 10' 39.9448" N; Longitude 78° 44' 28.5820" W).

Aqua Pennsylvania, Inc., is seeking Department approval to abandon an existing potable water pipeline and to relocate, operate and maintain approximately 1,170 linear feet of new potable water pipeline gas within a 20-foot right-of-way requiring two (2) watercourse and two (2) wetland water obstruction and/or encroachment activities at locations as follows:

<i>Identified Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Regulated Waters</i>	<i>Designated Water Quality</i>	<i>Activity Length</i>
PSS Wetland	41.1787°	-78.7415°	Wetland Wolf Run	Other	414.7-Feet
Bored Utility Line Crossing					
PFO Wetland	41.179686°	-78.741567°	Wetland Wolf Run	Other	289.1-feet
Bore Utility Line Crossing					
Stream 1	41.178092°	-78.741475°	Wolf Run	CWF, MF	9-Feet
Bored Utility Line Crossing					
Stream 2	41.178514°	-78.741492°	Tributary Wolf Run	CWF, MF	15-feet
Bored Utility Line Crossing					

Boring of the 10-inch diameter HPDE potable water pipeline crossings beneath the above listed watercourses shall be performed to ensure the depth between stream channel bottom and top of bore casing is minimally 3-feet. Excavation or fill placement, as a part of pipeline maintenance within the 20-foot right-of-way, shall not be performed at the above listed wetlands without prior written approval from the Department. The potable water pipeline relocation project is located along the western right-of-way of Treasure Lake Road approximately 2,830-feet northeast of Harbor View and Treasure Lake Road intersection.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Michael Forbeck, Acting Waterways and Wetlands Program Manager, 412-442-4000.*

**E02-1751, Mt. Nebo Development, LP**, 1121 Boyce Road, Pittsburgh, PA 15241, Ohio Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Place and maintain fill in 0.024 acre of PEM wetlands.

For the purpose of constructing a new shopping center and restaurant, known as Mt. Nebo Town Center, located near the intersection of Mt. Nebo Road (SR 4022) and Duff Road (SR 4080), (Emsworth PA Quadrangle; Latitude: 40°33'10"; Longitude: -80°6'40") in Ohio Township, Allegheny County.

**E02-1768, City of Pittsburgh**, City-County Building, Room 301, 414 Grant Street, Pittsburgh, PA 15219-2455, City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

Construct and maintain a 28.3' wide, 128' long, single span bridge with a minimum underclearance of 18.75' over Nine Mile Run (TSF) with a drainage area of 6.1 square miles. In addition, construct and maintain roadway associated stormwater outfalls. Impacts will be compensated through site restoration. This project is located approximately 350' upstream of the Monongahela River (Pittsburgh East, PA Quadrangle; Latitude 40° 24' 55.796"; Longitude -79° 54' 59.502") in the City of Pittsburgh, Allegheny County.

**E26-379, Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Saltlick Township, **Fayette County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Remove an existing 22' long by 27' wide, single span, steel beam bridge over Champion Creek (CWF), with an underclearance of 5'3";

2. Construct and maintain a 22' long by 40.3' wide, single span, box culvert in Champion Creek (CWF), with a minimum underclearance of 5'0";

3. Construct and maintain R-6 riprap scour protection, choked with native streambed material on the upstream and downstream side of the aforementioned structure;

4. Place and maintain fill in 38 linear feet of an existing unnamed tributary to Champion Creek (aka UNT-2) (CWF), and to construct and maintain 34 linear feet of new, relocated channel;

5. Place and maintain fill in 63 linear feet of an existing unnamed tributary to Champion Creek (aka

UNT-4) (CWF), and to construct and maintain 88 linear feet of new, relocated channel;

6. Place and maintain fill in 0.001 acre PSS wetland (W1) in the Champion Creek watershed (CWF);

7. Construct and maintain temporary construction access in UNT-1, UNT-2, UNT-3, and UNT-4 to Champion Creek (CWF);

For the purpose of replacing the existing structurally deficient structure over Champion Creek. The project is located at State Route 1050, approximately 0.2 mile from the intersection between State Route 1050 and State Route 2029, (Donegal USGS Topographic Quadrangle, Latitude: 40°5'13", Longitude: -79°23'35"; Sub-basin: 19E; Pittsburgh Corps District), in Saltlick Township, Fayette County. This project will permanently impact approximately 68 linear feet of Champion Creek, 105 linear feet of UNT's to Champion Creek, and 0.001 acre of wetland in the Champion Creek watershed, and will temporarily impact 55 linear feet of Champion Creek, 116 linear feet of UNT's to Champion Creek, and 0.017 acre of wetland in the Champion Creek watershed.

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

**E20-558A, Snow Waters Development, LLC**, 20 South Santa Cruz Avenue, Suite 320, Los Gatos, CA 95030. Snow Waters Development, in Summit Township, **Crawford County**, ACOE Pittsburgh District (Harmonsburg, PA Quadrangle N: 41°, 38', 40"; W: 80°, 18', 55").

Permit E20-558 was issued January 9, 2008 (and extended October 24, 2013) authorizing construction of 183 condominium residences, golf course, clubhouse, restaurant, 189 slip boat harbor and associated infrastructure, along with dredging of PA FBC boat launch area (1.1 acre; ~600 LF) and Inlet Run (1.5 acre; ~1,200 LF) to Conneaut Lake. The original project was authorized to impact 1.19 acre of wetland. Mitigation was proposed in the form of creation of 1.7 acre of new wetland on-site and approximately 1,100 LF of stream restoration along Inlet Run. As of the date of publication, only the dredging of the PA FBC boat launch area has been completed, along with the construction of the associated de-watering basin.

The project plans have been revised, and the applicant has requested that permit E20-558 be modified to authorize up to 110 condominium residences, restaurant, 189 slip boat harbor, 16 residential lots, dredging of Inlet Run to Conneaut Lake, and associated roadways, parking, utilities, and stormwater management facilities, impacting 2.16 acres of wetland, and approximately 1,200 LF of Inlet Run. Applicant proposes to mitigate for these impacts by converting the dewatering basin into a 3.03 acre wetland complex, conducting restoration work on approximately 1,000 LF of Inlet Run, including bank grading, vegetative stabilization, and J-hooks, and providing approximately 300 LF of additional riparian plantings along Inlet Run.

*Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**E0409-001, Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Franklin Township, **Beaver County**, Pittsburgh ACOE District.

The applicant, Zelenople Municipal Airport Authority, proposes to backfill a 3,470 feet long by 70 feet high

abandoned dangerous bituminous coal highwall. Located at the base of the dangerous highwall, it is proposed to remove a 3.91-acre discharging impoundment that measures 2,300 feet long, varies in depth by 3 to 20 feet and varies in width by 30 to 120 feet. The discharging impoundment is proposed to be relocated as an approximate 2,730 feet long discharging channel functioning as an unnamed tributary of the Connoquenessing Creek, Warm Water Fishes (WWF). There are no wetlands that are associated with the existing 3.91-acre discharging impoundment. (Zelienople Quadrangle 40° 48' 10" N, 80° 09' 31" W).

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

**E5929-069: SWEPI LP**, 150 N. Dairy Ashford, E1296-E, Houston, TX 77079, Charleston Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain a well pad and access road impacting 710 linear feet of an unnamed tributary to Catlin Hollow (TSF) and 875 linear feet of another unnamed tributary to Catlin Hollow (TSF) (Cherry Flats, PA Quadrangle 41°44'48"N, 77°12'06"W). The impacts are a result from the previous well pad owner constructing the pad over an unnamed tributary to Catlin Hollow and rock lining the stream channel along the access road. The pad and access road construction resulted in 1,585 linear of permanent stream impacts.

**E5929-068: HEP Tioga Gathering, LLC**, 16211 La Cantera Parkway, Suite 202, San Antonio, TX 78256, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 1,565 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Nauvoo, PA Quadrangle 41° 34'27"N, 77°07'43"W);

2) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 417 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°34'33"N, 77°07'36"W);

3) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 814

square feet of an exceptional value palustrine scrub-shrub (EV-PSS) wetland (Nauvoo, PA Quadrangle 41°34'33"N, 77°07'34"W);

4) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 1,735 square feet of a palustrine emergent (PEM) wetland (Nauvoo, PA Quadrangle 41°34'37"N, 77°07'32"W);

5) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 1,607 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Nauvoo, PA Quadrangle 41°34'38"N, 77°07'32"W);

6) A temporary work area using timber mats and two 16 inch diameter natural gas pipelines via horizontal directional drill impacting 4,954 square feet of an exceptional value palustrine emergent/forest (EV-PEM/PFO) wetland and 25 linear feet of Blacks Creek (CWF) (Nauvoo, PA Quadrangle 41°34'49"N, 77°07'44"W).

The project will result in 25 linear feet of temporary stream impacts, 1,943 square feet (0.04 acre) of permanent wetland impacts, and 9,149 square feet (0.21 acre) of temporary wetland impacts all for the purpose of installing a natural gas gathering line in Liberty Township, Tioga County.

**E5929-070: HEP Tioga Gathering, LLC**, 16211 La Cantera Parkway, Suite 202, San Antonio, TX 78256, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 159 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 35 linear feet of an unnamed tributary to Blacks Creek (CWF) (Liberty, PA Quadrangle 41°34'43"N, 77°07'29"W);

2) A temporary road crossing using timber mats and two 16 inch diameter natural gas pipelines impacting 267 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (CWF) (Liberty, PA Quadrangle 41°34'43"N, 77°07'29"W).

The project will result in 35 linear feet of temporary stream impacts and 426 square feet (0.01 acre) of temporary wetland impacts all for the purpose of installing a natural gas gathering line in Liberty Township, Tioga County.

## ACTIONS

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

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

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

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

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

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0218855 (Sewage)	Enlow Fork Mine 3 North # 2 Portal Bathhouse Facility 1000 Consol Energy Drive Canonsburg, PA 15317	Washington County East Finley Township	Rocky Run (20-E)	Yes
PA0032085 (Sewage)	Prince Gallitzin State Park WWTP 966 Marina Road Patton, PA 16668-6317	Cambria County White Township	Beaverdam Run (8-C)	No
PA0021628 (Sewage)	Salisbury Borough STP PO Box 343 Salisbury, PA 15558	Somerset County Salisbury Borough	Casselman River (19-F)	Yes
PA0110302 (Sewage)	Quemahoning Industrial Park STP 111 Hoganas Way Hollsopple, PA 15935-6416	Somerset County Quemahoning Township	Quemahoning Creek (18-E)	No
PA0253472 (Sewage)	Bavington STP 533 Bavington Road Burgettstown, PA 15021	Washington County Hanover Township	Raccoon Creek (20-D)	Yes
PA0024449 (Sewage)	Youngwood Borough STP 508 South Third Street Youngwood, PA 15697-1231	Westmoreland County Youngwood Borough	Jacks Run (19-D)	No
PA0024449 (Sewage)	Youngwood Borough STP 508 South Third Street Youngwood, PA 15697-1231	Westmoreland County Youngwood Borough	Jacks Run (19-D)	No
PA0043869 (Sewage)	North Hempfield Volunteer Fire Co. STP 1284 Business Route 66 Greensburg, PA 15601-9758	Westmoreland County Hempfield Township	Unnamed Tributary of Brush Creek (19-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS222204 (Storm Water)	Consolidated Storage Co. Inc. 225 Main Street Tatamy, PA 18085-7059	Northampton County Tatamy Borough	Bushkill Creek (1-F)	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>
PA0060569 (Sewage)	CBH20 LP STP (a.k.a. Camelback Ski & Mountain Resort STP) PO Box 168 Tannersville, PA 18372-0168	Monroe County Pocono Township	Pocono Creek (1-E)	Yes
PA0064114 (Sewage)	Jim Thorpe Area School District K-8 WWTP 410 Center Avenue Jim Thorpe, PA 18229	Carbon County Kidder Township	Dilldown Creek (02A)	Yes
PA0044466 (Sewage)	Lake Bryn Mawr Camp Inc. 593 Bryn Mawr Road Honesdale, PA 18431-7884	Wayne County Oregon Township	Unnamed Tributary to Big Brook (1-B)	Yes
PA0060861 (Sewage)	Wayne Highland School District Preston Elementary School STP 474 Grove Street Honesdale, PA 18431-1047	Wayne County Preston Township	Unnamed Tributary of Equinunk Creek (1-A)	Yes

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

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

**NPDES Permit No. PA0012726**, Industrial, SIC Code 3354, **Sapa Extrusions Inc.**, 53 Pottsville Street, Cressona, PA 17929-1217.

This existing facility is located in Cressona Borough, **Schuylkill County**.

Description of Existing Action/Activity: Renewal of an NPDES Permit for an existing discharge of treated Industrial Wastewater.

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

**NPDES Permit No. PAG043963**, Sewage, **Robert J Niner**, 99 Pine Tree Road, New Oxford, PA 17350.

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

Description of Proposed Action/Activity:

Applicant is authorized to discharge from a facility located at 99 Pine Tree Road, New Oxford, PA 17350 in Straban Township, Adams County to UNT of Beaverdam Creek which is listed in Watershed 7-F.

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

**NPDES Permit No. PA0232866**, Industrial, SIC Code 5541, 7539, **Sapp Bros Truck Stops, Inc.**, 9915 S 148th Street, Omaha, NE 68138-3876.

This proposed facility is located in Lawrence Township, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for an existing discharge of Industrial wastewater and stormwater.

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

**NPDES Permit No. PA0264784**, Sewage, SIC Code 4952, **Mercer Township Butler County**, PO Box 380, Harrisville, PA 16038-0380.

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

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

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

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

**WQM Permit No. 3915401**, Sewage, SIC Code 4952, **Parkland School District**, 2219 N. Cedar Crest Boulevard, Allentown, PA 18104.

This existing facility is located in South Whitehall Township, **Lehigh County**.

Description of Proposed Action/Activity: The applicant is requesting the Department to re-rate the permitted flow of the existing Orefield Middle School wastewater treatment plant from 33,000 gpd (0.033 MGD) to 9,300 gpd (0.0093 MGD). Effluent from the treatment plant discharges to Jordan Creek. The project amends permit 662S23, issued July 30, 1962, which approved the construction of the wastewater treatment plant.



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

**WQM Permit No. WQG01011701**, Sewerage, **Robert J Niner**, 99 Pine Tree Road, New Oxford, PA 17350.

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

Description of Proposed Action/Activity:

This general permit approves the construction and operation of Small Flow Treatment Facilities (SFTF) designed according to the SFTF Manual DEP ID 362-0300-002.

**WQM Permit No. 0688201 A-1**, Industrial Waste, **Giorgio Foods Mushroom Processing Plant**, PO Box 96, 1161 Park Road, Temple, PA 19560-0096.

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

This permit amendment approves the construction and operation of industrial wastewater facilities consisting of:

Description of Proposed Action/Activity:

2 Heat Exchangers

1 500-gallon above ground steel Buffer Tank followed by 2 suction pumps

3 Chillers

Automatic control using water temperature set-point

2 Cooling Towers followed by 2 suction pumps

2 vertical pumps between the Heat Exchangers and the existing 15,000-gallon Chlorine Contact Tank

New Parshall Flume and manhole of composite FRP, on concrete pad

Replacement of existing discharge pipeline with 1,152' (approximate) underground discharge pipeline made of PVC and polyurethane foam for insulation, with spaced cleanouts

Leakage test of pipeline before put into operation

Renovation of chilled water plant (formerly filter building) with garage door and gantry beam and new electrical service

Above equipment will be added to existing treatment approved and described in WQM permit 0688201.

**WQM Permit No. 2817402**, Sewerage, **Hamilton Township Municipal Authority**, 1270 Crottletown Road, Chambersburg, PA 17201. This proposed facility is located in Hamilton Township, **Franklin County**.

Description of Proposed Action/Activity:

This permit approves the construction/operation of sewage facilities consisting of:

- Installation of 220 LF of 12" PVC pipe to connect basin B to the existing Loudon St. interceptor. Approximately 80 LF of this 12" that crosses under SRT 30 will replace existing 10" collection system pipe
- Installation of 110 LF of PVC by boring under SRT 30 to Sollenberger Rd
- Installation of a new metering manhole of 5" dia for metering Basin B flow
- Replace 660 LF of existing defective 10" ACP with 10" HDPE by trenchless method of pipe bursting including replacement of associated manholes

Approximately 2,350 LF Asbestos Concrete Pipe (ACP) will "retire in place" under SRT 30. The project will also include removal of overhead structure crossing Conococheague Creek and removal of Washing St. meter station that meters basin B flow to the East Conococheague Creek interceptor. Optional work may include replacement through pipe bursting of 400 LF of existing 8" ACP with 8" HDPE with replacement of associated manholes.

**WQM Permit No. 3617201**, CAFO, **S & A Kreider & Sons Farm CAFO**, 761 Spring Valley Road, Quarryville, PA 17566.

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

Description of Proposed Action/Activity:

This permit approves the construction of manure storage facilities consisting of:

A circular concrete manure storage facility. The facility will be 120' in diameter and 12' deep. The proposed expansion of the facility includes the construction of this manure storage, a new heifer barn, access drives, and stormwater management facilities.

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

**WQM Permit No. 0317200**, Industrial Waste, **Ford City Borough**, 1000 Fourth Avenue, Ford City, PA 16226.

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

Description of Proposed Action/Activity:

This permit approves the construction of a 5,000 gallon baffled tank.

*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 West 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 the existing wastewater treatment plant.

**WQM Permit No. 1074404 A-1**, Sewage, **Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001-3256.

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

Description of Proposed Action/Activity: Amendment to replace existing plate and frame press with new rotary press.

---

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

---

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150010	Oxford Cabinetry 209 Glen Roy Road Nottingham, PA 19362	Chester	Lower Oxford Township	Unnamed Tributary to West Branch Big Elk Creek HQ-TSF-MF
PAD150042	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek HQ-TSF-MF
PAD150043	Wolfe Investment Properties, LLC 544 Lancaster Avenue Malvern, PA 19355-1808	Chester	East Whiteland Township	Valley Creek EV-MF
PAD090002	MDG 1, LLC 1030 Reed Avenue Wyomissing, PA 19610	Bucks	New Britain and Warrington Townships	Neshaminy Creek TSF-MF
PAD150026	DUCE Anselma, LLC 2000 Art School Road Chester Springs, PA 19425-1302	Chester	West Pikeland Township	Pickering Creek HQ

*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>
PAD580002	New Milford DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Susquehanna	New Milford Borough	Salt Lick Creek (HQ-CWF, MF)
PAI023516002	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057	Lackawanna	South Abington Township	UNT to Leggetts Creek (CWF, MF) EV Wetlands

*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>
PAD310003 Issued July 24, 2017	David Kauffman 12050 Greenwood Road Huntingdon, PA 16652	Huntingdon County	Jackson Township	UNT Standing Stone Creek (HQ-CWF, MF) Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD100002	John Allen Jr. Family Trust P.O. Box 430 Saxonsburg, PA 16056	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270	Buffalo Township	UNT to Little Buffalo Creek

---

**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>
Limerick Township Montgomery County	PAC460061	Ribon Partnership, LTD 15 D&L Drive Limerick, PA 19468	Unnamed Tributary to Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Cheltenham Township Montgomery County	PAC460089	Sun Equity Partners 31 West 34th Street 10th Floor Suite 1012 New York, NY 10001	Tacony Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Hanover Township Montgomery County	PAC460054	Upper Montgomery Joint Authority 1100 Mensch Dam Road Pennsburg, PA 18073	Green Lane Reservoir and Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Norriton Township	PAC460033	Mikelen, LLC P.O. Box 243 2695 West Germantown Pike Fairview Village, PA 19409	Kepner Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

*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>
Butler Township Luzerne County	PAC400022	The Greater Hazleton Community Area New Development Organization, Inc. c/o Kevin O'Donnell One South Church Street Suite 200 Hazleton, PA 18201	UNT to Nescopeck Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Lower Mount Bethel Township Northampton County	PAC480018	Wildlands Conservancy 370 Orchid Place Emmaus, PA 18049	Oughoughton Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Butler Township and Ashland Borough Schuylkill County	PAC540005	John Klinger 204 East Sunbury Street Shamokin, PA 17872	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>
Straban Township Adams County Issued	PAC010031	David Zweig Drummer Boy RV, LLC c/o Diversified Investments, LLC 6701 Democracy Boulevard Bethesda, MD 20817	Rock Creek (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Bethel Township Tulpehocken Township Berks County Issued	PAC0060067	Mid-Atlantic Interstate Transmission Bede Portz 2800 Pottsville Pike P.O. Box 16001 Reading, PA 19612	Little Swatara Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
North Middleton Township Cumberland County Issued	PAC210005	Frederick Court Developers, LLC 5038 Ravenwood Road Mechanicsburg, PA 17055	Conodoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Silver Spring Township Cumberland County Issued	PAC210033	SAV, LTD 6691 Carlisle Pike Mechanicsburg, PA 17050	Hogestown Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
East Hanover Township Dauphin County Issued	PAC220036	Sheetz, Inc. 5700 6th Avenue Altoona, PA 16602	Bow Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
South Lebanon Township Lebanon County Issued	PAC380027	Joel Christianson 411 Chestnut Street Lebanon, PA 17042	Hazel Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Swatara Township Lebanon County Issued	PAC380024	Brian I. Martin 30 Valley Drive Jonestown, PA 17038	UNT Swatara Creek (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275

**NOTICES**

**4571**

*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>
College Twp Centre Cnty	PAC140021	Pennsylvania State University 139J Physical Plant Bldg University Park, PA 16802	Big Hollow CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Pine Creek Twp Clinton Cnty	PAC180001	Liberty Truckstop, Inc. 1492 Oliver Road New Milford, PA 18834	UNT to the West Branch Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 (570) 726-3798
Turbot Twp Northumberland Cnty	PAC490014	Christ Wesleyan Church Athletic Field Project 363 Stamm Road Milton, PA 17847	UNT Muddy Run WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Michael Forbeck, Acting Waterways and Wetlands Program Manager, 412-442-4000.*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
White Township	PAC320011	INDIGO (Indiana Area Transit Authority) 1657 Saltsburg Avenue Indiana, PA 15701	UNT to Stoney Creek (CWF) UNT to McCarthy Run (CWF)	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751
Chartiers Township	PAC630036	Summerfield Woods, LP 375 Golfside Drive Wexford, PA 15090	Chartiers Run (WWF) UNT to Chartiers Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*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>
Adams Township Butler County	PAC100025	FKS Properties 1271 Mars Evans City Road Evans City, PA 16037	Kaufman Run tributary to Breakneck Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270
Adams Township Butler County	PAC100013	Mark Rutledge 1170 Mars Evans City Road Mars, PA 16046	Breakneck Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270
Clinton Township Butler County	PAC100044	DDS Companies Mr. Brian J. Sorochty 45 Hendrix Road West Henrietta, NY 14586	Davis Run CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270
City of Corry Erie County	PAC250021	Municipal Authority of the City of Corry 100 South Center Street Corry, PA 16407	Hare Creek CWF Broken Straw Creek CWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 (814) 825-6403

<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>
Cranberry Township Butler County	PAC100040	Shawnee Cranberry LLC Mr. Andy Jones 7241 Wooster Pike Cincinnati, OH 45227	UNT to Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270
Worth Township Butler County	PAC100055	Gulisek Construction LLC 1145 State Route 31 Mount Pleasant, PA 15666	Muddy Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270
Adams Township & Mars Boro, Butler County	PAC100026	PennDot 10-0 Jim R. Andrew ADE Design 2550 Oakland Avenue Indiana, PA 15701	UNT to Breakneck Creek CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 (724) 284-5270

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Brooklyn Township Susquehanna County	PAG032221	McClain Stone Co. Inc. PO Box J Tunkhannock, PA 18657	Hop Bottom Creek—4-F/CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Harmar Township Allegheny County	PAG036188	Trulite Glass & Aluminum Solutions 100 Business Center Drive Cheswick, PA 15024-1069	Deer Creek—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Warsaw Township Jefferson County	PAG098301	Williams & Sons Services, Inc 411 Williams Rd. Reynoldsville, PA 15851	Williams Farm Biosolids Site 411 Williams Rd. Reynoldsville, PA 15851	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Napier Township Bedford County	PAG123851	Tanner D Bence 10320 William Penn Road Imler, PA 16655	Watershed 11-C	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Smithfield Township Bradford County	PAG124857	Gorrell Dariy, LLC 392 Wood Road Milan, PA 18831-7977	Tomjack Creek—4-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1—721.17).

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

##### Permit No. 5117501, Public Water Supply.

Applicant	<b>Philadelphia Water Department</b> 1101 Market Street Philadelphia, PA 19107-1994
City	Philadelphia
County	<b>Philadelphia</b>
Type of Facility	PWS
Consulting Engineer	D C Smith 205 Granite Run Drive Suite 350 Lancaster, PA 17601-6821
Permit to Construct Issued	July 20, 2017

##### Permit No. 4615517, Public Water Supply.

Applicant	<b>Superior Water Company</b> 1885 Swamp Pike Suite 109 Gilbertsville, PA 19525
Township	New Hanover
County	<b>Montgomery</b>
Type of Facility	PWS

Consulting Engineer	Entech Engineering, Inc. 315 Clay Road Lititz, PA 17543
---------------------	---

Permit to Construct Issued	July 20, 2017
----------------------------	---------------

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

##### Permit No. 6616502, Public Water Supply.

Applicant	<b>Silver Springs Ranch, LLC</b> 5148 Nuangola Rd. Mountain Top, PA 18707
[Borough or Township]	Monroe Township
County	<b>Wyoming</b>
Type of Facility	Finished Bulk Water Hauling
Consulting Engineer	Thomas Pullar, PE EarthRes Group, Inc. P.O. Box 468 Pipersville, PA 18947

Permit to Construct Issued	7/10/2017
----------------------------	-----------

##### Permit No. 3486567, Operations Permit, Public Water Supply.

Applicant	<b>Palmeri &amp; Sons, Inc.</b> 6887 South Delaware Drive Martins Creek, PA 18063
[Borough or Township]	Lower Mt. Bethel Township
County	<b>Northampton</b>
Type of Facility	Finished Bulk Water Hauling System

Consulting Engineer	N/A
Permit to Operate Issued	7/12/2017

##### Permit No. 2520052, Operations Permit, Public Water Supply.

Applicant	<b>Milford Valley Convalescent Home, Inc.</b> 264 Route 6 & 209 Milford, PA 18337
[Borough or Township]	Westfall Township
County	<b>Pike</b>
Type of Facility	PWS
Consulting Engineer	Dennis Town, PE VSI, Inc. 1228 Main St. Brockway, PA 15824
Permit to Operate Issued	7/5/2017

##### Permit No. 3540075, Operations Permit, Public Water Supply.

Applicant	<b>Schuylkill County Municipal Authority</b> 221 South Centre Street Pottsville, PA 17901
[Borough or Township]	West Brunswick Township
County	<b>Schuylkill</b>
Type of Facility	PWS

Consulting Engineer Mr Bryon A Killian PE Principal  
Entech Engineering Inc  
201 Penn St.  
Reading, PA 19603

Permit to Operate 7/05/2017  
Issued

**Application No. 3917506MA**, Public Water Supply.

Applicant **Macungie Borough Authority**  
21 Locust Street  
Macungie, PA 18062

[Township or Borough] Macungie Borough  
**Lehigh County**

Responsible Official Mr. Chris Boehm  
Macungie Borough Authority  
21 Locust Street  
Macungie, PA 18062

Type of Facility PWS

Consulting Engineer Harry E. Garman, PLS, PE  
Barry Isett & Associates  
85 South Route 100  
Allentown, PA 18106

Permit Issued Date 07/07/2017

**Permit No. 4817506**, Public Water Supply.

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

Municipality Lower Mount Bethel Township  
County **Northampton**

Type of Facility PWS

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

Permit to Construct July 26, 2017  
Issued

**Application No. 4017503MA**, Public Water Supply.

Applicant **Keystone Job Corps Center**  
235 West Foothills Drive  
Butler Township, PA 18222

[Township or Borough] Butler Township  
**Luzerne County**

Responsible Official Eric Peters, Maintenance  
Manager  
235 West Foothills Drive  
Butler Township, PA 18222

Type of Facility PWS

Consulting Engineer Bryon A. Killian, PE  
Entech Engineering, Inc.  
685 South Mountain Blvd  
Dorrance Township, PA 18707

Permit Issued Date 07/10/2017

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

**Permit No. 3616512, Minor Amendment**, Public  
Water Supply.

Applicant **Pennsylvania Department of  
Environmental Protection**

Municipality Leacock Township

County

Responsible Official

Type of Facility

Consulting Engineer

Permit to Construct  
Issued

**Permit No. 2817503**, Public Water Supply.

Applicant

Municipality

County

Responsible Official

Type of Facility

Consulting Engineer

Permit to Construct  
Issued

**Permit No. 6717501**, Public Water Supply.

Applicant

Municipality

County

Responsible Official

Type of Facility

Consulting Engineer

Permit to Construct  
Issued

**Operation Permit No. 5016504 MA** issued to: **Dun-**  
**cannon Borough (PWS ID No. 7500019)**, Duncannon  
Borough, **Perry County** on 6/20/2017 for facilities ap-  
proved under Construction Permit No. 5016504 MA.

**Lancaster**

Kathleen G. Horvath PG  
Land Recycling Chief  
909 Elmerton Avenue  
Harrisburg, PA 17110

Construction of the Hollander  
Well 120 gpm. The well will be  
treated at the previously  
permitted treatment building.

David V. Linahan, P.E.  
Groundwater & Environmental  
Services Inc  
440 Creamery Way  
Exton, PA 19341

7/12/2017

**Greencastle Area Franklin  
County Water Authority**

Greencastle Borough

**Franklin**

Eden R. Rafliff, Manager  
60 North Washington Street  
Greencastle, PA 17225

Repainting of the existing  
treatment plant storage tank  
and installation of temporary  
storage tank for maintaining  
adequate disinfection contact  
time.

Timothy J. Glessner, PE  
Gannett Fleming, Inc.  
PO Box 67100  
Harrisburg, PA 17106-7100

7/18/2017

**The York Water Company**

Springfield Township

**York**

Mark S. Snyder, Engineering  
Manager  
130 East Market Street  
PO Box 15089  
York, PA 17405-7089

A new 50-hp pump will be added  
at the Hametown Booster  
Station to provide additional  
pumping capacity.

Mark S. Snyder, PE  
The York Water Company  
130 East Market Street  
PO Box 15089  
York, PA 17405-7089

6/21/2017



**Operation Permit No. 2116505 MA** issued to: **South Middleton Township Municipal Authority (PWS ID No. 7210050)**, South Middleton Township, **Cumberland County** on 7/19/2017 for facilities approved under Construction Permit No. 2116505 MA.

**Comprehensive Operation Permit No. 7220015** issued to: **Suez Water Pennsylvania (PWS ID No. 7220015)**, Susquehanna Township, **Dauphin County** on 7/19/2017 for the operation of facilities approved under Construction Permit No. 2216510 MA.

**Operation Permit No. 3617502** issued to: **Turkey Hill, LP (PWS ID No. 7360894)**, Drumore Township, **Lancaster County** on 7/14/2017 for facilities at Turkey Hill # 315 approved under Construction Permit No. 3617502.

**Operation Permit No. 2117502 MA** issued to: **Pennsylvania-American Water Company (PWS ID No. 7210029)**, Silver Spring Township, **Cumberland County** on 6/13/2017 for facilities approved under Construction Permit No. 2117502 MA.

**Comprehensive Operation Permit No. 7280070** issued to: **Sandy Hook Water Association (PWS ID No. 7220318)**, Hamilton Township, **Franklin County** on 7/12/2017 for the operation of facilities submitted under Application No. 7280070.

**Transferred Comprehensive Operation Permit No. 7500024** issued to: **Skyview Gardens LLC (PWS ID No. 7500024)**, Penn Township, **Perry County** on 6/9/2017. Action is for a Change in Ownership for Skyview Gardens, Perry County for the operation of facilities previously issued to Pfautz Rentals, LP.

**Transferred Comprehensive Operation Permit No. 7500030** issued to: **Skyview Gardens LLC (PWS ID No. 7500030)**, Penn Township, **Perry County** on 6/12/2017. Action is for a Change in Ownership for Skyview Heights, Perry County for the operation of facilities previously issued to Pfautz Rentals, LP.

**Comprehensive Operation Permit No. 7010034** issued to: **Poosum Valley Municipal Authority (PWS ID No. 7010034)**, Menallen Township, **Adams County** on 6/21/2017 for the operation of facilities submitted under Application No. 7010034.

**Comprehensive Operation Permit No. 7010400** issued to: **Knouse Foods Cooperative, Inc. (PWS ID No. 7010400)**, Tyrone Township, **Adams County** on 6/12/2017 for the operation of facilities at Gardners Plant submitted under Application No. 7010400.

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

**Permit No. 4117503-MA—Construction—Public Water Supply.**

Applicant	<b>Waterville Water Association</b>
Township/Borough	Cummings Township
County	<b>Lycoming</b>
Responsible Official	Mr. John Gasperine PO Box 88 Waterville, PA 17776
Type of Facility	Public Water Supply
Consulting Engineer	Michele Aukerman, PE Uni-Tec Consulting Engineers, Inc. 2007 Cato Ave. State College, PA 16801

Permit Issued	July 21, 2017
Description of Action	Modifications of the existing caustic soda chemical feed system to comply with the Lead and Copper Rule for copper exceedances.

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

<b>Permit No. 0216539</b> , Public Water Supply.	
Applicant	<b>Municipal Authority of Westmoreland County</b> 124 Park & Pool Road New Stanton, PA 15672
[Borough or Township]	City of McKeesport
County	<b>Allegheny</b>
Type of Facility	Alpine pump station
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	July 20, 2017

<b>Permit No. 2688505-A1</b> , Public Water Supply.	
Applicant	<b>Church Communities PA, Inc.</b> 100 Spring Valley Road Farmington, PA 15437
[Borough or Township]	Wharton Township
County	<b>Fayette</b>
Type of Facility	Spring Valley water treatment
Consulting Engineer	McMillen Engineering 115 Wayland Smith Drive Uniontown, PA 15401
Permit to Construct Issued	July 20, 2017

**Operations Permit** issued to: **Authority of the Borough of Charleroi**, 3 McKean Avenue, PO Box 211, Charleroi, PA 15022, (**PWSID # 5630039**) Charleroi Borough, **Washington County** on July 24, 2017 for the operation of facilities approved under Construction Permit # 6317503.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey PA 17033, (**PWSID # 5030008**) Kittanning Borough and Rayburn Township, **Armstrong County** on July 20, 2017 for the operation of facilities approved under Construction Permit # 0316503.

**Windber Area Authority (Public Water Supply), Somerset County:** On July 20, 2017, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for Windber Area Authority. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

**Municipal Authority of Buffalo Township (Public Water Supply), Armstrong County:** On July 20, 2017, the Safe Drinking Water Program approved the Upper

Allegheny River Regional Source Water Protection Plan, of which Municipal Authority of Buffalo Township is a participating partner. The personnel involved with the development of this Source Water Protection (SWP) Plan are to be commended for taking these proactive steps to protect these water sources for their communities. Development of the SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

**Kittanning Suburban Joint Water Authority (Public Water Supply), Armstrong County:** On July 20, 2017, the Safe Drinking Water Program approved the Upper Allegheny River Regional Source Water Protection Plan, of which Kittanning Suburban Joint Water Authority is a participating partner. The personnel involved with the development of this Source Water Protection (SWP) Plan are to be commended for taking these proactive steps to protect these water sources for their communities. Development of the SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

**Parker Area Authority (Public Water Supply), Armstrong County:** On July 20, 2017, the Safe Drinking Water Program approved the Upper Allegheny River Regional Source Water Protection Plan, of which Parker Area Authority is a participating partner. The personnel involved with the development of this Source Water Protection (SWP) Plan are to be commended for taking these proactive steps to protect these water sources for their communities. Development of the SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

**Permit No. 5617501MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Windber Area Authority</b> 1700 Stockholm Avenue Windber, PA 15963
[Borough or Township]	Paint Township
County	<b>Somerset</b>
Type of Facility	Seanor Road waterline
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	July 24, 2017

**Permit No. 0216542MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive Hershey, PA 17033
[Borough or Township]	City of Pittsburgh and Baldwin Borough
County	<b>Allegheny</b>
Type of Facility	Becks Run Road raw water main
Consulting Engineer	Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Permit to Construct Issued	July 20, 2017

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

**Permit No. 4189-T1-MA4, Public Water Supply.**

Applicant	<b>Erie City Water Authority</b>
Township or Borough	City of Erie
County	<b>Erie</b>
Type of Facility	Public Water Supply
Consulting Engineer	Craig H. Palmer, PE Erie City Water Authority 240 West 12th Street Erie, PA 16501
Permit to Construct Issued	July 21, 2017

#### WATER ALLOCATIONS

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

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

**WA2-920A, Water Allocations. Aleppo Township Authority, 100 North Drive, Suite 2, Sewickley, PA 15143, Allegheny County.** The right to purchase 250,000 gallons of water per day, peak day, from Sewickley Water Authority.

**WA2-920B, Water Allocations. Aleppo Township Authority, 100 North Drive, Suite 2, Sewickley, PA 15143, Allegheny County.** The right to purchase 420,000 gallons of water per day, peak day, from West View Water Authority.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fermanagh Township	109 Municipal Rd. Mifflintown, PA 17059	Juniata

*Plan Description:* The request for planning exemption submitted for the WMT Holding Subdivision, DEP Code No. A3-34904-171-2E, APS Id 944150, is disapproved. The submission proposed a subdivision to create two new single family residential building lots, a proposed vacant lot, and a residual tract with an existing dwelling and market. Each structure is to use an individual onlot sewage disposal. The proposed subdivision is located on the north side of State Route 0035, west of the junction with Jericho Road. This plan is disapproved because no testing has been done for "Lot A", and per Chapter 71, section 71.51(b)(1)(v), use of the sewage planning exemption requires that "complete soils testing and site evaluation establish that separate sites are available for both a permittable primary soil absorption area or spray field and a replacement soil absorption area or spray field on each lot of the subdivision . . .".

## 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:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Norman B. Blumberg Apartment**, 2311 West Jefferson Street, City of Philadelphia, **Philadelphia County**. Laura Eosso, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Thomas Kuhar, Philadelphia Housing Authority, 3100 Penrose Ferry Road, Philadelphia, PA 19145 submitted a Final Report concerning remediation of site soil contaminated with heating oil compounds, benzo(a)pyrene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Darby Borough MGP**, 237/263 Mill Street, Darby Borough, **Delaware County**. Benjamin Breskman, Sentry Paint Technologies, Inc, 411 West Contestoga Road, Unit 100, Devon, PA 19333, Bruce Middleman, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of Peter Farrand,

PECO Energy, 2301 Market Street, S7-2, Philadelphia, PA 19103 submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Coatesville Gateway Redevelopment Site**, 101-117, 119, 123, 127 and 131 East Lincoln Highway and 105-107 East Diamond Street, City of Coatesville, **Chester County**. Mike Trio, The Redevelopment Authority of the City of Coatesville, Coatesville, PA 19320, Ruthann Mowday, The Redevelopment Authority of the City of Coatesville, One City Hall Place, Coatesville, PA 19320 on behalf of James Depetris, DEPG Coatesville Associates, LP, Plymouth Woods Office Center, 521, Plymouth Road, Suite 118, Plymouth Meeting, PA 19462 submitted a Baseline Environment Report concerning remediation of site soil and groundwater contaminated with VOCs, Metals and SVOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Rohm & Haas Company Plant FBA**, 200 Route 413, Bristol Township, **Bucks County**. David J. Kistner, P.G., 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 19007 submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs and SVOCs. The report is intended to document remediation of the site to meet the Statewide Health and Site Specific Standard.

**Broad Street Property Holding LP**, 1300 Fairmount Avenue, City of Philadelphia, **Philadelphia County**. Peter Morris, The Vertex Companies, Inc., 20 Gibson Place, Freehold, NJ 07728 on behalf of Spencer Levine, Broad Street Property Holdings, LP, 434 Broadway, 5th Floor, New York, NY 10013 submitted a Final Report concerning remediation of site soil contaminated with gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Wolf Property**, 303 South Arch Street, Allentown City, **Lehigh County**. APTIM, 200 Horizon Center, Trenton, NJ 08691, on behalf of Petro Oil Company, 6330 Farm Bureau Road, Allentown, PA 18106, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Methyl Tertiary Butyl Ether, Naphthalene, 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.

**Santarelli Property/PPL Eynon Substation Property Fuel Oil Release**, 600 Hilltop Road, Blakely Borough, **Lackawanna County**. Pennsylvania Tectonics Inc., 723 Main St., Archbald, PA 18403, on behalf of Mr. Ken Santarelli, 600 Hilltop Road, Peckville, PA 18452, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Naphthalene, Toluene, 1,2,4-TMB, 1,3,5-TMB, MTBE, Cumene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Former Allison Hill Automotive Property**, 47 South 14th Street, Harrisburg, PA 17104, City of Harrisburg, **Dauphin County**. Skelly and Loy, Inc., 449 Eisenhower

Boulevard, Suite 300, Harrisburg, PA 17111, on behalf of Redevelopment Authority of the City of Harrisburg, 10 North Second Street, Suite 405, Harrisburg, PA 17101, and Hamilton Health Center Community Services, Inc., 110 South 17th Street, Harrisburg, PA 17104 submitted a Final Report concerning remediation of site soil contaminated with PAHs, Inorganics and 1,2,4-TMB. The Report is intended to document remediation of site to meet the Residential Site-Specific Standard.

**Vallorbs Jewel Company**, 2599 Old Philadelphia Pike, East Lampeter Township, **Lancaster County**. BSTI, 3157 Old Philadelphia Pike, Bird In Hand, PA 17505, on behalf of Vallorbs Jewel Company, 2599 Old Philadelphia Pike, Bird In Hand, PA 17505, submitted a Risk Assessment and Final Report concerning remediation of site soil and groundwater contaminated with TCE. The report is intended to document remediation of the site to meet the Residential Statewide Health and Site-Specific Standards.

**William Jackson Property**, 1094 Laudermilch Road, Palmyra, PA 17078, East Hanover Township, **Dauphin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsylvania, PA 18073, on behalf of State Farm Insurance Company, P.O. Box 106169, Atlanta, GA 30348-6169; William Jackson, 1406 Bradley Avenue, P.O. Box C, Hummelstown, PA 18073; Rick Snyder, 1092 Laudermilch Road, Palmyra, PA 17078; and Randy Nowlen, 1090 Laudermilch Road, Palmyra, PA 17078 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Former Arrow International**, 1001 Hill Avenue, Wyomissing, PA 19610, Wyomissing Borough, **Berks County**. Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Water Polo V, LP, 1030 Reed Avenue, Suite 100, Wyomissing, PA 19610, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with VOCs and chlorinated solvents. The report is intended to document remediation of the site to meet the Residential Site-Specific Standard.

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

**Miles Brothers, LLC (Fmr. Owens Brockway Glass Container Plant 17)**, 151 Grand Avenue, Clarion Borough, **Clarion County**. Harris Environmental, Inc., 600 Stone House Road, Clarion, PA 16214, on behalf of Miles Brothers, LLC, 49 South Sheridan Road, Clarion, PA 16214, submitted a Remedial Investigation Report/Risk Assessment Report/Remedial Action Plan concerning the remediation of site soil contaminated with arsenic, antimony, cadmium, lead, selenium, thallium, manganese and site groundwater contaminated with aluminum, antimony, arsenic, lead, thallium, mercury, barium, beryllium, cadmium, chromium, cobalt, iron, manganese, nickel, selenium, zinc, vanadium, naphthalene, phenol, dibenzo-[a,h]anthracene, and pentachlorophenol. The report is intended to document remediation of the site to meet the Statewide Health Non-Use Aquifer Standard.

**Interstate Chemical Company**, 2797 Freedland Road, City of Hermitage, **Mercer County**. Amec Foster Wheeler Environmental & Infrastructure, Inc., 800 N. Bell Avenue, Suite 200, Pittsburgh, PA 15106, on behalf of Interstate Chemical Company, 2797 Freedland Road, Hermitage, PA 16148, submitted a Remedial Investigation

Report concerning the remediation of site soil contaminated with 1,1,1-trichloroethane, 1,1,2,2-tetrachloroethane, cis-1,2-DCE, ethylbenzene, methylene chloride, PCE, TCE, toluene, total xylenes, naphthalene; site groundwater contaminated with furfural, methanol, 2-propanol, n-butyl alcohol, 1,1,1-trichloroethane, cis-1,2-dichloroethene, 1,1-dichloroethane, ethylbenzene, 1,1-dichloroethene, methyl tert-butyl ether (MTBE), 1,2-dichloroethane, methylene chloride, 2-butanone (MEK), tetrachloroethene (PCE), 2-hexanone, toluene, 4-methyl-2-pentanone (MIBK), trans-1,2-dichloroethene, benzene, tetrahydrofuran, chlorobenzene, trichloroethene (PCE), chloroform, vinyl chloride, total xylenes, aniline, arsenic; surface water contaminated with cis-1,2-DCE, PCE, TCE, vinyl chloride. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Former Mulach Steel Property**, South Fayette Township, **Allegheny County**. American Geosciences, Inc, 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 on behalf of South Fayette Hotel Associates, LP, 375 Southpointe Boulevard, Suite 410, Canonsburg, PA 15317 has submitted a Cleanup Plan (CP) and Final Report (FR). Notice of the CP and FR submittal was published in the *Pittsburgh Post-Gazette* on June 15, 2017.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Duval Manor Apartment**, 6350 Green Street, City of Philadelphia, **Philadelphia County**. Andrew D. Hubley, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Michael Young, Classic Management, Inc., 229 West Upsal Street, Philadelphia, PA 19118 on behalf of Thomas Farnoly, Dual Manor Associates, LLC, 6450 Green Street, Philadelphia, PA 19144 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with fuel oil, 4, 5, & 6 parameters. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 6, 2017.

**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 on behalf of Thomas P. Shultz, Coventry Environmental, Inc., 13 South Main Street, Spring City, PA 19475 submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on June 28, 2017.

**6347-6351 Greene Street**, 6347-6351 Greene Street, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Thomas Farnoly, Duval Manor Associates, LLC, 6350 Greene Street, Philadelphia, PA 19144 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with TCL, VOCs, and PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 6, 2017.

**Hale Products, Inc. Facility**, 720 Spring Mill Avenue and 701 Jones Street, Conshohocken Borough and White-marsh Township, **Montgomery County**. Jon Rutledge, Arcadis, U.S., Inc., 10 Friends Land, Suite 200, Newtown, PA 18940 on behalf of Mark Frick, Hurst Jaws of Life, Inc. (f/k/a Hale Products, Inc.) 1925 West Field Court, Suite 100, Lake Forest, IL 60045-4824 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with VOCs, SVOCs and metals. The Report was approved by the Department on July 7, 2017.

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**SugarHouse Casino**, 1001-99 North Delaware Avenue, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, Keating Environmental Management, 835 Springdale Drive, Suite 200, Exton, PA 19341 on behalf of Terry McKenna, HSP Gaming LP, c/o Keating Consulting, LLC, 1600 Arch Street, Suite 210, Philadelphia, PA 19103 submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site groundwater contaminated with chlorinated solvents. The Report was disapproved by the Department on July 6, 2017.

**Lockheed Martin Corporation**, 230 Mall Boulevard, Upper Merion Township, **Montgomery County**. Mark Eschbacher, Haines & Kibblehouse, Inc., 2052 Lucon Road, Skippack, PA 19474, Peter Charrington, Stantec, 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of Edward Novak, Lockheed Martin Information System and Global Services, 23 Mall Boulevard, King of Prussia, PA 19406 submitted a Risk Assessment Report/ Remedial Investigation Report concerning the remediation of site soil contaminated with chlorinated solvents. The Report was approved by the Department on May 19, 2017.

**Convoy Realty, LP**, 6318 West Passyunk Avenue, City of Philadelphia, **Philadelphia, County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004, Michael A. Christie, P.G., Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Jonathan Silverman, Esquire, Convoy Realty, LP, 360 Madison Avenue, 22nd Floor, New York, NY 10017 submitted a Cleanup Plan/Risk Assessment/ Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with petroleum hydrocarbons, MTBE, lead, PCBs and VOCs. The Report was disapproved by the Department on May 5, 2017.

**Lawndale Plaza**, 6394 Oxford Avenue, City of Philadelphia, **Philadelphia County**. Michael L. Beardsley, BL, Consulting Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Todd Schively, Cedar Lawndale, LLC, 3307 Trindle Road, Camp Hill, PA 17011 submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with semi-volatile organic compounds. The Report was approved by the Department on May 11, 2017.

**Sunoco Inc. R&M Philadelphia Refinery AO1-3**, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffani Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 on behalf of Charles Barksdale, Philadelphia Energy Solutions Refining Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with VOCs, SVOCs, PAHs and metals. The Report was approved by the Department on June 14, 2017.

**Sunoco Inc. R&M Philadelphia Refinery AO1-4**, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffani Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 on behalf of Charles Barksdale, Philadelphia Energy Solutions Refining Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with VOCs, SVOCs, PAHs and metals. The Report was disapproved by the Department on June 21, 2017.

**Sunoco Inc. R&M Philadelphia Refinery AO1-5**, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffani Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, Charles Barksdale, Philadelphia Energy Solutions Refining Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 on behalf of Kevin McKeever, Langan Engineering and Environmental Services, 1818 Market Street, Suite 3300, Philadelphia, PA 19103 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with other organics. The Report was approved by the Department on May 2, 2017.

**9800 Bustleton Avenue**, 9800 Bustleton Avenue, City of Philadelphia, **Philadelphia County**. Michael A. Christie, P.G., 2755 Bergey Road, Hatfield, PA 19440, Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004 on behalf of Shari Klika, Bemis Healthcare Packing, Inc., Three Neenah Center, Neenah, WI 54956 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs and metals. The Report was disapproved by the Department on June 28, 2017.

**Bally's Fitness Center**, 151 North York Road, Upper Moreland Township, **Montgomery County**. Phil Gray, Jr., Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Bruce Goodman, Provco Pinegood York, LP, c/o Goodman Properties, 636 Old York Road, Jenkintown, PA 19046 submitted a Remedial Investigation Report/Final Report concerning the remediation of site soil and groundwater contaminated with leaded/unleaded gasoline. The Report was approved by the Department on May 18, 2017.

**Wawa Food Market # 265**, 1000 Darby Road (1038 Darby Road) Haverford Township, **Delaware County**. Nicholas Larabel, Leggette Brashears & Graham, Inc., 5787 Stadium Drive, Suite D, Kalamazoo, MI 49009 on behalf of Joseph Standen, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063 submitted a Remedial Investigation Report/Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Report was approved by the Department on April 26, 2017.

**Sunoco Pipeline Lima**, Route 452 and Route 1, Middletown Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, Carl G. Borkland, Sunoco Logistics Partners, L.P., 4041 Market Street, PA 19014, Gregory J. Rosenzweig, P.G., Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Bruce Clark, CVS, 3 South Pennell Road, Lima, PA 19014 submitted a Remedial Investigation Report/Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with MTBE. The Report was approved by the Department on May 17, 2017.

**Lou Wolff Auto**, 510 East Girard Avenue, City of Philadelphia, **Philadelphia County**. Michael Napolitan, Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 on behalf of Lou Wolff, 21 Rosewood Court, Carversville, PA 18913 submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-Trimethylbenzene. The Report was approved by the Department on June 27, 2017.

**Georgia Pacific/Philadelphia Container Facility**, 600 Righters Ferry Road, Lower Merion Township, **Montgomery County**. Michael A. Christie, Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin S. Kyle, Righters Ferry Associates, LLP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406 submitted a Final Report concerning the remediation of site groundwater contaminated with benzene, chrysene, naphthalene, phenanthrene, pyrene. The Report was approved by the Department on June 26, 2017.

**Wawa Store # 173**, 310 East Main Street, Borough of Colledgeville, **Montgomery County**. Geoff Kristof, JK Environmental Services, P.O. Box 509, Lafayette Hill, PA 19444 on behalf of Joseph Standen, Jr., Wawa Inc., 260 West Baltimore Pike, Wawa, PA 19063 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Report was approved by the Department on June 23, 2017.

**Mancill Mill Road Company**, 850 Mancill Mill Road, Upper Merion Township, **Montgomery County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Annunzio Calvarese, Mancill Mill Road Company, 84 Autopark Boulevard, Royersford, PA 19468 submitted a Final Report concerning the remediation of site soil contaminated with asbestos and arsenic. The Report was approved by the Department on June 26, 2017.

**Commercial Property**, 108 South Main Street, Dublin Borough, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P.O. Box 629, Douglassville, PA 19518 on behalf of Charles D. Lomax, The Lomax Companies, 200 Highpoint Drive, Suite 215, Chalfont, PA 18914 submitted a 90 Day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Report was approved by the Department on June 20, 2017.

**5400 Tulip Street**, 5400 Tulip Street, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Werner Environmental Consulting, Inc., 2020 Renaissance Blvd, Suite 110, King of Prussia, PA 19406 on behalf of Joe Depascale, Philadelphia-Harbiton, LP, 166 Nassau Street, Princeton, NJ 08542 submitted a Remedial Investigation/Cleanup Plan/Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with PAHs, arsenic, lead, trichloroethene and VOCs. The Report was approved by the Department on July 6, 2017.

**2.42 Acre Property**, 400 block of Newbold Road, Falls Township, **Bucks County**. Henry Alexander, GHD, 401 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Kyle D. Colma, Waste Gas Fabricating Company, Inc., 450 Newbold Road, Fairless Hills, PA 19030 submitted a Final Report concerning the remediation of site soil contaminated with non-media solids. The Report was approved by the Department on May 10, 2017.

**Redd Residence**, 3214 Meetinghouse Road, Upper Chichester, **Delaware County**. Thomas M. Hippensteal, PG, Envirosearch Consultants, Inc., P.O. Box 940, Springhouse, PA 19477 on behalf of Viola Reed, 3214 Meetinghouse Road, Boothwyn, PA 19060 submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Report was approved by the Department on May 10, 2017.

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

**Sternberg Property**, 8111 Wertman Road, Weisenberg Township, **Lehigh County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Arieh Sternberg, 8111 Wertman Road, Fogelsville, PA 18051, submitted a Final Report concerning the remediation of site soils contaminated with benzene, ethylbenzene, cumene, MTBE, naphthalene, toluene, 1,2,4-TMB, and 1,3,5-TMB. The report is intended to document remediation of the site to meet the Statewide Health Standard, and was approved by the Department on July 24, 2017.

**Mlynanski Estate**, 117 West Shore Drive, Lake Township, **Wayne County**, Bluestone Environmental Inc., 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Diana Perez, 52 Jewett Avenue # 2, Jersey City, NJ 07304, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), MTBE, Naphthalene, Toluene, 1,2,4-TMB, 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on July 19, 2017.

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

**Fruitville Business Park**, 1570 Fruitville Pike, Lancaster, PA 17602, Lancaster City, **Lancaster County**. Liberty Environmental, 50 N. 5th Street, 5th Floor, Reading, PA 19601, on behalf of 1570 Fruitville Pike, LP, 2450 Marietta Avenue, Lancaster, PA 17601, and Robert Lepore, c/o John Reed, Esquire, Barley Snyder, LLC, 126 East King Street, Lancaster, PA 17602-2893, submitted a Remedial Investigation Report, Remedial Assessment Report, and Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics and SVOCs. The Report was disapproved by the Department on July 17, 2017.

**D&D Distribution Services**, 789 Kings Mill Road, York, PA 17403, Spring Garden Township, **York County**. Arcadis, Inc., 35 Columbia Road, Branchburg, NJ 08876, on behalf of 789 Kings Mill, L.P., 40 Morris Avenue, Suite 230, Byrn Mawr, PA 19010, and Safe Harbor Reserve, Inc., 789 Kings Mill Road, York, PA 17403, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs, chlorinated solvents and inorganics. The Report was approved by the Department on July 19, 2017.

**Rebecca Kichman Property**, 1900 Lower Bailey Road, Newport, PA 17074, Miller Township, **Perry County**. Environmental Products & Services of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Rebecca Kichman, 1900 Lower Bailey Drive, Newport, PA 17074, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report was administratively incomplete and was disapproved by the Department on July 21, 2017.

**Supreme Corp./Former Sterling Lebanon Packaging, Inc.**, 24900 State Road 72, Jonestown, PA 17038, Union Township, **Lebanon County**. TecServ Environmental, Inc., 1911 Clover Road, Suite 10, Mishawaka, IN 46545, on behalf of Supreme Corporation, 411 Jonestown Road, Jonestown, PA 17038, submitted Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents. The Final Report

demonstrated attainment of the Nonresidential Site-Specific Standard, and was approved by the Department on July 19, 2017.

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

**Miles Brothers, LLC (Fmr. Owens Brockway Glass Container Plant 17)**, 151 Grand Avenue, Clarion Borough, **Clarion County**. Harris Environmental, Inc., 600 Stone House Road, Clarion, PA 16214, on behalf of Miles Brothers, LLC, 49 South Sheridan Road, Clarion, PA 16214, submitted a Remedial Investigation Report/Risk Assessment Report/Remedial Action Plan concerning the remediation of site soil contaminated with arsenic, antimony, cadmium, lead, selenium, thallium, manganese and site groundwater contaminated with aluminum, antimony, arsenic, lead, thallium, mercury, barium, beryllium, cadmium, chromium, cobalt, iron, manganese, nickel, selenium, zinc, vanadium, naphthalene, phenol, dibenzo[a,h]anthracene, and pentachlorophenol. The Report was disapproved by the Department on June 13, 2017.

**Interstate Chemical Company**, 2797 Freedland Road, City of Hermitage, **Mercer County**. Amec Foster Wheeler Environmental & Infrastructure, Inc., 800 N. Bell Avenue, Suite 200, Pittsburgh, PA 15106, on behalf of Interstate Chemical Company, 2797 Freedland Road, Hermitage, PA 16148, submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with 1,1,1-trichloroethane, 1,1,2,2-tetrachloroethane, cis-1,2-DCE, ethylbenzene, methylene chloride, PCE, TCE, toluene, total xylenes, naphthalene; site groundwater contaminated with furfural, methanol, 2-propanol, n-butyl alcohol, 1,1,1-trichloroethane, cis-1,2-dichloroethane, 1,1-dichloroethane, ethylbenzene, 1,1-dichloroethene, methyl tert-butyl ether (MTBE), 1,2-dichloroethane, methylene chloride, 2-butanone (MEK), tetrachloroethene (PCE), 2-hexanone, toluene, 4-methyl-2-pentanone (MIBK), trans-1,2-dichloroethene, benzene, tetrahydrofuran, chlorobenzene, trichloroethene (PCE), chloroform, vinyl chloride, total xylenes, aniline, arsenic; surface water contaminated with cis-1,2-DCE, PCE, TCE, vinyl chloride. The Report was disapproved by the Department on July 14, 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*

**Alpha Bio/Med Services, LLC**, 600 Industrial Drive, Nesquehoning, PA 18240. License No. PA-AH 0861. Effective Jul 24, 2017.

**Blue Sky Transportation, LLC**, 25010 Lakeland Blvd., Euclid, OH 44132. License No. PA-AH 0863. Effective Jul 24, 2017.

*Hazardous Waste Transporter License Reissued*

**Select Transportation, Inc.**, 5055 Nike Drive, Hilliard, OH 43026. License No. PA-AH 0469. Effective Jul 19, 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 the act of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

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

*Regulated Medical and Chemotherapeutic Waste Transporter License Expired*

**Bio-Team Mobile LLC**, 6 E Kendig Rd, Willow Street, PA 17584. License No. PA-HC 0225. Effective May 31, 2017.

**OPERATE WASTE PROCESSING OR DISPOSAL  
AREA OR SITE**

**Permit Issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**Permit No. 301254. Clean Earth of Southeast Pennsylvania, LLC**, 7 Steel Road East, Morrisville, PA 19067-3613. This permit application is for a 10-year permit renewal of the solid waste permit No. 301254 to continue operation of the Clean Earth of Southeast Pennsylvania (CESP) facility, a residual waste processing facility located at 7 Steel Road in Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on July 19, 2017.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

**Permit ID No. 301305. Calgon Carbon Corporation—Neville Transfer Station**, 3000 Grand Avenue, Pittsburgh, PA 15225. A permit for a 10-year renewal for the operation of a residual waste transfer station located in Neville Township, **Allegheny County** was issued by the Southwest Regional Office on July 27, 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.*

**GP1-46-0254: Acme Corrugated Box Co. Inc.** (2700 Turnpike Drive, Hatboro, PA 19040) On July 18, 2017 for the installation of a new 600 horsepower boiler in Hatboro Township, **Montgomery County**.

**GP1-09-0105: BMR—George Patterson** (17190 Bernardo Center Drive, San Diego, CA 92128) On July 24, 2017 for two (2) York Boilers (10 43MMBtu/hr each) Model No. 57-SPH-250-N2-LN in Bristol Township, **Bucks County**.

*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.*

**GP5-58-044 Williams Field Services LLC** (310 State Route 29 North, Tunkhannock, PA 18657-6817) on July 12, 2017 for the construction and operation of compressor engines and dehy/reboilers at the Fraser Compressor station site located in Forest Lake Twp., **Susquehanna County**.

**GP5-58-045 Williams Field Services LLC** (310 State Route 29 North, Tunkhannock, PA 18657-6817) on July 12, 2017 for the construction and operation of compressor engines and dehy/reboilers at the Shaskas compressor station site located in Jessup Twp., **Susquehanna County**.

**GP5-66-008 Williams Field Services LLC** (310 State Route 29 North, Tunkhannock, PA 18657-6817) on July 12, 2017 for the construction and operation of compressor engines and dehy/reboilers at the Sickler compressor station site located in Washington Twp., **Wyoming County**.

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

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

**GP1-36-03131: Lancaster Regional Medical Center** (250 College Avenue, Lancaster, PA 17603) on July 14, 2017, for two existing natural gas and # 2 oil-fired boilers, under GP1, rated at 20.085 and 25.106 MMBtu/hr., at the hospital facility located in Lancaster City, **Lancaster County**. The general permit authorization was renewed.

**GP1-07-03033A: James E. VanZandt VA Medical Center** (2907 Pleasant Valley Blvd., Altoona, PA 16602-4377) on July 21, 2017, for three natural gas/# 2 oil-fired boilers, each rated at 13.39 MMBtu, at the VA Medical Center located in Logan Township, **Blair County**.

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



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

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

**09-0206A: B. Blair Corporation** (95 Louise Drive, Ivyland, PA 18974) On July 19th for the installation and operation of a portable 400-ton/hr crusher with a water spray system in Northampton Township, **Bucks County**.

**15-0086B: Darling Ingredients Inc. dba Bakery Feeds** (97 Westbrook Drive, Honey Brook, PA 19344) On July 24, 2017 for an increase in permitted carbon monoxide (CO) limits for its Rotary Dryer with BioMass Burner at an existing facility located in Honey Brook Township, **Chester County**.

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

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

**06-05002N: Lehigh Cement Co., LLC** (537 Evansville Road, Fleetwood, PA 19522-8541) on July 18, 2017, for the cement manufacturing facility in Maiden Creek Township, **Berks County**. Plan Approval No. 06-05002N is for the authorization to combust anthracite coal as a fuel in the facility's two (2) long dry kilns (Source IDs 121 & 122). The facility will be permitted to combust up to 15 tons per hour of anthracite coal in each kiln. The project does not include the installation of any new equipment nor will it increase the clinker production capacity of the kilns.

**21-05026D Carlisle SynTec Inc.** (1275 Ritner Highway, Carlisle, PA 17015) on July 21, 2017, for the construction of a Thermoplastic Olefin (TPO) compounding line and powder blending process at the facility located in the Borough of Carlisle, **Cumberland County**.

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

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

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

**15-0081: Johnson Matthey Inc.** (1401 King Road, West Chester, PA 19380) On July 18, 2017 for the proposed modifications to the existing Vertical Wet Scrubbers (Nitric Scrubbers) in West Whiteland Township, **Chester County**.

**09-0223: Morton Salt Inc.** (123 N. Wacker Drive, Chicago, IL 60606) On July 12, 2017 for the extension of the installation of a fluid bed dryer and associated high-efficiency multi-cyclone, as well as additional salt processing and equipment in Falls Township, **Bucks County**.

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

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

**28-05002J: Letterkenny Army Depot—US Department of Defense** (One Overcash Avenue, Chambersburg,

PA 17201) on July 21, 2017, to construct a new AP Rocket Motor Destruction (ARMD) Facility within the Letterkenny Munitions Center ammunition storage area, at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**. Air emissions from the ARMD will be controlled by a wet scrubber system, followed by an ADIOX packed bed scrubber tower absorption system. The plan approval was extended.

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

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

**59-00032A: Niles Valley Energy, LLC** (1 North Shore Place, 358 North Shore Drive, Suite 201, Pittsburgh, PA 15212) on July 13, 2017, to extend the plan approval expiration date to June 30, 2018 to allow construction of three natural gas-fired reciprocating engines at their electric generating facility in Charleston Township, **Tioga County**.

**08-00054A: Wolf Run Energy, LLC** (1 North Shore Place, 358 North Shore Drive, Suite 201, Pittsburgh, PA 15212) on July 13, 2017, to extend the plan approval expiration date to June 30, 2018 to allow construction of three natural gas-fired reciprocating engines at their electric generating facility in Wilmot Township, **Bradford County**.

**08-00056A: Litchfield Energy, LLC** (1 North Shore Place, 358 North Shore Drive, Suite 201, Pittsburgh, PA 15212) on July 13, 2017, to extend the plan approval expiration date to January 12, 2019 to allow construction of three natural gas-fired reciprocating engines at their electric generating facility in Litchfield Township, **Bradford County**.

**49-00064A: Milton Sewer Regional Authority** (5585 State Route 405, PO Box 433, Milton, PA 17847), on July 21, 2017, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from August 7, 2017 to February 3, 2018 at their facility located in West Chilisquaque Township, **Northumberland County**. The plan approval has been extended.

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

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

**32-00387B: Rosebud Mining Company** (301 Market St., Kittanning, PA 16201) Extension effective July 28, 2017, to extend the construction period of a 2.5 million tons per year coal preparation plant which includes the following sources: truck unloading, crushing, screening, conveying, transfer points, stockpiles, stackers, truck loading, train loading, plant roads, and a diesel-fired emergency generator engine authorized under PA-32-00387B at its Crooked Creek Coal Preparation Plant located in Washington Township, **Indiana County**.

**03-00244A: Dominion Energy Transmission, Inc.** (5000 Dominion Blvd.—2NW, Glen Allen, VA 23060) Extension effective July 28, 2017, to extend the period of temporary operation of a natural gas-fired turbine rated at 10,915 bhp, two natural gas-fired compressor engines rated at 1,775 bhp and 3,550 bhp, a natural gas-fired auxiliary generator engine rated at 690 bhp, a glycol dehydration unit equipped with a 0.27 MMBtu/hr reboiler and a 4.0 MMBtu/hr thermal oxidizer, a natural gas-fired boiler rated at 2.1 MMBtu/hr, a 5,000 gallon storage tank, fugitive emissions, pneumatic devices, venting/blowdown,

and pigging operations authorized under PA-03-00244A at its Rural Valley Compressor Station located in Valley Township, **Armstrong County**.

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

*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.*

**39-00049: ACME Cryogenics/Allentown Plant** (2801 Mitchell Avenue, Allentown, PA 18103-7111). On July 19, 2017, the Department issued a renewal State-Only Natural Minor Permit for this manufacturing of fabricated pipe and fittings facility located in Allentown, **Lehigh County**. The main sources at this facility consists of copper and brass dipping and brazing operations. The control devices consist of scrubbers. The sources are considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**67-03041: County Line Quarry, Inc.** (PO Box 99, Wrightsville, PA 17368) on June 28, 2017, for the stone crushing and concrete production operations at the County Line Quarry located in Wrightsville Borough, **York County**. The State-only permit was renewed.

**38-03029: Elk Corporation of Texas** (401 Weavertown Road, PO Box 228, Myerstown, PA 17067-0228) on July 17, 2017, for the asphalt shingle manufacturing facility located in Jackson Township, **Lebanon County**. The State-only permit was renewed.

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

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

**18-00013: Clinton Hospital Corp** (24 Cree Drive, Lock Haven, PA 17745-2639) to issue a renewal State Only Operating Permit for their Lock Haven Hospital located in the City of Lock Haven, **Clinton County**. The facility is currently operating under State Only Operating Permit 18-00013. The facility's main sources include three # 2 fuel oil/natural gas-fired boilers and four # 2 fuel oil-fired emergency generators.

The facility has potential/actual emissions of 43.0 tons per year (TPY) of sulfur oxides, 23.6 TPY of nitrogen oxides, 8.9 TPY of carbon monoxide, 2.8 TPY of particulate matter, 2.8 TPY of volatile organic compounds, and 15,946 TPY of greenhouse gases (carbon dioxide equivalents). No changes to equipment or emissions are being proposed as part of this operating permit renewal.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included

in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 60 and 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.

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

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

**24-00165: Elkhorn Gas Processing, LLC** (4613 E. 91st Street, Tulsa, Oklahoma 74137). On June 13, 2017, the Department renewed a State Only Operating Permit for the facility located in Jones Township, **Elk County**. The facility is a Natural Minor. Actual 2016 emissions were as follows: 9.2 tons VOC, 3.4 tons NO<sub>x</sub>, 9.84 tons CO, 0.005 ton SO<sub>x</sub>, and 0.062 ton PM<sub>10</sub>. The primary sources at the facility include a 1.46 million Btu/hr natural gas fueled process heater, 1.25 million Btu/hr natural gas fueled glycol dehydrator, storage tanks, a 277 hp natural gas fueled refrigeration compressor, and a 700 hp natural gas fueled inlet compressor. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00987: Hanes Erie, Inc.**, (7601 Klier Dr South, Fairview, PA 16415-2449). On June 20, 2017, the Department renewed a State Only Operating Permit for the facility located in Fairview Township, **Erie County**. The facility is a Synthetic Minor. The primary sources at the facility are 12 paint spray booth lines. Potential emissions are as follows: 45 tpy VOC; 9.9 tpy any single HAP; 24.9 tpy Total all HAPs combined; 2.0 tpy NO<sub>x</sub>; and 1.7 tpy CO. The renewal permit contains emission restrictions, reporting, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**43-00252: Grove City College** (100 Campus Drive, Grove City, PA 16127-2104) on July 21, 2017, the Department issued a renewal of the operating permit for the facility located in Grove City, **Mercer County**. The significant sources are four boilers, miscellaneous natural gas combustion, and a degreaser. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. Boiler 031 will burn natural gas and coal as a backup. Boiler 032 and 033 will burn natural gas and oil as backup. Boiler 034 is natural gas only. If coal is burned in Boiler 031, demonstration of compliance with 40 CFR 63, Subpart JJJJJJ pertaining to NESHAPs for ICI boilers at area sources is required. The facility has taken a restriction of 1,408 tons of coal on a consecutive 12-month basis. The quantity of # 2 fuel oil is limited to 210,000 gallons per year based on a consecutive 12-month basis. The facility is required to keep records of the fuel usages and sulfur content. The potential emissions from the facility are as follows: 7.6 TPY PM<sub>10</sub>; 49.8 TPY NO<sub>x</sub>; 27.5 TPY SO<sub>2</sub>; 42.7 TPY CO; 3.2 TPY VOC, and 50,000 TPY CO<sub>2</sub>e.

**43-00347: Doren, Inc.**, (2313 State Route 18, Wampum, PA 16157). On July 24, 2017, the Department

renewed a State Only Operating Permit for the Taylor Mine located in Jefferson Township, **Mercer County**. The facility is a Natural Minor. The facility has the potential to emit 2.37 tons per year particulate matter. The primary sources at the facility are a crusher, screen, and conveyors for sand and gravel processing. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

*Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.*

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

**N12-020A: Belmont Center for Comprehensive Treatment** (4200 Monument Avenue, Philadelphia, PA 19131) for the operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 8.369 MMBtu/hr boilers firing natural gas, one 1.26 MMBtu/hr boiler firing natural gas, one 1.96 MMBtu/hr boiler firing No. 2 Fuel Oil, and one 155 kilowatt emergency generator firing No. 2 Fuel Oil. Testing for the generator is limited to 120 minutes per week for five weeks annually, and 60 minutes per week for the remaining 47 weeks annually.

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

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

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

**46-00013: Clemens Food Group (aka Hatfield Quality Meats, Inc.)** (2700 Clemens Rd., Hatfield, PA 19440-0902) On July 19, 2017 to incorporate the requirements of a plan approval 46-0013D for the inedible cooker/press (Source 124) into the operating permit for a facility located in Hatfield Township, **Montgomery County**.

**09-00114: BDJ Metal Products, LLC** (330 Progress Drive, Telford, PA 18969) On July 17, 2017 for an Administrative Amendment for a change of ownership from the Active Brass Foundry, Inc. to BDJ Metal Products, LLC/dba Active Brass Foundry to their State Only (Natural Minor) Operating Permit for the facility located in Hilltown Township, **Bucks County**.

**09-00007: Waste Management Disposal Services of Pennsylvania, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) On July 19, 2017 for a minor modification to Title V Operating Permit 09-00007 to increase the throughput capacity of the sequential batch reactors (SBRs) located at the landfill's leachate treatment plant (LTP) for the Grows North Municipal Solid Waste Landfill located in Falls Township, **Bucks County**. This minor operating permit modification is being processed in accordance with 25 Pa. Code § 127.462.

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

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

**36-03034: Purina Animal Nutrition LLC** (3029 Hempland Road, Lancaster, PA 17601-1309) on July 21, 2017, for the animal feed manufacturing facility located in East Hempfield Township, **Lancaster County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-03034B.

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

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

**18-00021: Avery Dennison Performance Polymers** (171 Draketown Road, Mill Hall, PA 17751-8608) on July 13, 2017, for the incorporation of terms and conditions of Plan Approval 18-00021A into State Only (Synthetic Minor) operating permit 18-00021 for the Mill Hall facility located in Bald Eagle Township, **Clinton County**. The revised operating permit includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**17-00060: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) on July 18, 2017, for the change of Responsible Official for the Lady Jane Coal Preparation facility located in Huston Township, **Clearfield County**. The revised operating permit includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Issued

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

**Permit No. 11050101 and NPDES No. PA0249718, E.P. Bender Coal Co., Inc.**, P.O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Cresson Township, **Cambria County**, affecting 197.7 acres. Receiving stream: unnamed tributary to Bear Rock Run classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Lilly Borough surface water intake

on Bear Rock Run, PWS No. 4110046. Application received: December 9, 2016. Permit issued: July 13, 2017.

**Permit No. 56100103 and NPDES No. PA0263036, Hoffman Mining Inc.**, P.O. Box 130, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural habitat in Ogle & Paint Townships, **Somerset County**, affecting 129.5 acres. Receiving streams: unnamed tributaries to/and Stonycreek River classified for the following uses: trout stocked fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 14, 2017. Permit issued: July 18, 2017.

**Permit No. 56170101 and NPDES No. PA0279471. Rampsid Collieries, Inc.**, 527 Slate Hill Road, Berlin, PA 15530, commencement, operation and restoration of a bituminous surface mine in Jenner Township, **Somerset County**, affecting 41.0 acres. Receiving streams: unnamed tributaries to/and Quemahoning Reservoir to Quemahoning Creek, classified for the following uses: cold water fishes, and warm water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority, Greater Johnstown. Application received: February 28, 2017. Permit issued: July 18, 2017.

**Permit No. 56960106 and NPDES No. PA0234192. Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County** affecting 352.6 acres. Receiving streams: North Branch Quemahoning Creek and Horner Run 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: May 16, 2016. Permit issued: July 18, 2017.

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

**17140103 and NPDES PA0269743. RES Coal LLC** (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Commencement, operation, and restoration of a bituminous surface and auger mine located in Chest and Burnside Townships, **Clearfield County** affecting 184.5 acres. Receiving stream(s): Unnamed Tributaries to Spring Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: September 8, 2016. Permit issued: July 6, 2017.

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

**63130102 and NPDES Permit No. PA0278068. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Permit revision issued to add sandstone mining to an existing bituminous surface mine, located in Nottingham Township, **Washington County**, affecting 65.9 acres. Receiving streams: Unnamed tributaries to Sugar Run and unnamed tributaries to Mingo Creek. Application received: May 12, 2017. Permit issued: July 19, 2017.

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

**Permit No. 40850102R5. Northeast Energy Company**, (254 Johnson Street, Wilkes-Barre, PA 18702), renewal for reclamation activities only of an existing anthracite surface mine operation in Laurel Run Borough, **Luzerne County** affecting 111.1 acres, receiv-

ing stream: Spring Creek. Application received: February 3, 2017. Renewal issued: July 19, 2017.

**Permit No. PAM112065R, Northeast Energy Company**, (254 Johnson Street, Wilkes-Barre, PA 18702), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40850102 in Laurel Run Borough, **Luzerne County**, receiving stream: Spring Creek. Application received: February 3, 2017. Renewal issued: July 19, 2017.

**Permit No. 54080102C3. Keystone Anthracite Co., Inc.**, (259 North 2nd Street, Girardville, PA 17934), correction of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation to allow the use of the bypass pipeline, approve Subchapter G and variances to mine 100 feet of a wetland in West Mahanoy Township, **Schuylkill County** affecting 784.0 acres, receiving streams: Mahanoy Creek and Shenandoah Creek. Application received: August 10, 2016. Correction issued: July 19, 2017.

**Permit No. 54080102R. Keystone Anthracite Co., Inc.**, (259 North 2nd Street, Girardville, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in West Mahanoy Township, **Schuylkill County** affecting 784.0 acres, receiving streams: Mahanoy Creek and Shenandoah Creek. Application received: March 8, 2017. Renewal issued: July 19, 2017.

**Permit No. PAM111064R, Keystone Anthracite Co., Inc.**, (259 North 2nd Street, Girardville, PA 17934), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54080102 in West Mahanoy Township, **Schuylkill County**, receiving streams: Mahanoy Creek and Shenandoah Creek. Application received: March 8, 2017. Renewal issued: July 19, 2017.

**Permit No. 54-305-025GP12R. Keystone Anthracite Co., Inc.**, (259 North 2nd Street, Girardville, PA 17934), renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54080102 in West Mahanoy Township, **Schuylkill County**. Application received: March 8, 2017. Renewal issued: July 19, 2017.

**Permit No. 54060103R2. Gale Mining Co.**, (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse disposal in Tremont Township, **Schuylkill County** affecting 308.0 acres, receiving streams: Stumps Run and Lorberry Creek. Application received: February 15, 2017. Renewal issued: July 21, 2017.

**Permit No. 54060103C4. Gale Mining Co.**, (1441 Oak Road, Pottsville, PA 17901), correction to update the post-mining land use to unmanaged natural habitat of an existing anthracite surface mine and coal refuse disposal in Tremont Township, **Schuylkill County** affecting 308.0 acres, receiving streams: Stumps Run and Lorberry Creek. Application received: February 15, 2017. Renewal issued: July 21, 2017.

**Permit No. PAM113018R. Gale Mining Co.**, (1441 Oak Road, Pottsville, PA 17901), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54060103 in Tremont Township, **Schuylkill County**, receiving streams: Stumps Run and Lorberry Creek. Application received: February 15, 2017. Permit issued-Renewed issued: July 21, 2017.

*Noncoal Permits Issued*

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

**Permit No. PAM111015R. Sokol Quarries, Inc.**, (P.O. Box 366, Bloomsburg, PA 17815), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19810302 in Benton & Fishing Creek Townships and Stillwater Borough, **Columbia County**. Receiving stream: unnamed tributary to Fishing Creek and Raven Creek. Application received: April 24, 2017. Renewal issued: July 18, 2017.

**Permit No. PAM116024. MBK Associates, LLC**, (P.O. Box 103, Equinunk, PA 18417, General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 64010301 in Buckingham Township, **Wayne County**, receiving stream: Upper Delaware River. Application received: May 13, 2016. Permit issued: July 20, 2017.

**Permit No. 5376SM16C7 and NPDES Permit No. PA0593915. American Asphalt Paving Co.**, (500 Chase Road, Shavertown, PA 18708), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Jackson Township, **Luzerne County** 161.7 acres, receiving stream: Brown's Creek. Application received: June 18, 2013. Renewal issued: July 21, 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*

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

**Permit No. 58174001. M & S Blasting, LLC**, (943 Gontarski Road, Hallstead, PA 18822), construction blasting for Silver Lake Township Building in Silver Lake Township, **Susquehanna County** with an expiration date of September 15, 2017. Permit issued: April 27, 2017.

**Permit No. 36174130. Abel Construction Co., Inc.**, (PO Box 476, Mountville, PA 17554), construction blasting for St. Anne's Retirement Community in West Hempfield Township, **Lancaster County** with an expiration date of July 13, 2018. Permit issued: July 18, 2017.

**Permit No. 36174131. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting at 229 Osceola Mill Road in Leacock Township, **Lancaster County** with an expiration date of September 30, 2017. Permit issued: July 18, 2017.

**Permit No. 40174112. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Humboldt Industrial Park Lot 16 in Hazle Township, **Luzerne County** with an expiration date of December 29, 2017. Permit issued: July 18, 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**

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

**E35-463. Pennsylvania Turnpike Commission**, P.O. Box 67676, Harrisburg, PA 17106. South Abington Township, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a channel change along approximately 424 feet of a tributary to Leggets Creek (CWF, MF) with work consisting of regrading and reshaping the channel. The channel will be vegetated with a 3-foot bottom width, 1-foot depth and 2:1 side slopes. Grading associated with the construction of the additional lane to Interstate 476 will temporarily impact 0.035 acre of PSS/EV wetland and permanently impact of 0.043 acre. Also, associated with the project is the installation of 3-18-inch diameter stormwater outfalls to the unnamed

tributary to Leggets Creek. The project is located along Interstate 476 (Scranton, PA Quadrangle Latitude: 41°29'15"; Longitude: -75°40'59.4"). Subbasin: 5A.

**E35-465. Pennsylvania American Water**, 800 West Hershey Park Drive, Hershey, PA 17033, City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a generator building and a below grade pump station consisting of five precast structures. The structures are within the floodway of Roaring Brook (CWF, MF) having approximately 0.02 acre of impact to the floodway. The generator building is to be constructed upon piers to raise the first-floor elevation above the 100-year flood elevation. This work is being completed as per the Scranton Sewer Authority's Long Term Control Plan according to the Administrative Consent Decree issued by the US EPA. The project is located along Richter Street approximately 300 feet from its intersection with Myrtle Street (City of Scranton, PA Quadrangle Latitude: 41°24'22"; Longitude: -75°38'19").

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

**E36-958: Lititz Land Trust, LLC**, 750 Lititz Pike, Lititz, PA 17543 in Warwick Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain fill in 0.07 acre of palustrine emergent wetlands for the purpose of constructing a two-unit apartment building. To compensate for the wetland impacts, the construction of 0.088 acre of onsite replacement wetlands is proposed. The project is located near the intersection of Landis Valley Road and S. Broad Street (Latitude: 40° 8' 25.33"N; Longitude: 76° 18' 18.45"W) in Warwick Township, Lancaster County. Issued July 19, 2017.

**E31-235: The Pennsylvania State University**, 139J Physical Plant Building, University Park, PA 16802 in Barree Township, **Huntingdon County**, U.S. Army Corps of Engineers, Baltimore District.

To 1) construct and maintain a stream realignment of an Unnamed Tributary (UNT) to Herod Run (HQ-CWF, MF) and construct and maintain a 27.0-foot long by 36.25-inch diameter RCP arch pipe depressed 6.0-inches within the proposed channel relocation of the UNT to Herod Run which permanently impacts approximately 115 linear feet of stream channel, permanently impacts 0.27 acre of floodway of UNT to Herod Run and Herod Run (HQ-CWF, MF), permanently impact 0.01 acre of Palustrine Forested (PFO) wetland, temporarily impact 0.01 acre of PFO wetland, all located along and across Bluelick Hollow Road within the Penn State Experimental Forest (Latitude: 40.631667N; Longitude: -77.886667W); 2) construct and maintain a stream realignment of an Unnamed Tributary (UNT) to Herod Run (HQ-CWF, MF) and install and maintain a 39.0-foot long by 36.25-inch diameter RCP arch depressed 6.0-inches within the proposed channel relocation of the UNT to Herod Run which permanently impacts 146.0 linear feet of stream channel, 0.34 acre of floodway of UNT to Herod Run and Herod Run (HQ-CWF, MF), all located along and across Bluelick Hollow Road within the Penn State Experimental Forest (Latitude: 40.631994N; Longitude: -77.8875W); 3) remove an existing 20.0-foot long by 18.0-inch diameter CMP culvert and install and maintain a 20.0-foot long by 36.0-inch diameter RCP culvert depressed 12.0 inches with riprap scour protection, and

remove accumulated sediment and gravel at the upstream end of the existing culvert, all in a UNT to Herod Run (HQ-CWF, MF) and permanently impacting 0.01 acre of floodway and 33 linear feet of a UNT to Herod Run, all located along and adjacent to Bluelick Hollow Road in the Penn State Experimental Forest (Latitude: 40.65667N; Longitude: 77.88778W); 4) remove an existing 40.0-foot long by 24.0-inch diameter CMP culvert and install and maintain a 38.0-foot long by 40.0-inch by 65.0 inch diameter RCP arch pipe depressed 6.0-inches with minor stream channel realignments at the culvert inlet and outlet all in a UNT to Herod Run (HQ-CWF, MF), permanently impacting 0.01 acre of floodway and 38 linear feet of UNT to Herod Run, and permanently impact approximately 0.01 acre of Palustrine Emergent/Palustrine Scrub Shrub (PEM/PSS) wetland, and temporarily impact approximately 0.01 acre of PEM/PSS wetland, all located at the intersection of Forest Headquarters Lane and Barn Road in the Penn State Experimental Forest (Latitude: 40.623611N; Longitude: -77.883056W); and 5) remove an existing 42.0-foot long by 24.0-inch diameter CMP culvert and install and maintain a 41.5-foot long RCP arch pipe with a 40.0-inch by 65.0-inch opening depressed 6.0-inches all in and permanently impacting 0.01 acre of floodway and 41 linear feet of a UNT to Herod Run (HQ-CWF, MF) located along and adjacent to Barn Road in the Penn State Experimental Forest (Latitude: 40.631944N; Longitude: -77.881994W); all for the purpose of replacing deteriorating structures and removing abrupt 90-degree bends in the stream channels to eliminate road maintenance from washout. The project is located north and south of State Route 305 along Bluelick, Barn Road, and Forest Headquarters Road located within the Penn State Stone Valley Experimental Forest (Latitude 40.61696N; Longitude: -77.88233W) in Barree Township, Huntingdon County. Issued July 19, 2017.

**E05-388: Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in West Providence Township, **Bedford County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to (1) construct and maintain a 246.0 foot long, 26.5 to 28.5 foot wide two span PA Bulb-Tee Beam Bridge having a hydraulic opening of 4,162.33 square feet and place R-7 and R-8 riprap scour protection in the Raystown Branch of the Juniata River (TSF, MF); (2) install and remove a 126 feet long by 24 feet wide temporary causeway extending to the middle of the stream at the proposed bridge pier location consisting of eight (8) 4 foot diameter CMPs and riprap in and across the Raystown Branch of the Juniata River (TSF, MF); (3) install and remove a 150 feet long by 44 feet wide temporary causeway from the eastern bank extending to the western existing pier consisting of eight (8) 4 foot diameter CMPs and riprap in and across the Raystown Branch of the Juniata River (TSF, MF); (4) install and remove a 79 feet long by 48 feet wide temporary causeway from the western bank extending to the western existing pier consisting of riprap in and across the Raystown Branch of the Juniata River (TSF, MF); (5) construct and maintain an 18 inch diameter outfall with R-4 riprap in the floodway of and to the Raystown Branch of the Juniata River (TSF, MF); (6) remove, place, and maintain fill associated with the existing bridge removal and proposed bridge construction in 0.36 acre of the floodway of the Raystown Branch of the Juniata River (TSF, MF); (7) place and maintain fill associated with roadway improvements for the bridge

replacement in 0.19 acre of the floodway of Johns Branch Creek (TSF, MF); and (8) construct and maintain a 18-inch outfall pipe with R-4 riprap in the floodway of Johns Branch Creek (TSF, MF) for the purpose of replacing a structurally deficient bridge as part of the Public Private Partnership (P3) Rapid Bridge Replacement Program. The project is located along S.R. 1012 (Ritchey Bridge Road) (Latitude: 40° 3' 10" N, Longitude: 78° 19' 30" W) in West Providence Township, Bedford County. Issued July 20, 2017.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Michael Forbeck, Acting Waterways and Wetlands Program Manager, 412-442-4000.*

**E02-1730, FC Aiken, LLC**, 3 Gateway Center, Pittsburgh, PA 15222, Robinson Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain a road crossing (aka Magnolia Drive) in Moon Run (WWF), consisting of an 89 linear foot, 120" diameter, corrugated metal pipe, to provide access to the Arbor Trail Phase 2 residential development. The project will permanently impact 159 linear feet of Moon Run (aka Waterway 3), including impacts from the proposed culvert, wingwalls, rip rap and associated outlet protection. In addition to the Phase 2 disturbances associated with the proposed road crossing, two intermittent, unnamed tributaries to Moon Run (aka Waterway 1 and Waterway 2) had been previously relocated and culverted as part of Phase 1 of the project. Approximately 380 linear feet of cumulative stream impact occurred to Waterway 1 and Waterway 2. Impacts will be mitigated on-site through riparian plantings and placement of in-stream habitat structures. The project is located approximately 800' southwest of the intersection of Aiken Road and Arbor Trail Drive (Pittsburgh, West, PA USGS topographic quadrangle; Latitude: 40° 27' 23"; Longitude: -80° 6' 52"; Sub-basin: 20G; US Army Corps of Engineers, Pittsburgh District), in Robinson Township, Allegheny County.

**E02-1734, Ohio Township of Allegheny County**, 1719 Roosevelt Avenue, Pittsburgh, PA 15237, Ohio Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Excavate 1.0 linear foot of an existing, intermittent, unnamed tributary to Kilbuck Run (aka Watercourse 1) (CWF), which has a drainage area of less than 100 acres, excavate and place and maintain fill in 0.026 acre of the existing Watercourse 1 floodway, permanently place and maintain fill within 0.0293 acre of PEM wetland (0.0004 acre in Wetland 1 and 0.0289 acre of Wetland 2), excavate 0.0023 acre of PEM wetland (0.0010 acre of Wetland 1 and 0.0013 acre of Wetland 4), and indirectly impact 0.0405 acre of PEM wetland by permanently redirecting hydrology away from the wetland. To mitigate for the wetland impacts, the permittee will contribute Five Hundred Dollars (\$500.00) into the Pennsylvania Wetland Replacement Project. The project is to widen Mt. Nebo Road (SR 4022) and construct an extension to Duff Road between the existing Duff Road and Mt. Nebo Road. The project site is located approximately 0.16 mile from the intersection of the existing Duff Road and Mt. Nebo Road (SR 4022) (Emsworth, PA USGS Topographic Quadrangle, North: 9.6, West: 15.2; Latitude: 40°33'10"; Longitude: -80°06'35"; Sub-basin: 20G; Pittsburgh Corps District), in Ohio Township, Allegheny County.

**E65-988, PennDOT District 12-0**, 825 North Gallatin Avenue, Uniontown, PA 15401, Municipality of Murrysville, **Westmoreland County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing Steels Run (HQ-CWF) 19.59' double span, 18.02' wide SR 3010 bridge with a drainage area of 2.77 square miles; and construct and maintain a replacement 40.92 long, 20' wide box culvert with a minimum underclearance of 4.5' and depressed 1'. Remove an existing 40' long 18" pipe conveying an unnamed tributary to Steels Run with a drainage area less than 100 acres and construct and maintain a replacement 41.83' long 18" pipe in the same location. In addition, temporarily impact 131.83' of stream for the purpose of constructing these encroachments. Mitigation for the impacts will be through restoration. These encroachments are located approximately 0.75 mile northwest of Export, PA (Murrysville PA Quadrangle; Latitude: 40° 25' 46.74" ; Longitude: -79° 38' 3.27") in the Municipality of Murrysville, Westmoreland County.

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

**E62-430, Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. JV 021 State Route 0027 Segment 0520 Offset 3359 Section B13 over Matthews Run, in Brokenstraw Township, **Warren County**, ACOE Pittsburgh District (Sugar Grove, PA Quadrangle N: 41.904011°, W: -79.344203°).

Remove the existing structure and to construct and maintain a 55.3 feet long reinforced concrete box culvert having a clear span of 24 feet and an underclearance of 6 feet in Matthews Run (Hazeltine Hollow Run) on S.R. 0027, Segment 0520, Offset 3359 approximately 150 feet south of the S.R. 27 and Hazeltine Road intersection (Sugar Grove, PA Quadrangle N: 41.904011°, W: -79.344203°) in Brokenstraw Township, Warren County.

**E25-778, ITC Lake Erie Connector, LLC**, 27175 Energy Way, Novi, MI 48377. Lake Erie Connector, in Conneaut, Girard, and Springfield Townships, **Erie County** and Lake Erie, PA, ACOE Pittsburgh/Bufalo Districts.

To conduct the following activities in regulated waters of the Commonwealth for the construction of a high voltage direct current (HVDC) transmission line to transmit power between the United States and Canada, and an associated converter station along Lexington Road (Springfield, PA Quadrangle N: 41°, 56', 12"; W: -80°, 22', 35") in Conneaut Township, Erie County:

1. Buried HVDC electric and communication lines within the bed of Lake Erie beginning at the shoreline approximately 2 miles west of the mouth of Elk Creek (Fairview SW, PA Quadrangle N: 42°, 00', 45"; W: -80°, 00', 45") in Springfield Township, Erie County and extending north and east approximately 35.4 miles to the US-Canada Border within Lake Erie at or near N: 42°, 25', 30"; W: -79°, 59', 30". The line will be directionally bored under the bluff and shoreline of Lake Erie from a bore pit located north of SR 5 approximately 560 feet south of the lake bluff (Fairview SW, PA Quadrangle N: 42°, 0', 42"; W: -80°, 24', 10") in Springfield Township, Erie County and emerging approximately 1,340 feet offshore in Lake Erie. The crossing of Lake Erie results in a total permanent impact of 5.62 acres, and a total temporary impact of 9.29 acres of lake bed during construction.

2. Buried HVDC electric and communications lines across a total of 15 streams including Crooked Creek, tributaries to Crooked Creek, and tributaries to Lake Erie, and across a total of 11 wetlands beginning at the proposed converter station along Lexington Road in Conneaut Township, Erie County and proceeding north through Conneaut, Girard, and Springfield Townships, Erie County approximately 7 miles to the bore pit south of the lake bluff in Springfield Township, Erie County. The wetland crossings result in a total permanent impact of 1.02 acre of wetland, including permanent conversion from PFO to PEM within right-of-way areas, and a total temporary impact of 0.31 acre of wetland.

3. Buried alternating current electric cables across a total of three wetlands beginning at the converter station and extending approximately 2,000 feet west to the existing PENELEC Erie West Substation in Conneaut Township, Erie County. The wetland crossings result in a total permanent impact of 0.10 acre of wetland, including permanent conversion from PFO to PEM within right-of-way areas, and a total temporary impact of 0.11 acre of wetland.

Compensatory mitigation for the project includes the creation of 0.77 acre of wetland (0.73 PFO, 0.04 PSS), restoration of 2.68 acres of wetlands (2.61 PFO, 0.07 PSS), enhancement of 0.95 acre of wetland (0.40 PFO, 0.55 PSS), preservation of surrounding upland forested buffer totaling 0.92 acre, and the creation of a 0.03 acre stormwater treatment wetland at a location along Springfield Road just north of I-90 (Albion, PA Quadrangle N: 41°, 57', 10"; W: -80°, 22', 18") in Girard Township, Erie County.

**E62-432, Sheffield Township**, P.O. Box 784, Sheffield, PA 16347. Dry Hydrant Installation, in Sheffield Township, **Warren County**, ACOE Pittsburgh District (Sheffield, PA Quadrangle N: 41°, 42', 6.2"; W: -79°, 1', 52.4").

Install and maintain three (3) dry hydrants consisting of PVC plastic pipe—six (6) inches in diameter with the first located at the Center Street bridge crossing of Twomile Run (HQ-CWF) (41°, 42', 6.2" N; -79°, 1', 52.4" W), the second near the Horton Avenue bridge crossing of Twomile Run (HQ-CWF) (41°, 42', 15.6" N; -79°, 1', 22.4" W), and the third located at the Henry's Mill Road bridge crossing of South Branch Tionesta Creek (HQ-CWF) (41°, 39', 50.4" N; -79°, 1', 27.2" W) all in Sheffield Township, Warren County.

**E25-784, Millcreek Township**. Joe's Gym Channel Dredging, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42° 04' 31", W: -80° 10' 20").

Perpetually remove, at an annual interval or as conditions warrant, accumulated sediment and debris from the stream channel of an unnamed tributary to Wilkins Run to original stream channel contours for a distance of approximately 480 feet beginning at the inlet of the West 26th Street culvert, located approximately 2,000 feet east of the West 26th Street and Asbury Road intersection, upstream to the outlet of the West 28th Street culvert (Swanville, PA Quadrangle N: 42° 04' 31", W: -80° 10' 20") in Millcreek Township, Erie County.

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

**E5829-118: Gibson and Herrick Townships**, Williams Field Services Company, LLC; Park Place Corporate

Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Gibson and Herrick Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary timber mat crossing impacting 147 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 47' 23", Longitude: -75° 34' 09"),

2) a temporary timber mat crossing impacting 82 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 47' 22", Longitude: -75° 34' 07"),

3) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 21", Longitude: -75° 34' 02"),

4) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 525 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 47' 21", Longitude: -75° 34' 02"),

5) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 56 lineal feet of Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 20", Longitude: -75° 33' 59"),

6) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 16", Longitude: -75° 33' 54"),

7) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 59 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 12", Longitude: -75° 33' 50"),

8) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 10", Longitude: -75° 33' 53"),

9) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 56 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 09", Longitude: -75° 33' 55"),

10) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 28 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 08", Longitude: -75° 33' 56"),

11) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 50 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

12) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 1,734 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

13) a temporary timber mat crossing impacting 921 square feet (0.02 acre) of a palustrine scrub-shrub



wetlands (PSS) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

14) a 16-inch diameter steel natural gas gathering pipeline crossing impacting 3 square feet (0.01 acre) of a palustrine scrub-shrub wetlands (PSS) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

15) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 60 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 51", Longitude: -75° 34' 04"),

16) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 2,648 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 34' 04"),

17) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 4,624 square feet (0.11 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 46' 48", Longitude: -75° 34' 05"),

18) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 17", Longitude: -75° 33' 29"),

19) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 56 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 06", Longitude: -75° 33' 48"),

20) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 54 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 06", Longitude: -75° 33' 48"),

21) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 3,259 square feet of floodway to an unnamed tributary to Bear Swamp Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 06", Longitude: -75° 33' 48"),

22) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 42 lineal feet of a tributary to Bear Swamp Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 45' 04", Longitude: -75° 35' 13").

The Tinglepaugh Pipeline project consists of constructing approximately 6.14 miles of 16" steel natural gas gathering line located in Gibson and Herrick Townships, Susquehanna County. The project will result in 665 lineal feet of temporary stream impacts, 9,760 square feet (0.22 acre) of temporary wetland impacts, and 924 square feet (0.02 acre) of permanent wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

**E0829-111: Appalachia Midstream, LLC**, 400 IST Center Suite 404, Horseheads, NY 14845, Smithfield and West Burlington 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 678 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41°49'08", Longitude: -76°36'56");

2. A 6-inch diameter natural gas line and a temporary timber mat bridge impacting 126 linear feet of an unnamed tributary to Tomjack Creek (TSF/MF) (Ulster, PA Quadrangle, Latitude: 41°48'36", Longitude: -76°37'13");

3. a 6-inch diameter natural gas line and a temporary timber mat bridge impacting 2,302 square feet of a Palustrine Forested Wetland and impacting 2,978 square feet of an Palustrine Emergent Wetland (Dushore, PA Quadrangle, Latitude: 41°48'30", Longitude: -76°37'13");

The project will result in 126 linear feet or 504 square feet of temporary stream impacts and 3,656 square feet (0.08 acre) of temporary PEM and 2,302 square feet (0.07 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Smithfield and West Burlington Township, Bradford County.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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.

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

ESCGP-2 # ESX11-073-0007—Mayberry Unit 2046 ESX Renewal  
Applicant R.E. Gas Development, LLC  
Contact Michael Endler  
Address 600 Cranberry Woods Drive  
City Cranberry Township State PA Zip Code 16066  
County Lawrence Township(s) Scott  
Receiving Stream(s) and Classification(s) UNT to Hot-tenbaugh Run TSF

## ESCGP-2 # ESG17-047-0003—E09-T

Applicant Seneca Resources Corp  
 Contact Douglas Kepler  
 Address 5800 Corporate Drive, Suite 300  
 City Pittsburgh State PA Zip Code 15237  
 County Elk Township(s) Jones  
 Receiving Stream(s) and Classification(s) South Fork  
 Straight Creek, Maple Run HQ, EV

## ESCGP-2 # ESX12-019-0148—Halterlein 2064 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 Butler Township(s) Mercer  
 Receiving Stream(s) and Classification(s) UNT Wolf Creek  
 CWF

## ESCGP-2 # ESX12-073-0014—Mahoning-Buckner Well Pad Renewal

Applicant Hilcorp Energy Company  
 Contact Stephanie McMurray  
 Address 1111 Travis Street  
 City Houston State TX Zip Code 77002  
 County Lawrence Township(s) Mahoning  
 Receiving Stream(s) and Classification(s) UNT to Mahoning  
 River

## ESCGP-2 # ESG15-019-0057A—Polaris Lateral Gathering Pipeline

Applicant ETC Northeast Pipeline, LLC  
 Contact Mr. Thomas Glisson  
 Address 7000 Stonewood Drive, Suite 351  
 City Wexford State PA Zip Code 15090  
 County Butler Township(s) Oakland  
 Receiving Stream(s) and Classification(s) UNT's to Pine  
 Run

## ESCGP-2 # ESG17-019-0011—Orion Well Pad

Applicant EM Energy Pennsylvania, LLC  
 Contact Mr. Hugh Caperton  
 Address 1800 Main Street, Suite 220  
 City Canonsburg State PA Zip Code 15317  
 County Butler Township(s) Washington  
 Receiving Stream(s) and Classification(s) Silver Creek,  
 Trib 49183 to Silver Creek, and Trib 49181 to Silver  
 Creek/Bear Creek Watershed

## ESCGP-2 # ESG17-047-0003—E09-T

Applicant Seneca Resources Corporation  
 Contact Mr. Douglas Kepler  
 Address 5800 Corporate Drive, Suite 300  
 City Pittsburgh State PA Zip Code 15237  
 County Elk Township(s) Jones  
 Receiving Stream(s) and Classification(s) South Fork  
 Straight Creek, Maple Run

## ESCGP-2 # ESG17-047-0002—E09 Access Road

Applicant Seneca Resources Corporation  
 Contact Douglas Kepler  
 Address 5800 Corporate Drive Ste 300  
 City Pittsburgh State PA Zip Code 15237  
 County Elk Township(s) Jones  
 Receiving Stream(s) and Classification(s) UNT to Crooked  
 Creek, Middle Fork East Branch Clarion River, 2 UNTs  
 to Maple Run, East Branch Clarion River Lake

## ESCGP-2 # ESG16-019-0030A—Paw Vault to Steiner Waterline

Applicant XTO Energy Inc.  
 Contact Ms. Melissa Breitenbach  
 Address 190 Thorn Hill Road  
 City Warrendale State PA Zip Code 15086

County Butler Township(s) Franklin Township  
 Receiving Stream(s) and Classification(s) UNT to Mulligan  
 Run (CWF)/Little Connoquenessing Creek (CWF)

## ESCGP-2 # ESX17-019-0001—Hofer Well Pad

Applicant R.E. Gas Development  
 Contact Mr. Michael Endler  
 Address 600 Cranberry Woods Drive  
 City Cranberry Township State PA Zip Code 16066  
 County Butler Township(s) Penn(s)  
 Receiving Stream(s) and Classification(s) Unnamed Tributary  
 to Glade Run Tributary 63726 to Glade Run

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

## ESCGP-2 # ESX29-115-16-0035(01)

Applicant Name Cabot oil & Gas Corp  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna  
 Township(s) Jessup  
 Receiving Stream(s) and Classification(s) Elk Lake  
 Stream (CWF-MF) and South Branch Wyalusing Ck  
 (WWF-MF)

## ESCGP-2 # ESG29-081-17-0009

Applicant Name EXCO Resources PA LLC  
 Contact Person Brian Rushe  
 Address 260 Executive Dr, Suite 100  
 City, State, Zip Cranberry Twp, PA 16066  
 County Lycoming  
 Township(s) Lycoming  
 Receiving Stream(s) and Classification(s) UNT to Stony  
 Gap Run (HQ-CWF); UNT to Little Gap Run (HQ-  
 CWF)  
 Secondary—Stony Gap Run (HQ-CWF); Little Gap Run  
 (HQ-CWF)

## ESCGP-2 # ESG29-115-17-0003

Applicant Name Cabot oil & Gas Corp  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna  
 Township(s) Bridgewater  
 Receiving Stream(s) and Classification(s) Pettis Creek  
 (WWF-MF) and unnamed tributaries thereto

## ESCGP-2 # ESG29-081-17-0020

Applicant Name ARD Operating LLC  
 Contact Person Stephen Barondeau  
 Address 33 W Third St, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming  
 Township(s) Gamble  
 Receiving Stream(s) and Classification(s) Miller Run  
 (EV); UNT to West Branch Murray Run (EV)  
 Secondary—Murry Run (EV); West Branch Murray Run  
 (EV)

## ESCGP-2 # ESX29-115-15-0050(01)

Applicant Name Williams Field Services Co LLC  
 Contact Person Barry Mahar  
 Address 2000 Commerce Dr  
 City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna  
 Township(s) Harford  
 Receiving Stream(s) and Classification(s) UNTs to Mar-  
 tins Ck (CWF-MF)

## ESCGP-2 # ESX29-117-17-0030

Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker

Address 150 N Dairy Ashford E1296E  
 City, State, Zip Houston, TX 77079  
 County Tioga  
 Township(s) Jackson  
 Receiving Stream(s) and Classification(s) Alder Run  
 (CWF)

ESCGP-2 # ESX29-117-17-0029  
 Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker  
 Address 150 N Dairy Ashford E1296E  
 City, State, Zip Houston, TX 77079  
 County Tioga  
 Township(s) Jackson  
 Receiving Stream(s) and Classification(s) Seeley Ck  
 (CWF); Bear Ck (CWF)

ESCGP-2 # ESG29-117-17-0016  
 Applicant Name HEP Tioga Gathering LLC  
 Contact Person Kevin Williams  
 Address 17806 IH-10 West, Suite 210  
 City, State, Zip San Antonio, TX 78257  
 County Tioga  
 Township(s) Liberty  
 Receiving Stream(s) and Classification(s) Blacks Ck  
 (CWF)

---

## SPECIAL NOTICES

---

### MUNICIPAL WASTE GENERAL PERMITS

---

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

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

**General Permit Numbers WMGM061 and WMGM020.** General Permit WMGM061 authorizes the processing and beneficial use of course or fine aggregate from municipal solid waste incinerator ash for use as an aggregate in construction material. WMGM020 authorizes the processing of ferrous/non-ferrous metal coated with ash residue that is recovered municipal waste incineration facilities. The proposed modification would consolidate General Permit Numbers WMGM061 and WMGM020, into a single general permit, WMGM061.

The proposed combination of these two general permits will result in one general permit that authorizes the processing of municipal solid waste incinerator ash and ash residue for the beneficial use of:

1. ferrous and nonferrous metals, and
2. course or fine aggregate for use as an aggregate in construction material.

The Department is authorized under the Solid Waste Management Act and 25 Pa. Code § 287.611 (relating to authorization for general permit) to modify general permits for any category of beneficial use or processing that results in beneficial use of residual waste on a statewide basis when the Department determines that the use will not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard permit conditions.

Written comments concerning these amendments should be directed to Chris Solloway, Solid Waste Program Specialist, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at [ra-epbenuseall@pa.gov](mailto:ra-epbenuseall@pa.gov). When submitting comment via e-mail, place "Comments on General Permit Number WMGR019" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

### RESIDUAL WASTE GENERAL PERMITS

---

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

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

**General Permit Application No. WMGR028 Base.** This permit authorizes the beneficial use of baghouse fines or scrubber pond precipitates, generated by hot-mix asphalt plants, as an aggregate in roadway construction, a soil additive, a soil conditioner, or a component or ingredient in the manufacturing of construction products. The Department re-organized and re-formatted General Permit No. WMGR028 for overall clarity and ease of use. The general permit was renewed by Central Office and became effective on August 1, 2017.

A person or municipality that proposes to beneficially use baghouse fines or scrubber pond precipitates by operating under the terms and conditions of this general permit after the date of permit renewal must apply for and obtain a Determination of Applicability prior to commencing authorized activities under this general permit. A completed application on forms available from the Department must be submitted to the appropriate Department Regional Office (see p. 12 of the general permit for a list of regional offices).

Persons interested in obtaining a copy of the renewed general permit can download a copy at <http://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Permitting/Pages/BeneficialUsePermits.aspx> or may request a copy by contacting the Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

### Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

*Northwest Region: Waste Management Program Manager, 230 Chestnut Street, Meadville, PA 16335.*

The Jefferson County Municipal Waste Plan Revision was conditionally approved on June 23, 2017, in accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101. The Revision

was submitted to the Department of Environmental Protection (Department) on April 24, 2017.

Persons aggrieved by an action may appeal, 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), 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 may contact the Environmental Hearing Board (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 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, 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.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning the approval should be directed to Regina Schweinsberg, Regional Recycling Coordinator, Waste Management Program, at 814-332-6981 or [rschweinsb@pa.gov](mailto:rschweinsb@pa.gov), or the previous Regional Office address.

[Pa.B. Doc. No. 17-1304. Filed for public inspection August 4, 2017, 9:00 a.m.]

### **Application Period for Municipal Recycling Program Performance Grant Applications under Act 101, Section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act—Calendar Year 2016; Extension of Application Deadline and Additional Information**

The Department of Environmental Protection (Department) announces revisions to the notice published at 47 Pa.B. 1917 (April 1, 2017) regarding applications for municipal recycling performance grant assistance under section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.904).

The revisions include an extension of the deadline for receipt of applications, additional information to applicants and a correction. The revisions are printed in bold as follows:

1) The grant applications deadline has been extended to **October 2, 2017**. Grant applications must be delivered by 4 p.m. or postmarked on or before **October 2, 2017**. Applications received by the Department after the deadline will be returned to the applicant.

2) Grant applications must be on forms provided by the Department for calendar year **2016**. The grant applications can be obtained from the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (search "Recycling Grants"). **The Department will no longer mail applications to previous applicants nor provide confirmation of receipt of an application. Applicants will be notified when their application has been processed for payment.**

Inquiries concerning this revised notice should be directed to Mark Vottero, Bureau of Waste Management, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472 or [mvottero@pa.gov](mailto:mvottero@pa.gov).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1305. Filed for public inspection August 4, 2017, 9:00 a.m.]

### **Availability of the 2016 Integrated Water Quality Monitoring and Assessment Report**

The Department of Environmental Protection (Department) is providing the 2016 Integrated Water Quality Monitoring and Assessment Report (Integrated Report) to the United States Environmental Protection Agency (EPA) for review and approval. The Integrated Report is available to the public and it includes both a narrative description of the Commonwealth's water quality management programs (formerly the Federal Clean Water Act section 305(b) Report) and waterbody-specific lists depicting the status of Commonwealth surface waters as required by section 303(d) of the Federal Clean Water Act (33 U.S.C.A. § 1313(d)). The Integrated Report underwent a 45-day public review and comment period from July 31, 2016, through September 12, 2016, during which the Department received 21 comments. Following this public review and comment, the Department addressed the comments and completed a Comment and Response document that is included as Appendix J to the Integrated Report.

Section 303(d) of the Federal Clean Water Act and 40 CFR Part 130 (relating to water quality planning and management) require states to identify waters which would be impaired, even after the appropriate pollution control technology has been applied to point sources and required best management practices are in place for nonpoint sources. The Integrated Report establishes five categories for listing the assessed waterbodies. Waterbodies that do not meet water quality standards and that require a Total Maximum Daily Load are placed on Category 5 of the Integrated Report waterbody list.

The Integrated Report and its related documents are available on the Department's eLibrary web site at <http://www.elibrary.dep.state.pa.us/> (select "Publications," then "Clean Water," then "2016 Pennsylvania Integrated Water Quality Monitoring and Assessment Report").

For questions regarding the Integrated Report contact the Water Quality Division at (717) 787-9637 or [RA-WQ Assessments@pa.gov](mailto:RA-WQ Assessments@pa.gov).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-1306. Filed for public inspection August 4, 2017, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Newborn Screening and Follow-Up Technical Advisory Board Meeting

The Newborn Screening and Follow-Up Technical Advisory Board, established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on Thursday, August 24, 2017, from 10 a.m. until 3 p.m. The meeting will be held at the Department of Transportation, Materials and Testing Laboratory, DGS Annex Complex, 81 Lab Lane, Harrisburg, PA 17110-2543. The agenda will include an update from the Bureau of Family Health on: data collected in connection with screening for lysosomal storage disorders, severe combined immunodeficiency and cystic fibrosis; NewSTEPS 360, the grant received to improve the timeliness of newborn screen; the implementation of the Natus Case Management System; and recent cytomegalovirus subcommittee activities. The agenda also will include: a

discussion of the proper plan of care in the event of detection of pseudodeficiency genes; treatment center grants; proposed legislation (HB 1081) that would affect newborn screening; and an update on the R4S pilot which is the use of the laboratory performance database. The subcommittees will provide updates.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Stacey Gustin, Public Health Program Manager, Division of Newborn Screening and Genetics, (717) 783-8143. Speech and/or hearing impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-1307. Filed for public inspection August 4, 2017, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Medical Assistance Program Fee Schedule Revisions; 2017 Healthcare Common Procedure Coding System Updates; Prior Authorization Requirements

The Department of Human Services (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after August 7, 2017.

The Department is adding and end-dating procedure codes as a result of implementing the 2017 updates made by the Centers for Medicare & Medicaid Services (CMS) to the Healthcare Common Procedure Coding System (HCPCS). The Department is also adding and end-dating other procedure codes and making changes to procedure codes currently on the MA Program Fee Schedule. As follows, some of the procedure codes being added to the MA Program Fee Schedule will require prior authorization. Fees for the new procedure codes will be published in an MA Bulletin that will be issued to all providers.

#### *Procedure Codes Being Added or End-dated*

The Department is adding the following procedure code and modifier combinations to the MA Program Fee Schedule as a result of the 2017 HCPCS updates:

#### *Procedure Codes and Modifiers*

27197	27197 (SG)	27198	27198 (SG)	28291 (SG)
28291 (RT)	28291 (LT)	28291 (50)	28291 (80) (RT)	28291 (80) (LT)
28291 (80) (50)	28295 (SG)	28295 (RT)	28295 (LT)	28295 (50)
28295 (80) (RT)	28295 (80) (LT)	28295 (80) (50)	31551	31551 (SG)
31552	31552 (SG)	31553	31553 (SG)	31554
31554 (SG)	31572 (SG)	31572 (RT)	31572 (LT)	31572 (50)
31573 (SG)	31573 (RT)	31573 (LT)	31573 (50)	31574 (SG)
31574 (RT)	31574 (LT)	31574 (50)	31591	31591 (SG)
31592	33390	33390 (80)	33391	33391 (80)
36456	36901	36901 (SG)	36902	36902 (SG)
36903	36903 (SG)	36904	36904 (SG)	36905
36905 (SG)	36906	36906 (SG)	36907	36908
36909	37246	37246 (SG)	37247	37248
37248 (SG)	37249	62320	62320 (SG)	62321
62321 (SG)	62322	62322 (SG)	62323	62323 (SG)
62324	62324 (SG)	62325	62325 (SG)	62326
62326 (SG)	62327	62327 (SG)	76706	76706 (TC)
76706 (26)	77065	77065 (TC)	77065 (26)	77066
77066 (TC)	77066 (26)	77067	77067 (TC)	77067 (26)
80305	80305 (QW)	80306	80307	81413
81414	84410	84410 (FP)	90682	92242
92242 (TC)	92242 (26)	96160	96160 (FP)	96377
97161 (U8)	97162 (U8)	97163 (U8)	97164	97165 (U8)
97166 (U8)	97167 (U8)	97168	99151	99152
99152 (FP)	99153	99153 (FP)	99155	99156
99156 (FP)	99157	99157 (FP)	A4224	A4225
A4553	G0499	G0499 (FP)	G0659	L1851 (RT)
L1851 (LT)	L1851 (50)	L1852 (RT)	L1852 (LT)	L1852 (50)

The Department is adding the following procedure code and modifier combinations to the MA Program Fee Schedule based upon provider requests or clinical review:

*Procedure Codes and Modifiers*

44203	44203 (80)	44205	44205 (80)	81512
90625	T2101			

The Department is end-dating the following procedure codes from the MA Program Fee Schedule as a result of the 2017 HCPCS updates:

*Procedure Codes*

11752	21495	22305	27193	27194	28290
28293	28294	31582	31588	33400	33401
33403	35450	35458	35471	35472	35475
35476	36147	36148	36870	62310	62311
62318	62319	75791	75962	75964	75966
75968	75978	77051	77052	77055	77056
77057	80300	80301	80302	80303	80304
81280	81281	81282	92140	93965	97001
97002	97003	97004	B9000	G0437	G0477
G0478	G0479	K0901	K0902	S8032	

No new authorizations will be issued for the procedure codes being end-dated on and after August 7, 2017. For any of the previously listed procedure codes that had a prior authorization issued before August 7, 2017, providers should submit claims using the end-dated procedure code, as set forth in the authorization issued by the Department. The Department will accept claims with the end-dated procedure codes until August 7, 2018, for those services that were previously prior authorized.

*Prior Authorization Requirements*

The following laboratory procedure codes being added to the MA Program Fee Schedule will require prior authorization, as authorized under section 443.6(b)(7) of the Human Services Code (code) (62 P.S. § 443.6(b)(7)), and as described in the MA Provider Handbook which may be viewed online at <http://www.dhs.pa.gov/publications/forproviders/promise-providerhandbooksandbillingguides/index.htm#VxaJ1E32ZtQ>.

*Procedure Codes*

81413	81414	81512
-------	-------	-------

The Department will require prior authorization of procedure code T2101 for pasteurized donor human milk being added to the MA Program Fee Schedule, as authorized under section 443.6(b)(7) of the code.

The following orthoses procedure code and modifier combinations being added to the MA Program Fee Schedule will require prior authorization, as authorized under section 443.6(b)(1) of the code:

*Procedure Codes*

L1851 (RT)	L1851 (LT)	L1851 (50)
L1852 (RT)	L1852 (LT)	L1852 (50)

*Updates to Procedure Codes Currently on the MA Program Fee Schedule*

*Modifier Updates*

*QW Modifier*

The Department is adding the QW (Clinical Laboratory Improvement Amendments (CLIA) waived test) informational modifier and QW with the Family Planning (FP) modifier, when applicable, to the following procedure codes and the Provider Type (PT)/Specialty (Spec)/Place of Service (POS) combinations on the MA Program Fee Schedule for laboratory tests that CMS identifies as CLIA waived tests. This information is described in MA Bulletin 01-12-67, Clinical Laboratory Improvement Amendments Requirements, which may be viewed online at <http://www.dhs.pa.gov/publications/bulletinsearch/bulletinselected/index.htm?bn=01-12-67#VxaDYE32ZtQ>.

<i>Procedure Code</i>	<i>PT/Spec/POS</i>	<i>Modifiers</i>
87633	01/016/23 (emergency room arrangement 1)	QW
	01/017/23 (emergency room arrangement 2)	QW
	01/183/22 (outpatient hospital clinic)	QW
	28/280/81 (independent laboratory)	QW
G0472	01/183/22	QW; QW FP
	28/280/81	QW; QW FP

The Department is also adding the PT/Spec/POS and modifiers, as indicated, to the following laboratory procedure codes on the MA Program Fee Schedule as a result of the latest tests listed by CMS as CLIA waived tests.

<i>Procedure Code</i>	<i>PT/Spec/POS</i>	<i>Modifier</i>
86803	08/082/49 (independent medical/surgical clinic)	No modifier; QW; FP; QW FP
	08/083/22 (outpatient family planning clinic)	FP; QW FP
	08/083/49 (independent family planning clinic)	FP; QW FP
	09/All/11 (certified registered nurse practitioner)	No modifier; QW; FP; QW FP
	31/All/11 (physician)	No modifier; QW; FP; QW FP
87633	33/335/11 (certified nurse midwife)	No modifier; QW; FP; QW FP
	08/082/49	No modifier; QW
	09/All/11	No modifier; QW
	31/All/11	No modifier; QW
G0472	33/335/11	No modifier; QW
	08/082/49	No modifier; QW; FP; QW FP
	08/083/22	FP; QW FP
	08/083/49	FP; QW FP
	09/All/11	No modifier; QW; FP; QW FP
	31/All/11	No modifier; QW; FP; QW FP
	33/335/11	No modifier; QW; FP; QW FP

#### *Open Places of Service*

The Department is opening POS 22 (outpatient hospital) for the following procedure codes and PT/Spec combinations, as indicated, as the Department has determined that these settings are appropriate for the performance of these services:

<i>Procedure Code</i>	<i>PT/Spec</i>	<i>POS</i>
99241	14/140 (podiatrist)	22
	31/All	
99242	14/140	22
	31/All	
99243	14/140	22
	31/All	
99244	14/140	22
	31/All	
99245	14/140	22
	31/All	

#### *End-Date Places of Service*

The Department is end-dating POS 21 (inpatient hospital) for the following procedure codes and PT/Spec combination 27 (Dentist)/All because the service is performed only in the outpatient setting:

#### *Procedure Codes*

99241	99242	99243	99244	99245
-------	-------	-------	-------	-------

#### *Service Limits*

The MA Program has established service limits for some of these procedure codes. When a provider determines that a MA beneficiary is in need of a service or item in excess of the established limits, the provider may request a waiver of the limits through the 1150 Administrative Waiver (Program Exception) process. For instructions on how to apply for a Program Exception, refer to the provider handbook at [http://www.dhs.pa.gov/publications/forproviders/promiseproviderhandbooksandbillingguides/index.htm#.Vvj\\_vk32ZtR](http://www.dhs.pa.gov/publications/forproviders/promiseproviderhandbooksandbillingguides/index.htm#.Vvj_vk32ZtR).

#### *Managed Care Delivery System*

MA Managed Care Organizations (MCO) are not required to impose the service limits that apply in the MA Fee-for-Service (FFS) delivery system, although they are permitted to do so. MA MCOs may not impose service limits that are more restrictive than the service limits established in the MA FFS delivery system. An MA MCO that chooses to establish service limits must notify their network providers and members of the limits before implementing the limits.

#### *Fiscal Impact*

The estimated cost for Fiscal Year 2017-2018 is \$0.522 million (\$0.252 million in State funds). The estimated cost for Fiscal Year 2018-2019 is \$0.696 million (\$0.335 million in State funds).

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

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

THEODORE DALLAS,  
*Secretary*

**Fiscal Note:** 14-NOT-1169. (1) General Fund; (2) Implementing Year 2017-18 is \$252,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$335,000; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) MA—FFS; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1308. Filed for public inspection August 4, 2017, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. § 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Lamar Township, Clinton County. The parcel contains 0.458 acre (19,984.03 square feet) of improved land situated at 553 Long Run Road, Mill Hall, PA. The estimated fair market value is \$13,200.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to the Department of Transportation, Engineering District 2-0, Attention: John R. Gaylor, Right-of-Way Administrator, 70 PennDOT Drive, Clearfield, PA 16830-5061.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-1309. Filed for public inspection August 4, 2017, 9:00 a.m.]

## GAME COMMISSION

### Chronic Wasting Disease—Designation of Disease Management Areas and Endemic States and Canadian Provinces Order # 2

#### Executive Order

*Whereas*, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the family Cervidae (deer, elk or moose, and other susceptible species, collectively called cervids); and

*Whereas*, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

*Whereas*, CWD is designated as a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases).; and

*Whereas*, The Game and Wildlife Code (Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated

thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

*Whereas*, On March 28, 2017, the Commission added 58 Pa. Code § 137.35 (relating to Chronic Wasting Disease Restrictions) to give more permanent status and structure to the CWD requirements and restrictions previously established and maintained over the past decade by and through executive orders; and

*Whereas*, Section 137.35(d) provides the Executive Director with the authority to designate CWD Disease Management Areas (DMAs) within this Commonwealth; and

*Whereas*, Section 137.35(d) also provides the Executive Director with the authority to designate CWD-endemic States or Canadian Provinces; and

*Whereas*, The Commission has determined that designation of CWD DMAs and CWD-endemic States and Canadian Provinces is necessary to fully implement these programmatic amendments to the Commission’s CWD program; and

*Whereas*, A previous executive order concerning designation of CWD DMAs and CWD-endemic States and Canadian Provinces within this Commonwealth was issued by the Commission on June 1, 2017 and published in the *Pennsylvania Bulletin* on June 17, 2017 at 47 Pa.B. 3469.

*Now Therefore*, I, BRYAN J. BURHANS, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. DMAs within this Commonwealth are designated as set forth below. These DMAs are more graphically illustrated on the maps titled “DMA2” and “DMA3” attached hereto and incorporated by reference herein. Should any conflict exist between the below-listed written boundaries and maps of DMA 2 and DMA3, the written descriptions shall prevail.

a. *DMA 1*: Eliminated.

b. *DMA 2*: Adams, Bedford, Blair, Cambria, Clearfield, Cumberland, Franklin, Fulton, Huntingdon and Somerset counties, bounded and described as follows: Beginning in the Southeastern extent of the DMA at the intersection of Taneytown Road (State Highway 134) and the Maryland State Line, proceed north on Highway 134 for approximately 7.4 miles to the intersection of Steinwehr Avenue in Gettysburg. Follow right on Steinwehr Avenue to Baltimore Street. Follow left on Baltimore Street through downtown Gettysburg. Proceed halfway around the traffic circle at the square unto Carlisle Street (State Highway 34). The DMA boundary follows Highway 34 north for approximately 23.1 miles to the intersection of



the Baltimore Avenue (State Highway 94). Follow Highway 94 north for approximately 3 miles to the intersection of W. Old York Road (State Highway 174). Turn left and follow Highway 174 west for approximately 18.1 miles to US Highway 11 in Shippensburg. Follow US Highway 11 south for approximately 1.25 miles to the intersection of State Highway 533. Turn right the DMA boundary follows Highway 533 for approximately 4.6 miles to the intersection of State Highway 433 in Orrstown. Turn right and the boundary follows Tanyard Hill Road (State Highway 433) north for approximately 1.75 miles to the intersection of State Highway 997. Follow route 997 north for approximately 3.1 miles to the intersection of State Highway 641. Turn left and the boundary follows State Highway 641 (Forge Hill Road) for approximately 17.5 miles to the intersection of US Highway 522 near Shade Gap. The DMA boundary follows US Highway 522 east for approximately 5.6 miles to the intersection of State Highway 994 (Elliot Street) in Orbisonia. Proceed left on route 994 and follow westward for approximately 8.2 miles to the intersection of State Highway 655. Turn right and the boundary follows Highway 655 north for approximately 16.9 miles to the intersection of US Highway 22. The DMA boundary follows US Highway 22 west for 16.6 miles to State Highway 453, then north along State Highway 453 for 20.5 miles to intersection of State Highway 253. Follow State Highway 253 south for 8.1 miles to State Highway 53 in Van Ormer. The DMA continues on State Highway 53 south for 1.7 miles to Marina Road. At Marina Road the boundary follows for 5.5 miles to the intersection of Glendale Lake Road. Continue left on Glendale Lake Road and in 3 miles join onto State Highway 36. The DMA boundary follows State Highway 36 west into the town of Patton and then straight onto Magee Avenue to the intersection of 5th Avenue. Continue south on 5th Avenue for about .3 miles where the road becomes Mellon Avenue. Continuing on Mellon Avenue for .4 miles the road becomes Carroll Road once in East Carroll Township. The boundary continues south on Carroll Road for 3.7 miles to State Highway 219 in Carrolltown. The DMA boundary follows State Highway 219 south for 26.7 miles to State Highway 56 East and then follows State Highway 56 east for 3.9 miles to State Highway 160. Following State Highway 160 southward the boundary continues for 26.5 miles to the borough of Berlin, then west through downtown Berlin on State Highway 2030 (Main Street) for 0.44 miles to the intersection of State

Highway 219. Finally south along State Highway 219 for 20.6 miles to the Maryland border.

c. *DMA3*: Clearfield and Jefferson Counties, Pennsylvania, bounded and described as follows: Beginning in the Northwest corner of the DMA at the intersection of State Highway 36 and Interstate 80 (I-80), proceed east on I-80 for 27 miles to where Anderson Creek Road intersects I-80. Continue southwest on Anderson Creek Road for 1.8 miles to Home Camp Road (State Route 4016). Follow Home Camp Road south for 2.5 miles to the intersection with US Highway 322 (Rockton Mountain Highway). Continue west on US Highway 322 for 4 miles to US Highway 219, then south on along US Highway 219 for 20.25 miles to the intersection with State Highway 36. Continue west on the US 219/State Highway 36 overlap for 2.25 miles, then continue north on State Highway 36. Follow State Highway 36 (Colonel Drake Highway) northwest for 32.5 miles to its intersection with US Highway 322 (Main Street) in Brookville. Continue west on State Highway 36's overlap with US Highway 322 for approximately 0.75 miles, then continue north on State Highway 36 for 0.5 mile to the intersection with I-80.

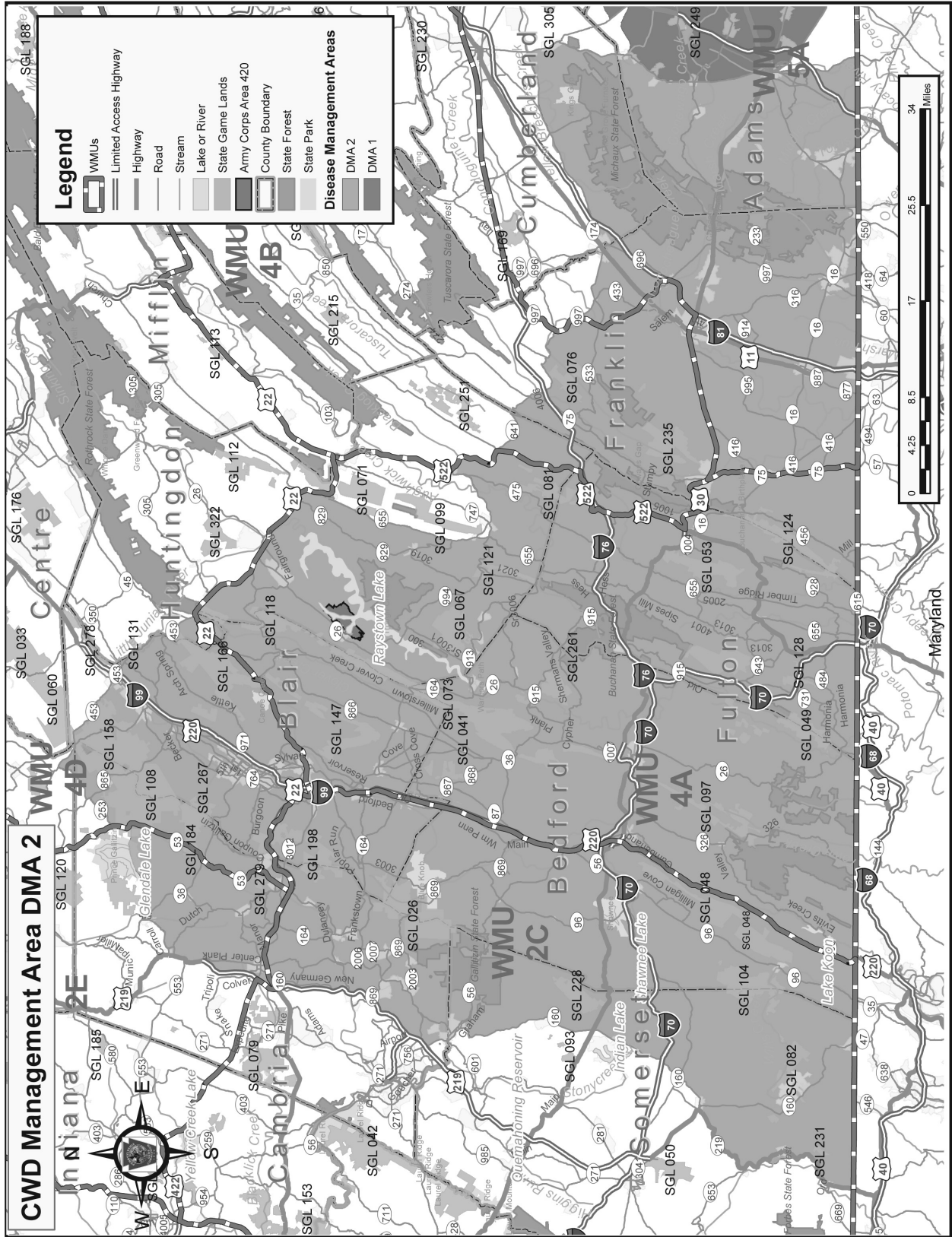
2. CWD-endemic States or Canadian Provinces are designated to include the following specific States and Canadian Provinces: Alberta, Arkansas, Colorado, Illinois, Iowa, Kansas, Maryland (only Allegany and Washington Counties), Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York (only Madison and Oneida Counties), North Dakota, Ohio (only Holmes County), Oklahoma, Saskatchewan, South Dakota, Texas, Utah, Virginia (only Frederick, Shenandoah, Warren, and Clarke Counties), West Virginia (only Hampshire, Hardy and Morgan Counties), Wisconsin, and Wyoming.

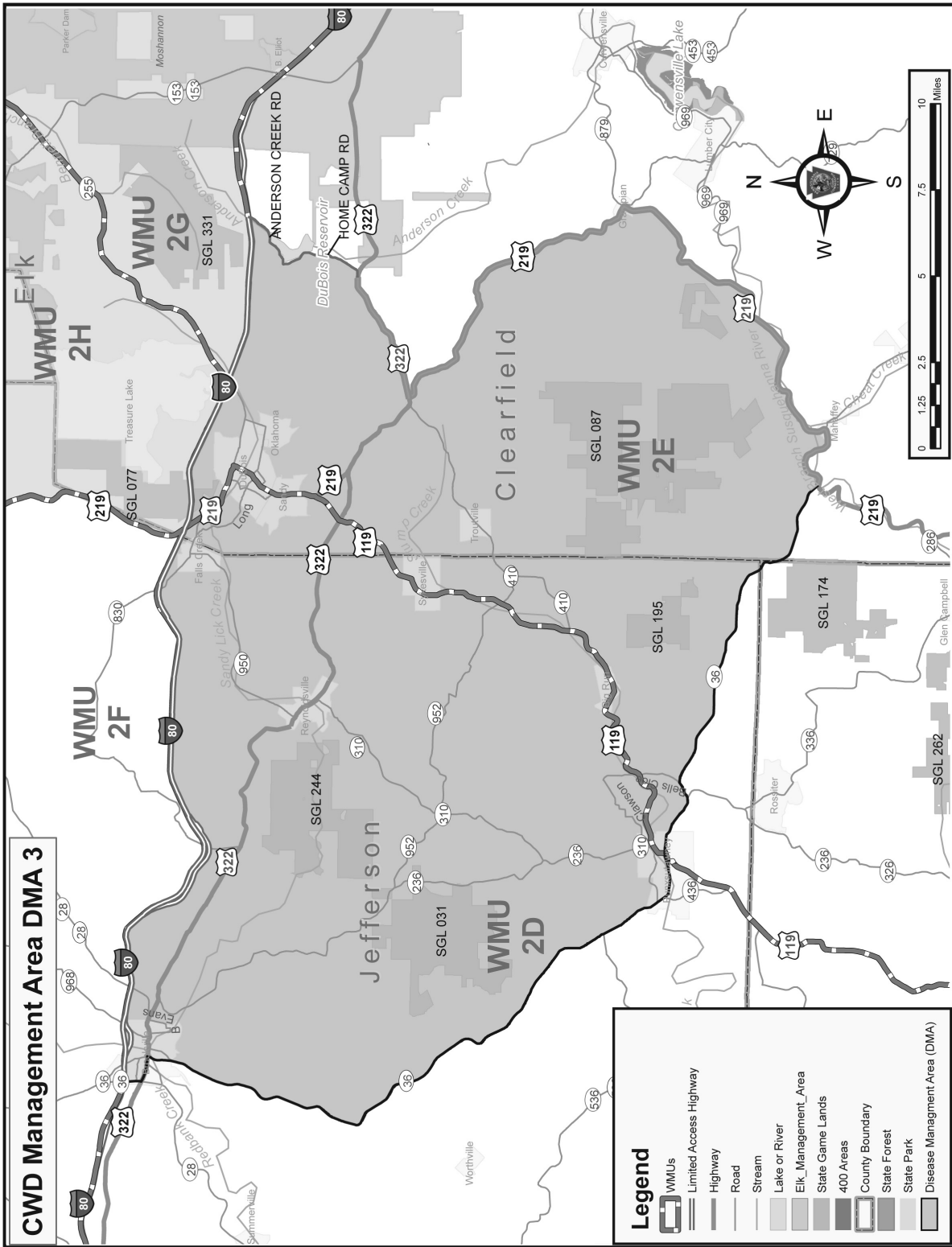
3. The previous executive order concerning designation of CWD DMAs and CWD-endemic States and Canadian Provinces within this Commonwealth that was issued by the Commission on June 1, 2017 and published in the *Pennsylvania Bulletin* on June 17, 2017 at 47 Pa.B. 3469 is hereby rescinded in its entirety and replaced by this Order.

4. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 24th day of July, 2017.

BRYAN J. BURHANS,  
*Executive Director*





[Pa.B. Doc. No. 17-1310. Filed for public inspection August 4, 2017, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agencies must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-499	Environmental Quality Board Radiological Health 47 Pa.B. 2722 (May 13, 2017)	6/26/17	7/26/17
54-91	Pennsylvania Liquor Control Board Return of Liquor 47 Pa.B. 2978 (May 27, 2017)	6/26/17	7/26/17

### **Environmental Quality Board Regulation # 7-499 (IRRC # 3169)**

#### **Radiological Health**

**July 26, 2017**

We submit for your consideration the following comments on the proposed rulemaking published in the May 13, 2017 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (RRA) (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

#### **1. General—Economic impact; Protection of the public health; Less intrusive alternatives for small business; Implementation procedures; Reasonableness; Feasibility; Need; Possible conflict with existing regulations; Clarity.**

##### *Advances in equipment technology*

The Preamble states the EQB has not updated its regulations since 2009. Allegheny Health Network commented that “the rapid technological changes occurring in diagnostic images, including computerization and automation, require additional flexibility in these proposed regulations to allow appropriate responses to these ever accelerating changes and improvements.” Allegheny Health Network suggests relying more on the Qualified Medical Physicist (QMP) expertise and is concerned that detailed regulations will quickly become outdated and irrelevant. Another comment describes equipment that self-calibrates. In other instances, commentators describe computer controlled technology that incorporates internal controls to shut down the equipment if it is not used safely. In light of the public comments, we are concerned that, despite an allowance for exemptions such as Section 215.31, portions of the proposed regulatory scheme will quickly become outdated. We recommend that the EQB reconsider the regulatory scheme of using prescriptive requirements and, where possible and appropriate, provide flexibility to accommodate advances in technology that are presently occurring and are certain to occur in the future. The EQB should also consider whether more reliance on the QMP might better accommodate advances in technology and better implement safety.

##### *Department of Health regulations*

Regulatory Analysis Form (RAF) 13 asks the promulgating agency: “Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.” The response to RAF 13 explains the Department of Environmental Protection’s (Department) authority and states that “The Department of Health may have regulations regarding radiation. However, DEP’s radiological health regulations would supersede them.” Why didn’t the response include citations to the Department of Health regulations that address radiology including 28 Pa. Code Chapters 127 (relating to radiology services) and 565 (relating to laboratory and radiology services)? While RAF 13 explains that the Department’s regulation would supersede Department of Health regulations, the regulated community must comply with both regulations. How was the development of this regulation coordinated with the Department of Health to make sure there are no conflicts? We recommend that the EQB provide in the final regulation submittal an explanation of how it coordinated its regulation with the Department of Health regulations to make sure there are no conflicts for the regulated community.

##### *Definitions*

Commentators identified several terms that are defined, but not used in the regulation. As an example, our search for the defined phrase “Medical reportable event for radiation-producing diagnostic or interventional X-ray procedures” did not find this term used in the body of either the proposed regulation or the existing regulation. In other instances, such as the terms “ALARA—as low as reasonably achievable” and “Blind study” defined in Section 240.3, these terms are only used once in the proposed regulation (Sections 240.305 and 240.203(a)(5), respectively). It would be clearer to include an explanation of these terms in those sections rather than defining them in Section 240.3. Therefore, we ask the EQB to review all of the proposed definitions to eliminate terms not used in the body of the regulation, make sure defined terms are used consistently in the body of the regulation, and consider whether definitions are needed for terms in instances where the terms are only used once.

*Preamble*

In our review of regulations, we refer to the Preamble for an explanation of the amendments, including the need for the amendment. The Preamble to the proposed regulation does not include all amendments and also does not explain why certain amendments are needed. For the final regulation, the Preamble should be amended to include these explanations.

*Compliance costs*

The Preamble explains costs imposed by the regulation including costs relating to Qualified Medical Professionals and radon certification. However, the response to RAF 18 states there are no costs or adverse effects associated with the proposed rulemaking. How are these explanations consistent with each other? Furthermore, commentators believe the proposed regulation imposes operational costs, supervisory costs and compliance costs relating to outdated regulations. We ask the EQB to review and amend the responses in the Preamble and the RAF for the final regulation.

*Business days*

Several provisions require notice to the Department within a specific time period such as five days or 10 days. Commentators asked that these time periods be business days rather than calendar days. We agree.

**2. Section 219.3. Definitions.—Clarity.***Medical reportable event for radiation-producing diagnostic or interventional X-ray procedures*

If this definition is retained in the final regulation, we have two comments. First, Paragraph (i) specifies a dose of “3 Gy (300 rad).” Commentators questioned this dose and believe it is too low. The EQB should explain why 3 Gy is the appropriate dose.

Second, this definition uses the phrase “unintended dose.” The phrase “unintended dose” is defined in Section 221.2. Should this definition also be included in Section 219.3?

**3. Section 219.229. Other medical reports.—Clarity.***Subsection (b)*

The phrase “medical event” is used in this subsection. However, it is not clear what constitutes a “medical event” that would require reporting. Should this subsection use the defined term “Medical reportable event for radiation-producing diagnostic or interventional X-ray procedures”?

**4. Section 221.2. Definitions.—Protection of the public health.***QMP—Qualified medical physicist*

The American Association of Physicists in Medicine (AAPM) commented that this definition is insufficient to ensure that individuals providing the designated medical physics services are qualified to do so. AAPM provides suggestions for amending the definition. We recommend that the EQB consider incorporating AAPM’s suggested revisions into the final regulation, or explain why it is not in the public interest to do so.

**5. Section 221.11. Registration responsibilities.—Clarity; Protection of the public health.**

Paragraphs (b)(1) and (2) require continuing education, but the regulation does not specify the number of hours. We recommend adding the required number of hours in the final regulation.

**6. Section 221.16. Training, competency and continuing education.—Clarity; Protection of the public health.**

Subparagraphs (b)(1)(i) and (ii) require continuing education, but the regulation does not specify the number of hours. We recommend adding the required number of hours in the final regulation.

**7. Section 240.2. Scope.—Protection of the public health; Clarity; Reasonableness; Implementation procedures.**

The Preamble explains that there are two proposed amendments to this section:

Proposed amendments to § 240.2 (relating to scope) revise certification exceptions from the building that the person occupies to the building in which the person resides for clarity. A new certification exception is proposed to be added to clarify existing requirements for employees of local governments and schools who perform radon testing.

Several public comments were submitted on this section. Some comments addressed proposed amendments and some addressed existing language that was not proposed for revision. For example, S.W.A.T. Environmental of Pennsylvania believes existing language in Paragraph (a)(2) violates the statute and does not adequately protect the public health. A.B.E. Radiation Measurements Laboratory’s comments address concerns with amendments to Sections (a)(4), (a)(4)(ii) and (a)(5).

There appears to be concerns and confusion with Section 240.2, which sets the scope for all of Chapter 240, relating to Radon Certification. We recommend that the EQB review this entire section and work with the regulated community to clarify the scope of Chapter 240.

**8. Section 240.3. Definitions.—Clarity; Reasonableness.***ALARA—as low as reasonably achievable*

The definition of this term is vague and unreasonable because it sets a standard of “making every reasonable effort” to limit exposure and “taking into account economic considerations and other societal concerns.” These phrases are subjective and do not set a clear standard for compliance. What would meet the standard of every reasonable effort? What economic considerations must be considered? What constitutes a societal concern that must be considered? As noted above under Comment 1, it may be clearer to delete ALARA from Section 240.3 and specify the practices that must be followed in Section 240.305, which appears to be the only section of the regulation where ALARA is referenced.

**9. Section 240.101. Requirements for radon testing certification.—Need; Reasonableness; Economic impact.***Subsection (b)*

This subsection is amended from allowing “at least one person certified to test” to “one individual certified to test.” Commentators explained the new language presents problems when a single person is not available due to illness, quitting or retirement. We agree that the new language is unnecessarily restrictive. We recommend maintaining the existing language. Alternatively, the EQB should explain the need for, reasonableness and economic impact of precluding a firm from employing more than one individual who is certified to test. This same concern

applies to similar amendments or language proposed for Subsections (b) in Sections 240.102, 240.121 and 240.122.

**10. Section 240.102. Prerequisites for radon testing certification.—Need; Reasonableness; Economic impact; Less costly and less intrusive alternatives.**

*Need for and less intrusive alternatives to requiring written approval from the Department*

We have several concerns with this section of the regulation as set forth in the following discussion. Our concerns relate to the following criteria found in the RRA:

- Economic impact including:
  - Adverse effects on prices of services, and
  - Costs to the private sector;
- Need for the regulation;
- Reasonableness of requirements; and
- Whether a less costly or less intrusive alternative method of achieving the same goal of the regulation has been considered for regulations impacting small business.

We ask the EQB to carefully consider these criteria in its responses to the comments on this section, as well as similar provisions in Sections 240.112 and 240.122 cited at the conclusion of this comment.

*Subparagraph (b)(1)(ii)*

This provision states certification is void: “. . .until the Department approves in writing the firm owner’s written and signed request for a certified individual to be in responsible charge of that firm’s radon testing activities.” The proposed amendment replaces a relatively simple notice to the Department with an indefinite time period during which the firm would be out of business while waiting for written approval from the Department. The Preamble description does not include this proposed amendment. Therefore, the EQB has not provided an explanation of the need for the amendments and it is not clear whether the economic impact of this amendment is included in the EQB’s cost analysis of this regulation.

In determining whether the regulation is in the public interest, the criteria in the RRA require us to consider whether a less costly and less intrusive alternative method of achieving the goal of the regulation has been considered for regulations impacting small business. A firm may lose its certified individual on very short notice and may find a new certified individual quickly. Under existing regulation, this process could potentially be completed in a day, particularly because it is in the firm’s business interest to do so. The regulation fails to specify a time period for the Department to respond. For these reasons, we recommend deleting this amendment. Alternatively, the EQB should explain the costs imposed by the amendment, how those costs are justified and how it considered less costly and less intrusive alternatives, including retaining the existing regulation.

*Paragraph (b)(2)*

This paragraph adds a new requirement that the firm’s certified individual may not also be a testing firm employee. What is the reason for this requirement? The Preamble does not include this addition and therefore does not explain the need for it. A commentator questioned why this provision was added. We agree that the EQB has not provided an explanation of the need for, reasonableness and economic impact of adding this provision. We recommend deleting it unless the EQB can provide justification for adding it.

*Paragraph (b)(3)*

This provision requires a notice by the firm’s certified individual to invalidate an employee’s Department listing. Why wouldn’t notice be the responsibility of the firm owner?

*Paragraph (b)(4)*

This paragraph states a testing firm may list a maximum of five testing firm employees at one time. The Preamble states this limit is to “ensure adequate responsible charge by the certified individual.” We agree with several commentators who do not believe the EQB has provided adequate support for the need for, reasonableness and economic impact of this provision. Therefore, we recommend deleting this provision. Alternatively, if the EQB retains a limit in the final regulation, it should explain its authority to impose a limit, provide support for the need for a limit including supporting data, explain how the limit was determined, provide an analysis of the economic impact of the limit on businesses, and explain why the limit is in the public interest.

*Paragraph (b)(7)*

Should the Department’s written approval be to the firm’s owner rather than the firm’s certified individual?

*Subsections 240.112(b) relating to radon mitigation certification and 240.122(b) relating to laboratory certification*

These concerns with Subsection 240.102(b) also apply to similar requirements in Subsections 240.112(b)(1)(ii), (2), (3), (5) and (7), relating to radon mitigation certification and 240.122(b)(1)(ii), (2), (3) and (6) relating to laboratory certification.

**11. Section 240.103. Radon testing application contents.—Need.**

*Paragraph (a)(3)*

This paragraph requires the applicant’s date of birth. Commentators questioned the need for the date of birth. We also question how the Department will use the applicant’s date of birth. Is the intent to limit the age of an applicant? The EQB should explain the need for this requirement. The same questions apply to Paragraphs 240.113(a)(3) and 240.123(a)(3).

**12. Section 240.306. Continuing education program.—Clarity; Need; Reasonableness; Economic impact.**

A commentator questions the last sentence of this section which states continuing education hours may only be used for one certification period for each certification activity. If a person is certified as both a tester and a laboratory, are 16 or 32 hours of continuing education required? The explanation of this amendment is not clear in the Preamble. We recommend that the EQB clearly establish in the regulation the number of continuing education hours required. Furthermore, if it is the EQB’s intent to require 32 hours for those certified in two areas, the EQB should explain why the continuing education hours should not apply to both certifications.

**13. Section 240.308. Radon mitigation standards.—Reasonableness; Feasibility; Clarity.**

*Subsection (a)*

We have three concerns. First, this subsection states a terminal discharge must meet “all” of the seven requirements listed. However, the requirements then describe different discharge scenarios, such as vent pipes attached

to the side of the building and vent pipes that penetrate the roof. Would a vent pipe typically be attached to the side of a building and penetrate the roof? If not, the discharge would not meet “all” of the seven requirements. We recommend rephrasing Subsection (a).

Second, Paragraph (6) requires a termination point to be 10 feet or more horizontally from a vertical wall that extends above the roof. Could the termination point also comply by extending above the vertical wall that extends above the roof?

Third, Subsection (a) uses the term “conditioned spaces,” whereas Subsection (b) uses the term “heated or cooled space of a building.” Is there a difference? If so, the EQB should explain the difference in the regulation. If not, the same terminology should be used in both subsections.

#### *Subsection (c)*

In Subparagraph (3)(i) should the word “cost” be used rather than “penalty”?

In Subparagraph (3)(ii) would the “efficiency” of the radon mitigation system be decreased or the “effectiveness”?

#### **14. Section 240.309. Testing protocols.—Clarity.**

##### *Clause (a)(4)(v)(G)*

This provision states the mitigation system must be functioning during the test period. A commentator questioned what to do if the mitigation system isn’t working. The final regulation should address the situation where a mitigation system is not working.

##### *Subparagraph (a)(6)(i)*

This subparagraph requires testing devices to be “secured against movement by employing anti-tampering methods.” This requirement is vague and it is not clear what actions would be required to comply. This provision should be rewritten to provide clear direction on how to comply.

#### **15. Miscellaneous clarity.**

- Should the definition of “General supervision” in Section 221.2 state “by a licensed practitioner” rather than “of a licensed practitioner”?

- In Paragraphs 221.65(1) and (3), the phrasing of the exemption is not clear. Would these paragraphs be clearer by stating “the CT system is exempt from Section. . . .”?

- Paragraph 221.204(c)(1) requires surveys in certain circumstances. A timeframe to complete the surveys should be added.

- Should Section 223.22 also include research on animals?

#### **Pennsylvania Liquor Control Board Regulation # 54-91 (IRRC # 3170)**

##### **Return of Liquor**

**July 26, 2017**

We submit for your consideration the following comments on the proposed rulemaking published in the May 27, 2017 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Liquor Control Board (Board) to respond to all comments received from us or any other source.

#### **1. Determining whether the regulation is in the public interest; Reasonableness of requirements, implementation procedures and timetables for compliance by the public and private sectors; and Economic or fiscal impact.**

The Preamble submitted with the proposed regulation provides a general overview of the amendments to Chapter 11 and Chapter 9. However, it does not include a description or rationale for each section under the new Subchapter O (Return of Liquor to the Board by Licensees). This Commission is unable to determine if the regulation is in the public interest without this information. In the Preamble to final-form regulation, we ask the Board to provide a description for each section of the rulemaking and an explanation of why the language is needed.

##### *Time limits*

The Board states that time limits within which products may be returned are based on its operational needs and believes they are reasonable relative to each stated reason for return. In Section 11.232 (relating to Defective products) and Section 11.233 (relating to Error in products delivered) licensees may return products that are defective or incorrect within 15 days of delivery or pick up. Similarly, in Sections 11.236 and 11.237 products that have been changed or discontinued by the manufacturer or importer may be returned within 30 days of delivery or pick up. How did the Board determine that the time limits were reasonable for the regulated community to comply? The Board should explain in the Preamble to the final regulation its rationale for the proposed time limits.

We note that Sections 11.234—11.237 are conditions beyond the control of the licensee. It is unclear from the Preamble why the Board treats certain product returns differently. We ask the Board to explain its distinction of Sections 11.236 and 11.237 from Sections 11.234 and 11.235 which neither allow for the Board’s discretion nor impose a time limit.

It is our understanding that product manufacturers will inform the Board about product recalls, changes or discontinuations. They may, at times, directly notify licensees of the same. Since licensees rely on the Board, as the primary wholesaler of liquor, to inform them about issues with products, we ask the Board to explain the significance of using the product delivery or pick up date as it relates to product returns. Why does the Board use these dates rather than when the licensee is notified by the Board that there is a problem with a product?

Our concern is all licensees who have the product (that is the subject of a change or is discontinued) will not be treated equally. Licensees that took delivery or picked up the product within 30 days of the Board’s notice would be eligible to return that product for an exchange or refund while others who have had the same product in their inventory for a longer time period would not. The Board should explain how the return policy for changed or discontinued products is fair and is in the economic interest of the regulated community.

#### **2. Section 11.231. General provisions.—Clarity and Economic or fiscal impact.**

Under this section, if the Board accepts the returned product, the licensee will receive either the price of the product at the time of purchase or the current price, whichever is lower. Given that most of the circumstances under which a return is permitted are beyond the licensee’s control, why wouldn’t the refund be for the price

paid? The Board should explain in the Preamble to the final-form rulemaking its rationale for this provision and how it will determine whether a licensee will be refunded the price paid at the time of purchase or the current price.

**3. Section 11.232. Defective products.—Clarity and Economic or fiscal impact.**

Under this section, a product that is unmarketable at the time of delivery or pick up because it is leaking, damaged or has a missing or mutilated tamper evident closure may be returned to the Board “within 15 days of product delivery for a refund *which may then be applied to the purchase of an equal quantity of the same product.*” (Emphasis added.) What is the Board’s intent with this language? It is unclear whether the Board intends for the refund to be applied to an equal quantity of the same product or is just stating an option for the licensee to decide. The Board should clarify its intent and explain in the Preamble to the final regulation why it is necessary to include this language.

The same comment applies to similar language that appears in Section 11.233 (relating to Error in products delivered) Subsection (a) and Section 11.236 (relating to Change in product).

**4. Section 11.238. Occasional sellers.—Clarity.**

This section gives the Board discretion to waive the handling charge for product returns from occasional sellers. Under what circumstances or conditions would the Board waive such charges? Without criteria or standards for the Board’s determination, it could appear that the Board is making decisions in an arbitrary and capricious manner. In the Preamble to the final-form rulemaking, the Board should explain why this language is necessary and how it will ensure fair treatment of licensees, special occasion permit and wine auction permit holders in determining whether to waive handling charges.

**5. Miscellaneous.**

- In Sections 11.233, 11.236, and 11.237, products may be returned or exchanged within 15 or 30 days of product delivery or pick up. For purposes of clarity and consistency, we recommend the Board add “or pick up” following the phrase “within 15 days of product delivery.”

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 17-1311. Filed for public inspection August 4, 2017, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Alleged Violation of Insurance Laws; Christopher Edward Buckley a/k/a Christopher I. Hauptmann; Doc. No. SC17-07-010**

Notice is hereby given of the Order to Show Cause issued on July 24, 2017, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: section 611-A(1), (3) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(1), (3) and (20)).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative

hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna Fleischauer, Agency ADA Coordinator, at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-1312. Filed for public inspection August 4, 2017, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured’s automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Michael P. Hutchinson, DVM; File No. 17-119-208405; Bristol West Insurance Company; Doc. No. P17-04-010; September 19, 2017, 9 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 Human Resources at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-1313. Filed for public inspection August 4, 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 as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Barbara A. Klimchock; File No. 17-118-212322; Erie Insurance Exchange; Doc. No. P17-07-005; September 19, 2017, 10 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 Human Resources at (717) 705-4194.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 17-1314. Filed for public inspection August 4, 2017, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by August 21, 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-2017-2614748. Lehigh Valley Medical Transportation and Consulting, Inc.** (1874 Catasauqua Road # 206, Allentown, Lehigh County, PA 18109) persons in paratransit service, in wheelchair and stretcher vans, from points in the Counties of Adams, Berks, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Montgomery, Monroe, Northampton, Perry, Schuylkill and York, to points in Pennsylvania, and return.

**A-2017-2615169. Snap Limo, LLC** (1626 South Broad Street, Philadelphia, PA 19046) persons in limousine service, from points in Delaware County, to points in Pennsylvania, and return.

**A-2017-2615624. First Student, Inc.** (200 Hahn Road, Pittsburgh, PA 15209) for the right to begin to transport, by motor vehicle, persons in paratransit service, between points in Pennsylvania.

**A-2017-2615675. Lalla Zoubida Transportation, d/b/a Moses Limousine** (3427 Conrad Street, 2nd Floor Rear, Philadelphia, PA 19129) persons in limousine service, between points in the Counties of Bucks and Montgomery.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2017-2614980. Danielle Johnson** (255 Cooper Avenue, Apartment 501, Johnstown, Cambria County, PA 15906) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Pennsylvania, to Commonwealth correctional facilities in Pennsylvania, and return.

**A-2017-2615005. Black Diamond Transportation, LLC** (2406 Society Place, Newtown, Bucks County, PA 18940) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Bucks County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-1315. Filed for public inspection August 4, 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 August 21, 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 Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. USS Express  
Limited Liability Company;  
Docket No. C-2017-2609416**

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 USS Express Limited Liability Company, (respondent) is under suspension effective May 30, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 189 West Maple Grove Road, Denver, PA 17517.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 16, 2017, at A-8919520.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 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-8919520 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: 6/19/2017

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.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-1316. Filed for public inspection August 4, 2017, 9:00 a.m.]

## Telecommunications

**A-2017-2615161. Windstream D&E, Inc. and Broadvox-CLEC, LLC.** Joint petition of Windstream D&E, Inc. and Broadvox-CLEC, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream D&E, Inc. and Broadvox-CLEC, LLC, by their counsel, filed on July 20, 2017, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Windstream D&E, Inc. and Broadvox-CLEC, LLC joint 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, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-1317. Filed for public inspection August 4, 2017, 9:00 a.m.]

# PHILADELPHIA PARKING AUTHORITY

Petition for Changes to Taxicab Tariff; Doc. No. 17-005

## Order

*By the Authority:*

The Authority is the sole regulator of all taxicab and limousine service in Philadelphia.<sup>1</sup> The Authority is empowered to conduct rate investigations and determine the uniform rate that shall be charged by all taxicabs authorized to provide call or demand service in Philadelphia.<sup>2</sup>

On March 31, 2017, the Authority authorized the Taxicab and Limousine Division ("TLD") to reopen a rate investigation to gather information and comment concerning the petition that was filed with the TLD seeking certain specific amendments to the taxicab tariff.<sup>3</sup> After repeated notices were issued by the TLD seeking written comments from the taxicab and limousine industry members, the general public and the Taxicab and Limousine Advisory Committee, and having held a public meeting, and upon review of all information received and investigated, the TLD submitted a recommendation to amend the taxicab tariff as outlined below.

*Now, Therefore, Be It Resolved and Ordered* by the Board of the Authority as follows:

### Section 1. Metered Rates.

(a) Upon review of the recommendation of TLD staff, mileage and waiting time increments in the taxicab tariff schedule of rates are amended as follows:<sup>4</sup>

Each additional 1/10 mile or fraction thereof	\$0.25
Waiting time—each 37.6 seconds under 10-11 MPH	\$0.25

(b) The changes to the mileage and waiting time increments shall be effective on September 1, 2017.

(c) All other rates outlined in the taxicab tariff remain unchanged. An updated taxicab tariff reflecting the new schedule of rates follows as Exhibit "A".

### Section 2. Action by all Taxicab Owners.

(a) All owners of taxicabs under the jurisdiction of the Authority shall make immediate arrangements with the meter technology vendor of each taxicab for adjustments to the meter concerning this rate change.

(b) Immediately upon compliance with subsection (a), the taxicab vehicle shall be presented to the TLD for a meter inspection and a seal in accordance with the schedule issued by the TLD pursuant to Section 3.(b) of this Order.

### Section 3. Action by Taxicab and Limousine Division.

(a) The TLD staff shall ascertain that the new taxicab rates as outlined in Section 1. of this Order are posted in all medallion taxicabs.

<sup>1</sup> See the act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, (the "Act").

<sup>2</sup> See 53 Pa.C.S. §§ 5703 and 5720 (relating to rates, wages).

<sup>3</sup> See TLD Docket No. P-17-02-01 Petition for Rate Change, filed by taxicab driver Ronald Blount on February 24, 2017.

<sup>4</sup> The current mileage and waiting time increments is \$0.23.

(b) The TLD shall issue a schedule upon which each taxicab under the jurisdiction of the Authority shall be presented to the TLD for a meter inspection and seal.

(c) The TLD staff shall broadcast this Order to all members of the taxicab and limousine industry by email as well as posting it on the Authority's website and within TLD Headquarters along with depositing this Order with the *Pennsylvania Bulletin* for publishing.

### Exhibit A

#### APPENDIX SCHEDULE OF RATES FOR ALL PHILADELPHIA TAXICABS EFFECTIVE SEPTEMBER 1, 2017

Applicable for the transportation of persons and their baggage in any taxicab providing service under the jurisdiction of the Philadelphia Parking Authority

##### Section 1. Metered Rate.

- First 1/10 mile (flag drop) or fraction thereof: \$2.70
- Each additional 1/10 mile or fraction thereof: \$0.25
- Each 37.6 seconds of wait time under 10-11 MPH: \$0.25
- \* Tips are not included in the fare.
- \* Fares are per cab, not per person.
- \* Applies to all trips except for flat rate trips defined in Section 2.

\* Tolls are to be paid by the customer to cover round-trips. Tolls that are charged one-way such as the bridges to New Jersey must be paid regardless of the direction of travel. Tolls that are charged each way such as turnpike tolls shall be doubled to compensate the driver for the return trip.

\* There is no additional charge for handling baggage or other items that can be safely carried in the vehicle.

##### Section 2. Flat Rate Trips Between the Center City Zone and the Airport.

###### *Flat Rate Zone Boundaries*

The flat rate is charged in lieu of the metered rate by all Medallion Taxicabs for trips between the Philadelphia International Airport and the Center City Zone. Effective July 1, 2017, as expanded by Authority Order 17-004, the Flat Rate Zone is defined as the area between the Schuylkill and Delaware Rivers and between Washington Avenue on the south and Fairmount Avenue on the north. West of the Schuylkill River, the northern boundary continues west along the north side of 30th Street Station on 2900 Arch Street then southward on 30th Street to its intersection with Market Street. The boundary proceeds west along the north side of Market Street to 48th Street, south on 48th Street to Spruce Street and east on Spruce Street to its intersection with South Street.

###### *Flat Rate Zone Trip Rates*

*Flat Rate from the Center City Zone to the Airport:* \$28.50 per one way trip regardless of the number of passengers.

*Flat Rate from the Airport to the Center City Zone:* \$28.50 per one way trip for one (1) passenger. A \$1.00 per passenger surcharge for each additional passenger after the first will be added to the meter after the flat rate fee is engaged on the meter by the driver after leaving the Airport. This applies only to passengers over the age of twelve (12). If the trip necessitates a drop-off at more than one destination in the Center City Zone, the following applies: the flat rate and all additional per passenger

surcharges of \$1.00 each are to be collected upon departure of the first passenger in the Center City Zone. The driver will then reset the meter initiating a new flag drop using the standard meter rates above for each of the remaining passengers if each requires a separate drop-off.

##### Section 3. Airport Egress Fee & Minimum Airport Fares.

- The \$1.50 Airport egress fee shall be added to all metered fares leaving the Philadelphia International Airport.
- The minimum fare that will include the egress fee for any trip starting at an airport taxicab stand shall be \$11.00.

• The Airport egress fee will not be added to any trip that is being charged the flat-rate to the Center City Zone as defined in Section 2.

##### Section 4. Fuel Surcharge.

On April 23, 2012, the Authority Board approved a measure implementing a fuel surcharge system for all Philadelphia taxicabs and airport transfer service (a classification of limousine service). The surcharge system allows for the fuel surcharge to change monthly based on fluctuating gas prices as described in the April 23, 2012 resolution. As required, the average price per gallon of regular, unleaded gasoline must be evaluated each month, the corresponding surcharge determined and then posted on the Taxicab and Limousine page of the Authority's website on the third Friday of that month for the following month. Please refer to [www.philapark.org/tld](http://www.philapark.org/tld) for the current fuel surcharge that is added to the taxicab metered fare.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-1318. Filed for public inspection August 4, 2017, 9:00 a.m.]

### Request for Proposals

The Philadelphia Parking Authority will be releasing Request for Proposals No. 17-06, On-Call Architectural and Professional Services, on Friday, August 4, 2017. Information and important dates for this solicitation can be obtained from [www.philapark.org](http://www.philapark.org) or by calling Mary Wheeler, Manager of Contract Administration, at (215) 683-9665.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-1319. Filed for public inspection August 4, 2017, 9:00 a.m.]

### Request for Proposals

The Philadelphia Parking Authority will be releasing Request for Proposals No. 17-22, On-Call Electrical Engineer, on Friday, August 4, 2017. Information and important dates for this solicitation can be obtained from [www.philapark.org](http://www.philapark.org) or by calling Mary Wheeler, Manager of Contract Administration, at (215) 683-9665.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-1320. Filed for public inspection August 4, 2017, 9:00 a.m.]

### Request for Proposals

The Philadelphia Parking Authority will be releasing Request for Proposals No. 17-25, Architectural Services for Bus Shelters, on Friday, August 4, 2017. Information and important dates for this solicitation can be obtained from [www.philapark.org](http://www.philapark.org) or by calling Mary Wheeler, Manager of Contract Administration, at (215) 683-9665.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-1321. Filed for public inspection August 4, 2017, 9:00 a.m.]

### Service of Notice of Motor Carrier Application in the City of Philadelphia

The following permanent authority application to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than August 20, 2017. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business address of the respective applicant.

**Doc. No. A-17-07-06. G. Dhillon, Inc.** (151 Overhill Road, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-1322. Filed for public inspection August 4, 2017, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 17-104.S—RFP for Cleaning Services at the PhilaPort Administration Building, until Wednesday, August 23, 2017, at 2 p.m. The mandatory preproposal meeting will be held on Monday, August 7, 2017, at 10 a.m. Questions are due in writing on Monday, August 14, 2017, by 12 p.m. All time extensions and other information for this project can be obtained from [www.philaport.com/procurement](http://www.philaport.com/procurement).

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-1323. Filed for public inspection August 4, 2017, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Jennifer Marie Stocklas, LPN; File No. 16-51- 10231; Doc. No. 0034-51-17

On March 24, 2017, the State Board of Nursing (Board) issued a Memorandum Order indefinitely suspending the license of Jennifer Marie Stocklas, LPN, license No. PN276277, last known of Bath, Northampton County, 30 days from the publication of this notice, unless an answer and request for hearing is filed within that time frame, and will also be responsible for the costs of investigation based upon her failure to attend a Board ordered evaluation.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-1324. Filed for public inspection August 4, 2017, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from June 1, 2017, through June 30, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, [joyler@srbc.net](mailto:joyler@srbc.net). Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

#### Approvals by Rule Issued Under 18 CFR 806.22(f)

1. Cabot Oil & Gas Corporation, Pad ID: HaynesW P1, ABR-201706001, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 1, 2017.

2. Chesapeake Appalachia, LLC, Pad ID: Kupetsky, ABR-201211010.R1, Nicholson Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2017.

3. Chesapeake Appalachia, LLC, Pad ID: Amcor, ABR-201211018.R1, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2017.

4. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 726 Pad B, ABR-201706002, Plunketts Creek Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: June 7, 2017.

5. Alliance Petroleum Corporation, Pad ID: Sterling Run Club 4, ABR-201706003, Burnside Township, Centre County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: June 15, 2017.

6. Alliance Petroleum Corporation, Pad ID: Sterling Run Club 5, ABR-201706004, Burnside Township, Centre County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: June 15, 2017.

7. ARD Operating, LLC, Pad ID: Elbow F&G Pad B, ABR-201206007.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 19, 2017.

8. SWEPI, LP, Pad ID: Harer 713, ABR-201206004.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 19, 2017.

9. SWEPI, LP, Pad ID: Lovell 707, ABR-201206005.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 19, 2017.

10. SWEPI, LP, Pad ID: Guillaume 714, ABR-201206009.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 19, 2017.

11. Chief Oil & Gas, LLC, Pad ID: Harvey Drilling Pad, ABR-201212015.R1, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 30, 2017.

12. Chief Oil & Gas, LLC, Pad ID: Cochran Drilling Pad, ABR-201301003.R1, West Burlington Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 30, 2017.

13. Chief Oil & Gas, LLC, Pad ID: SGL 12 HARDY DRILLING PAD, ABR-201706005, Overton Township, Bradford County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: June 30, 2017.

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* July 20, 2017

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 17-1325. Filed for public inspection August 4, 2017, 9:00 a.m.]

### Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following projects from June 1, 2017, through June 30, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

### Supplementary Information

This notice lists the projects, described as follows, being rescinded for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

### Rescinded Approvals by Rule Issued

1. WPX Energy Appalachia, LLC, Pad ID: M. Martin 1V, ABR-201007081.R1, Sugarloaf Township, Columbia County, PA; Rescind Date: June 22, 2017.

2. EOG Resources, Inc., Pad ID: PHC 10V, ABR-20090719.R1, Lawrence Township, Clearfield County, PA; Rescind Date: June 27, 2017.

3. EOG Resources, Inc., Pad ID: PHC Pad CC, ABR-201103027.R1, Lawrence Township, Clearfield County, PA; Rescind Date: June 27, 2017.

4. EOG Resources, Inc., Pad ID: PHC Pad DD, ABR-201103025.R1, Lawrence Township, Clearfield County, PA; Rescind Date: June 27, 2017.

5. Repsol Oil & Gas USA, LLC, Pad ID: DCNR 594 02 201, ABR-201008037.R1, Liberty Township, Tioga County, PA; Rescind Date: June 29, 2017.

*Authority:* Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* July 20, 2017

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 17-1326. Filed for public inspection August 4, 2017, 9:00 a.m.]

## THADDEUS STEVENS COLLEGE OF TECHNOLOGY

### Request for Resumes

Thaddeus Stevens College of Technology seeks an experienced senior-level consultant to assist the College Advancement Office part time. The successful professional will have a bachelor's degree or higher and minimum of 10 years of advancement/development experience in higher education or nonprofit leadership, or both. The successful professional shall demonstrate significant experience with publication creation and business, industry and donor relationships. Respond by August 18, 2017, with a cover letter, resume and grants/donations list to Deb Strubel, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, dstrubel@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,  
*President*

[Pa.B. Doc. No. 17-1327. Filed for public inspection August 4, 2017, 9:00 a.m.]



