

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 14, 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>
2-7-2017	Firetree Ltd. Williamsport Lycoming County	Withdrawn
	Application for approval to acquire in excess of 10% of the common stock of Woodlands Financial Services Company, Williamsport.	

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-9-2017	Peoples Security Bank and Trust Company Scranton Lackawanna County	3920 Tilghman Street Allentown Lehigh County	Approved
2-13-2017	Lafayette Ambassador Bank Bethlehem Northampton County	1928 Hamilton Street Allentown Lehigh County	Approved
2-14-2017	Mid Penn Bank Millersburg Dauphin County	1021 Centre Turnpike Orwigsburg Schuylkill County	Filed

#### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-10-2017	CNB Bank Clearfield Clearfield County	<i>To:</i> 301 Main Street Ridgway Elk County  <i>From:</i> 2070 Court Street Ridgway Elk County	Filed

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-3-2017	Royal Bank America Narberth Montgomery County	2603 Egypt Road Trooper Montgomery County	Closed

### CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-330. Filed for public inspection February 24, 2017, 9:00 a.m.]

# DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

## Manufactured Housing Installation Program; Approved Training Curriculum for Construction Code Officials

Under 12 Pa. Code § 149.5(d) (relating to building code official training), the Department of Community and Economic Development (Department) publishes the list of approved training curriculum for those code officials who inspect the installation of manufactured homes. Persons that have successfully completed the training curriculum listed will have satisfied the requirement in 12 Pa. Code § 149.5(e).

Courses approved by the Department, Housing Standards Division:

*Pa. Manufactured Housing New Home Installation 2017*

*Pa. Manufactured Housing Installer Training for Relocated Homes 2017*

Courses administered by the Pennsylvania Construction Codes Academy:

*Building Code Official Certification Academy*

*BCO 116: Relocated Manufactured Housing, Habitability and Installation*

*BCO 117: Proper Handling of Factory Built Houses and Buildings*

In addition to the approved training programs previously listed, the Department may provide a workshop for code officials who request training. A fee of \$20 per credit hour shall be payable to the Department for workshops where continuing education units are provided. Code officials may contact the Department to request more information on scheduling a workshop.

Program inquiries should be directed to Michele Moore, Manufactured Housing Installation Program Manager, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7414, mimoree@pa.gov.

DENNIS M. DAVIN,  
*Secretary*

[Pa.B. Doc. No. 17-331. Filed for public inspection February 24, 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>
PA0253367 (Sewage)	Teen Quest Ranch STP 293 Rich Road Somerset, PA 15501-9668	Somerset County Milford Township	Unnamed Tributary to Middle Creek (19-F)	Yes
PA0252778 (Sewage)	Stonecypher SR STP 5821 Somerset Pike Boswell, PA 15531	Somerset County Jenner Township	UNT of South Fork Bens Creek (18-E)	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>
PA0061841 (Industrial Wastewater)	Pennsylvania American Water—Brownell WTP 1799 Jumper Road Wilkes-Barre, PA 18702	Lackawanna County Carbondale Township	Racket Brook (05A)	Yes
PA0063347 (Sewage)	Romanishan Metal Fabrications 195 E. Moorestown Road Wind Gap, PA 18091-9725	Northampton County Bushkill Township	Unnamed Tributary of Bushkill Creek (1-F)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0009318 (Industrial Waste)	General Cable 409 Reighard Avenue Williamsport, PA 17701	Lycoming County Williamsport City	Fox Hollow Run (10-A)	Y
PA0209392 (Sewage)	Mann Creek Heights 563 Valley Road Mansfield, PA 16933-9300	Tioga County Richmond Township	Tioga River (4-A)	Yes
PA0060305 (Industrial)	Mt Pisgah State Park 28 Entrance Road Troy, PA 16947-8506	Bradford County West Burlington Township	Mill Creek (4-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239712 (Sewage)	Bruin STP 259 Argyle Street Petroia, PA 16050	Butler County Parker Township	Bear Creek (17-C)	Yes
PA0093378 (Sewage)	Assoc Ceramics & Tech 400 N Pike Road Sarver, PA 16055-8634	Butler County Winfield Township	Unnamed Tributary to Sarver Run (18-F)	Yes

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

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

**PA0255220**, Sewage, SIC Code 8800, **Albert and Brittany Daisley**, 3945 Sardis Road, Pittsburgh, PA 15239. Facility Name: Daisley SRSTP. This proposed facility is located in Plum Borough, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary of Little Plum Creek, is located in State Water Plan watershed 18-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 0.0004 MGD.

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
Carbonaceous Biochemical Oxygen Demand (CBOD <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	XXX	1,000

The EPA Waiver is in effect.

**PA0252999**, Sewage, SIC Code 4952, **Unity Township Municipal Authority**, PO Box 506, Pleasant Unity, PA 15676-0506. Facility Name: 14 Mile Run STP. This existing facility is located in Unity Township, **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, Fourmile Run, 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 0.95 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	198	301	XXX	25	38	50
May 1 - Oct 31	158	237	XXX	20	30	40
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	237	356	XXX	30	45	60
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	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Ammonia-Nitrogen						
Nov 1 - Apr 30	57	85	XXX	7.2	10.8	14.4
May 1 - Oct 31	19	28	XXX	2.4	3.6	4.8
Total Phosphorus	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The EPA Waiver is in effect.

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

**PA0020214**, Sewage, SIC Code 4952, **Mount Union Municipal Authority**, P.O. Box 90, 9 West Market Street, Mount Union, PA 17066. Facility Name: Mt Union STP. This existing facility is located in Mount Union Borough, **Huntingdon 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), Juniata River, is located in State Water Plan watershed 12-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 1.1 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	225.0	365.0 Wkly Avg	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	275	410.0 Wkly Avg	XXX	30.0	45.0	60
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
Ultraviolet light dosage (mWsec/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

Parameter	Effluent Limitations			Concentrations (mg/L)		
	Monthly	Mass Units (lbs) Annual	Monthly	Monthly Average	Maximum	Instant. 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	20,091	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	2,679	XXX	XXX	XXX	XXX

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

- Stormwater prohibition
- Notification of designation of responsible operator
- WETT requirement
- Hauled-in waste restriction



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

The EPA Waiver is not in effect.

**PA0084778**, Sewage, SIC Code 4952, **Granville Township Municipal Authority**, 100 Helen Street, Lewistown, PA 17044. Facility Name: Granville Township Strodes Mills STP. This existing facility is located in Oliver Township, **Mifflin 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), Strodes Run, is located in State Water Plan watershed 12-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.066 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13	22	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )		Wkly Avg				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	16	24	XXX	30.0	45.0	60
		Wkly Avg				
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	5.0	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	1.5	XXX	XXX	3.0	XXX	6

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

Parameter	Effluent Limitations			Concentrations (mg/L)		
	Mass Units (lbs/day) Monthly	Annual	Monthly	Monthly Average	Maximum	Instant. 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

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

- Stormwater prohibition
- Notification of the designation of responsible operator
- Hauled-in waste restriction
- Notification for TRC

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

The EPA Waiver is in effect.

**PA0087955**, Sewage, SIC Code 4941, 4952, **Cassville Water & Sewer Authority**, PO Box 48, Cassville, PA 16623. Facility Name: Cassville STP. This existing facility is located in Cass Township, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary of Little Trough Creek, is located in State Water Plan watershed 11-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6.3	10.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )		Avg. Wkly.				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	7.5	11.3	XXX	30.0	45.0	60
Total Suspended Solids		Avg. Wkly.				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
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
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	3.0	XXX	XXX	12.0	XXX	24
May 1 - Oct 31	1.0	XXX	XXX	4.0	XXX	8

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

Parameter	Effluent Limitations					
	Mass Units (lbs/day) Monthly	Mass Units (lbs/day) Annual	Effluent Limitations Monthly	Concentrations (mg/L) Monthly Average	Concentrations (mg/L) Maximum	Instant. Maximum
Ammonia—N	Report Total	Report	XXX	Report Avg. Qrtly.	XXX	XXX
Kjeldahl—N	Report Total	XXX	XXX	Report Avg. Qrtly.	XXX	XXX
Nitrate-Nitrite as N	Report Total	XXX	XXX	Report Avg. Qrtly.	XXX	XXX
Total Nitrogen	Report Total	Report	XXX	Report Avg. Qrtly.	XXX	XXX
Total Phosphorus	Report Total	Report	XXX	Report Avg. Qrtly.	XXX	XXX

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

- Stormwater prohibition
- Notification of designation of responsible operator
- Hauled-in waste restriction

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

The EPA Waiver is in effect.

**PA0261581**, Industrial, SIC Code 4941, **Red Lion Municipal Authority**, PO Box 190, Red Lion, PA 17356. Facility Name: Cabin Creek Water Treatment Plant. This existing facility is located in Windsor Township, **York County**.

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

The receiving stream(s), Cabin Creek, is located in State Water Plan watershed 7-I 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 0.35 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.12	XXX	0.40
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Total Dissolved Solids	Report	Report	XXX	500.0	1,000.0	1,250
Aluminum, Total	2.51	3.91	XXX	0.86	1.34	2.15
Copper, Total	0.04	0.07	XXX	0.016	0.025	0.04
Iron, Total	5.83	8.75	XXX	2.0	3.0	5
Manganese, Total	2.91	4.37	XXX	1.0	1.5	2.5
Zinc, Total	0.37	0.58	XXX	0.13	0.20	0.32

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

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

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

The EPA Waiver is in effect.

**PA0247707**, Sewage, SIC Code 6514, **William Bratton**, 275 Guyer Corner Road, New Enterprise, PA 16664. Facility Name: Bratton Residence SRSTP. This existing facility is located in South Woodbury Township, **Bedford 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), Dry Swale to Unnamed Tributary to Beaver Creek, is located in State Water Plan watershed 11-D and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Total Residual Chlorine (TRC)	XXX	XXX	0.3	XXX	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

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

**PA0264822**, Sewage, SIC Code 8800, **Frederick Nuhfer**, 1240 E 5th Avenue, Warren, PA 16365-8406. Facility Name: Frederick Nuhfer SRSTP. This proposed facility is located in Glade Township, **Warren County**.

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

The receiving stream, an Unnamed Tributary to Conewango Creek (Indian Hollow Run), is located in State Water Plan watershed 16-B and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

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

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. WQG02261501**, Sewage, **Georges Township Fayette County**, 141 Big Six Road, Smithfield, PA 15478-1600.

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

Description of Proposed Action/Activity: Installation of a low pressure sewer system to serve 8 single family homes.

**WQM Permit No. 6317400**, Sewage, **Chartiers Township**, PO Box 510, Washington, PA 15301-4514.

This proposed facility is located in Washington City, **Washington County**.

Description of Proposed Action/Activity: Sewer extension project to alleviate malfunctioning on-lot systems.

**WQM Permit No. WQG02111701**, Sewage, **Forest Hills Municipal Authority Cambria County**, P O Box 337, St. Michael, PA 15951-0337.

This proposed facility is located in Conemaugh Township, **Cambria County**.

Description of Proposed Action/Activity: construction and operation of conventional gravity sewers and a low pressure sewer system. The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

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

**WQM Permit No. 1017401**, Sewage, **Breakneck Creek Regional Authority**, 1166 Mars Evans City Road, Mars, PA 16046-1180.

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

Description of Proposed Action/Activity: Upgrades to Davidson Road pump station and installation of upstream comminutor.

**WQM Permit No. 4317403**, Sewage, **Richard Seger**, 2108 Mercer Road, Fredonia, PA 16124.

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

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

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


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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390020	William Wall Valley Builders, LLC 775 Furnace St. P.O. Box 189 Emmaus, PA 18049-3907	Lehigh	Emmaus Borough	UNT to Leibert Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450009	Robert Weseloh 815 Seven Bridge Road East Stroudsburg, PA 18301	Monroe	Hamilton Township	UNT to Appenzell Creek (HQ-CWF, MF)

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


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PAG-12      CAFOs

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**CAFO Notices of Intent Received**


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

**PAG123527, CAFO, Jonathon King Hog Farm CAFO**, 1334 Valentine Rd, Ickesburg, PA 17037.

This proposed facility will be located in Northeast Madison Township, **Perry County**.

Description of Size and Scope of Proposed Operation/Activity: 526.48 AEU/Swine (Finishing), Beef (Cattle), Horses.

The receiving streams, UNT 11225 to Bixler Run, classified for: CWF; all in watershed 7-A.

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.

**PA0260223, CAFO, Riverview Farms**, 241 Riverview Rd, Peach Bottom, PA 17563.

This proposed facility will be located in Fulton Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 466.06 AEU/Swine (Finishing), Dairy (Heifers, Calves).

The receiving streams, Puddle Duck Creek, classified for: HQ-WWF, Peters Creek, classified for: HQ-WWF, Hains Branch, classified for: HQ-WWF, Susquehanna River, classified for: WWF, Trib 07170 to Conowingo Creek, classified for HQ-CWF; all in watershed 7-K.

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.

**PAG123638, CAFO, Lime Valley Farms, Inc**, 1415 Lime Valley Rd, Lancaster, PA 17602.

This proposed facility will be located in Strasburg Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 512.31 AEU/Poultry (Broiler), Dairy (Cattle, Heifers, Calves).

The receiving streams, Walnut Run, classified for: WWF, Little Beaver Creek, classified for TSF; all in watershed 7-K.

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.

**PAG123848, CAFO, Drew Johnson Farm**, 20575 Hammond Rd, Spring Run, PA 17262.

This proposed facility will be located in Fannett Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: 682.85 AEU/Swine.

The receiving streams, Trib 59698 of Dry Run, classified for: CWF; all in watershed 13-C.

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.

**PAG123643, CAFO, Blossomelle Holsteins, 273 Green Tree Rd, Elizabethtown, PA 17022.**

This proposed facility will be located in Mount Joy Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 859.75 AEU/Dairy (Cows, Heifers, Calves), Poultry (Layers).

The receiving streams, Trib 07969 of Little Chickies Creek, classified for: TSF; all in watershed 7-G.

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

## STATE CONSERVATION COMMISSION

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

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

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

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

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

#### 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>
M.W. Smith Farms 851 Meadow Grove Rd Newport, PA 17074	Perry	1,324.05	1,222.43	Dairy	WWF, MF	New
Deer Stone Ag., Inc. Drew Derstein Farm 10049 Ferguson Valley Road Lewistown, PA 17044	Mifflin	24.6	720.52	Swine	HQ	Renewal
Round Hill Poultry Travis and Mitchell Miller 6108 Carlisle Pike East Berlin, PA 17316	Adams	34.2	313.41	Poultry— Turkeys	NA	New
Laurel Ridge Pig Co Scott Augsburg 700 Swamp Church Rd. Reinholds, PA 17569	Lancaster	75.3	645.86	Swine	NA	New

<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>
Glenn & Joel Martin 2077 Mountain Rd. Manheim, PA 17545	Lancaster	194	128.16	Ducks	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 1517502, Minor Amendment.** Public Water Supply.

Applicant	<b>Tel Hai Retirement Community</b> 1200 Tel Hai Circle Honey Brook, PA 19344
Township	Honey Brook
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	James R. Holley Associates, Inc. 18 South George Street York, PA 17401

Permit to Construct Issued January 5, 2017

**Permit No. 0917503, Minor Amendment.** Public Water Supply.

Applicant	<b>North Wales Water Authority</b> 200 West Walnut Street P.O. Box 339 North Wales, PA 19454
Township	Doylestown
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	North Wales Water Authority 200 West Walnut Street P.O. Box 339 North Wales, PA 19454

Permit to Construct Issued February 2, 2017

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

**Application No. 6617501,** Public Water Supply.

Applicant	<b>Silver Springs Ranch, LLC</b> 5148 Nuangola Road Mountaintop, PA 18707
[Township or Borough]	Monroe Township
Responsible Official	Mr. Ronald Walsh, Jr., Manager Silver Springs Ranch, LLC 5148 Nuangola Road Mountaintop, PA 18707
Type of Facility	Finished Bulk Water Hauling
Consulting Engineer	Thomas Pullar, PE Earth Res P.O. Box 468 Pipersville, PA 18947

Application Received Date 1/30/2017

Description of Action Applicant proposes replacing the existing 20,000 gallon storage silo with a new 50,000 gallon silo.

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

**Permit No. 2217501,** Public Water Supply.

Applicant	<b>Millersburg Area Authority</b>
Municipality	Millersburg Borough
County	<b>Dauphin</b>
Responsible Official	Nick McCarron, Manager 101 West Street Millersburg, PA 17601



Type of Facility Public Water Supply  
 Consulting Engineer D. Jeffrey Golding, P.E.  
 Gannett Fleming, Inc.  
 PO Box 67100  
 Harrisburg, PA 17106-7100  
 Application Received: 1/25/2017  
 Description of Action Upgrade to the existing Rising Sun Booster Station serving the Cloverly Acres pressure zone, including the replacement the booster pumps & piping and demolition of old equipment.

**Permit No. 3817502**, Public Water Supply.

Applicant **Kenbook Bible Camp, Inc.**  
 Municipality Swatara Township  
 County **Lebanon**  
 Responsible Official B Nicholas Ressler, Executive Director  
 190 Pine Meadow Road  
 Lebanon, PA 17046  
 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: 2/1/2017  
 Description of Action Installation of GWR 4-log treatment, finished water storage, booster pump and the consolidation of entry points.

**Permit No. 2217503**, Public Water Supply.

Applicant **Capital Region Water**  
 Municipality City of Harrisburg & Susquehanna Township  
 County **Dauphin**  
 Responsible Official Michael McFadden, Water System Superintendent  
 100 Pine Drive  
 Harrisburg, PA 17101  
 Type of Facility Public Water Supply  
 Consulting Engineer Michael J. Mehaffey, P.E.  
 Gannett Fleming, Inc.  
 PO Box 67100  
 Harrisburg, PA 17106-7100  
 Application Received: 2/7/2017  
 Description of Action Replacement of the existing tube settlers, effluent troughs and slide gates with packaged plate settlers in the sedimentation basins; along with the installation of a chlorine gas scrubber system and the removal of the existing chlorine dioxide equipment and an ammonia storage tank.

**Permit No. 2217502 MA, Minor Amendment**, Public Water Supply.

Applicant **Pennsylvania American Water**  
 Municipality South Hanover Township  
 County **Dauphin**  
 Responsible Official David R. Kaufman, Vice President—Engineering  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Type of Facility Public Water Supply  
 Consulting Engineer Scott M. Thomas, P.E.  
 Pennsylvania American Water  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Application Received: 2/3/2017  
 Description of Action Replacement of the existing sodium hydroxide feed system Schedule 80 PVC plumbing with welded stainless steel and the replacement of the existing diaphragm chemical pumps with peristaltic pumps.

**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.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**General Permit Application No. WMGR159. Headwaters Construction Materials, LLC**, 10701 South River Front Parkway, Suite 300, South Jordan, UT 84095. The proposed project is located at Headwaters Montour Plant, 18 McMichael Road, Washingtonville, PA 17884. This application is for a new statewide general permit for the processing of waste coal ash that has been disposed in a residual waste landfill and the beneficial use of the disposed coal ash as an ingredient in the manufacturing of concrete. The disposed coal ash will be processed by drying, screening, and crushing. The application also proposes the potential mixing of disposed coal ash with coal ash generated from an adjacent power plant that has not been disposed. The operation, including storage, will be housed inside a building or in silos. The application was determined to be administratively complete on February 13, 2017.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.



## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

### Applications deemed administratively complete under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal area or Site.

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

**Magnesita Refractories Company Permit No. 300659**, 425 S. Salem Church Road, York, PA 17408. The application submitted is for an expansion of their captive residual waste Landfill. This application was deemed administratively complete by the Southcentral Regional Office on February 8, 2016. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

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

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

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

**46-0027E: Janssen Research & Development LLC** (1400 McKean Road, Springhouse, PA 19477) for the installation and operation of two dual fuel 21 MMBtu/hr each boilers and a 750-kW natural gas-fired emergency electric generator in Lower Gwynedd Township, **Montgomery County**. The company is a Research and development facility and currently operates under Title V Operating Permit No. 46-00027. The boilers are subject to 40 CFR part 63, subpart JJJJJJ and 40 CFR part 60, subpart Dc. The emergency electric generator is subject to the requirements NSPS in 40 CFR Part 60, Subpart JJJJ. The plan approval contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**15-0041C: Eastern Shore Natural Gas Company—Daleville Compressor Station** (604 Street Rd., Cochranville, PA 19330) for the construction, installation, and operation of a new natural gas-fired reciprocating internal combustion engine for a natural gas compressor at their facility in Londonderry Township, **Chester County**.

The facility is a State-Only, Synthetic Minor facility. The existing permit limits the emissions of nitrogen

oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) from the facility to less than or equal to 24.9 tons per year on a 12-month rolling sum basis. The new natural gas-fired reciprocating internal combustion engine is subject to the requirements NSPS in 40 CFR Part 60, Subpart JJJJ.

The provisions of this plan approval will subsequently be incorporated into a State Only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

**25-029D: Erie Coke Corporation** (925 East Bay Drive, Erie, PA 16512), for the proposed installation of equipment designed to control emissions of VOC and HAPs from the open top of an existing process vessel called the Thionizer used in the Absorber/Thionizer Process Unit in Erie City, **Erie 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 25-029D is for the proposed installation of equipment designed to control emissions of VOC and HAPs from the open top of an existing process vessel (Thionizer) used in the Absorber/Thionizer (AT) Process Unit (C805A). The estimated emissions will decrease by approximately 3.2 tpy of VOC from the Thionizer; however, the boilers will see a small emission increase of VOC of approximately 0.15 tpy. 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:

- Site Level Requirements
  - The permittee shall update the AIMs Inventory for VOC to match the information used in the PSD/NSR analysis. The update should include, at a minimum, the fugitive emissions associated with the Thionizer (C185A) for year 2014 to the present. If applicable, the permittee shall revise their AIMs Emission Fee submittals for those same years.
- Source 031 & 032 (Erie City Boiler 1 & 2)
  - The total projected actual emissions for Boilers 1 & 2 are as follows:
    - PM Filterable: 7.421 tpy based on a consecutive 12-month period
    - PM<sub>10</sub> Filterable: 7.421 tpy based on a consecutive 12-month period
    - PM<sub>2.5</sub> Filterable: 7.421 tpy based on a consecutive 12-month period
    - PM Condensable: 2.266 tpy based on a consecutive 12-month period
    - PM<sub>10</sub>: 9.687 tpy based on a consecutive 12-month period
    - PM<sub>2.5</sub>: 9.687 tpy based on a consecutive 12-month period

- NO<sub>x</sub>: 49.431 tpy based on a consecutive 12-month period
- SO<sub>x</sub>: 37.389 tpy based on a consecutive 12-month period
- CO: 53.550 tpy based on a consecutive 12-month period
- VOC: 0.148 tpy based on a consecutive 12-month period
- CO<sub>2</sub>(e): 21,292.1 tpy based on a consecutive 12-month period
- All conditions from the facility operating permit issued on March 27, 2013, for this source remain in effect unless modified in this plan approval.
- Control 805A (H<sub>2</sub>S Absorber)
  - The Thionizer process vessel shall not operate unless the fabricated steel top cover, which has three 12-inch ports and incorporates 4 bolted-on and sealed, removable, clean-out covers, is in place. The clean-out covers shall not be opened during Thionizer operation.

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

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [25-029D] 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, Pennsylvania 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.

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

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

**AMS IP16-000221: (City of Philadelphia—Dept. of Commerce—Division of Aviation—8800 Essington Ave, Philadelphia, PA 19153)** for installation of one (1) emergency generator and five (5) boilers at its Philadelphia International Airport location. The emergency generator has a capacity of 200.5 kilowatts and is fueled by diesel fuel. Four (4) of the boilers are all fueled by natural gas and No. 2 Oil and have capacities of 6.277 MMBtu/hr or 5.230 MMBTU/hr. One (1) boiler is fueled only by natural gas and has a capacity of 2.088 MMBTU/hr.

The facility's potential emissions increase from the installation are as follows: 17.381 tons per year of Nitrogen Oxides (NO<sub>x</sub>), 1.656 ton per year of Particulate Matter, 4.802 tons per year of Carbon Monoxide, and 15.479 tons per year of Sulfur Dioxide. The plan approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

#### OPERATING PERMITS

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

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

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

**23-00040: Laurel Pipe Line Company, L.P:** (3398 Garnet Mine Road, Boothwyn, PA 19061-0917), located in Bethel Township, **Delaware County**. This action is the third renewal of the Title V Operating Permit. The permit was initially issued on 12/19/2001 and was renewed on 3/30/2007 and was subsequently renewed for a second time on 3/26/2012. The facility is a refined petroleum breakout station consisting of in-coming and out-going pipeline systems and aboveground breakout tanks. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

**TV-65-00173 Summerill Tube Corporation** (P.O. Box 302, 220 Franklin Street, Scottdale, PA 15683) In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Title V Operating Permit renewal to Summerill Tube Corporation for their facility located in Scottdale Borough, **Westmoreland County**.

Summerill Tube Corporation is a specialty producer of stainless and other alloy steel tubing. The facility currently includes the following sources and controls:

Process Acid Dip Tank (Nitric and Hydrofluoric Acid), Finish Acid Dip Tank (Nitric and Hydrofluoric Acid), Degreasing Bath and Still (TCE Vapor Degreaser), Lubricant Coating Area (Toluene-containing Lubricant), Process Line Scrubber, Finish Line Scrubber. Misc. small natural gas-fired boilers (two 1.95 mmbtu/hr), cutting saws, parts washers, tanks, drying ovens, a wet abrasive polishing system, wastewater pretreatment, and groundwater treatment.

This facility has the potential emissions per year of the following type and quantity of air contaminants: 1.20 ton of carbon monoxide, 4.9 tons of nitrogen oxides, 0.5 ton of particulate matter, 0.01 ton of sulfur oxides, 49.4 tons of volatile organic compounds, 0.17 ton of nitric acid, 0.36 ton of hydrofluoric acid and 47.91 tons of HAPs. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 40 CFR Parts 63 and 25 Pa. Code Chapters 121—145.

A person may oppose the proposed Title V Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [nnaharr@pa.gov](mailto:nnaharr@pa.gov); or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Title V Operating Permit (TV-65-00173) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Summerill Tube's Title V Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Summerill Tube's Title V Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at [nnahar@pa.gov](mailto: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.

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

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

**24-00127: National Fuel Gas Lamont Station** (6363 Main Street, Williamsville, NY 14221) the Department intends to re-issue a Title V Operating Permit to the facility located in Jones Township, **Elk County**. This NFGS facility is part of a natural gas transmission system. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit CO and NO<sub>x</sub>. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility has five reciprocating internal combustion engines rated at 150 HP and one engine rated at 440 HP. These engines provide for the compression and transmission of natural gas. The facility also has two emergency generator engines rated at 108 HP. The facil-



ity has miscellaneous fuel burning equipment with a combined heat input of 0.96 mmbtu/hr. The station also has small storage tanks (for oil, glycol, drip fluids, etc.), fugitive emissions from component leaks, and two parts washers. The RICE are subject to 40 CFR 63 Subpart ZZZZ. The renewal permit also includes the presumptive NO<sub>x</sub> RACT requirements for the engines (§ 129.97(c)(5)). The actual emissions reported by the facility for 2015 were 28.8 TPY CO, 72.1 TPY NO<sub>x</sub>, 0.1 TPY PM<sub>10</sub>, 0.01 TPY SO<sub>x</sub>, and 33.2 TPY VOCs.

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

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

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

**46-00220: Micro-Coax, Inc.** (206 Jones Boulevard, Pottstown, PA 19464) for renewal of the operation of coaxial cable and electrometallurgical equipment at the manufacturing facility located in Limerick Township, **Montgomery County**. The renewal permit is for a non-Title V (State Only) facility. The facility caps volatile organic compounds (VOC) and hazardous air pollutants (HAP) to less than major source thresholds; therefore, the facility is a Synthetic Minor. The renewal permit also addresses a change of ownership from MCHC, Inc. (Tax ID 80-0263639) to Carlisle Interconnect Technologies (Tax ID 59-3177689), effective June 2016. The operator has not changed from Micro-Coax, Inc. (Tax ID 23-3011857). The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00142: Mars Drinks North America, LLC** (1301 Wilson Drive, West Chester, PA) for its initial State Only Operating Permit for its facility in East Goshen Township, **Chester County**. Conditions from Plan Approval 15-0142 form the basis of this initial, minor facility Operating Permit. Major sources of pollution are a coffee roaster and associated equipment. Minor sources include a diesel fire pump (170 hp) and an emergency generator (350 kw), fired by diesel or No. 2 fuel oil. The fire pump and emergency generator are subject to the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Part 63 Subpart ZZZZ. Otherwise, the sources are only subject to Commonwealth regulations.

Emissions of particulate matter (PM) from the coffee roaster and a cooler are controlled by cyclones and from a destoner and a briquetting press by fabric filters. Emissions of carbon monoxide (CO) and volatile organic compounds (VOC) from the coffee roaster are controlled by a catalytic oxidizer. The coffee roaster and oxidizer are fueled by natural gas. Allowable emissions from the coffee roasting operation in tons/year on a 12-month rolling basis are 0.83 VOC, 8.15 PM, 5.3 CO, 4.25 nitrogen oxides (NO<sub>x</sub>) and 0.026 sulfur oxide (SO<sub>2</sub>). The permittee shall monitor pressure and temperature across the catalyst bed to assure optimum operation of the oxidizer. The permittee shall keep records and meet work practice standards to minimize emissions and keep the facility operating within all applicable emission standards.

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

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

**45-00017: Hanson Aggregates Pennsylvania LLC—Stroudsburg Quarry** (7660 Imperial Way, Allentown, PA 18195-1016) The Department intends to issue a State-Only Operating Permit renewal for operation of a limestone mining operation in Hamilton Township, **Monroe County**. The sources include four (4) crushers. The crushers emissions are controlled by a wet suppression system and two (2) baghouses. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**64-00006: Hanson Aggregates Pennsylvania LLC—Lake Ariel HMA Plant** (7660 Imperial Way, Allentown, PA 18195-1016) The Department intends to issue a State-Only (Synthetic Minor) Operating Permit renewal for operation of an asphalt paving mixture and block manufacturing operation in Lake Township, **Wayne County**. The sources include a hot mix asphalt plant, two (2) hot oil heaters, and a reclaimed asphalt paving facility. The emissions are controlled by a knockout box and baghouse. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**35-00056: P.A. Hutchison Company, Mayfield Plant** (400 Penn Avenue, Mayfield, PA 18433-1813). The Department intends to issue a renewal State-Only Natural Minor Permit for this facility located in Mayfield, **Lackawanna County**.

The main sources at this facility consist Lithographic Printing Presses. The sources are considered minor emission sources 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.*

**36-05065: Skyline Corporation** (99 Horseshoe Road, Leola, PA 17540) to issue a State Only Operating Permit for the mobile home manufacturing plant located in Upper Leacock Township, **Lancaster County**. The potential emissions from the facility are estimated at 21.4 tpy of VOC and 2.1 tpy of total HAP. 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.

**36-03152A: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570) to issue a State-Only Operating Permit for their soybean processing plant in West Donegal Township, **Lancaster County**. Potential emissions from the facility are estimated to be 2.0 tpy of CO, 2.4 tpy NO<sub>x</sub>, 8.5 tpy PM<sub>10</sub>, & 0.1 tpy 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.

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

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

**08-00014: Bishop Brothers Construction Company, Inc.** (P.O. Box 289, Ulster, PA 18850) for issuance of a State-Only (Synthetic Minor) Operating Permit renewal for operation of its Wysox Plant facility located in Wysox Township, **Bradford County**. Bishop Brothers Construction Company, Inc. operates a 150 tph batch mix asphalt plant (Source ID P101), two 15,000-gallon asphalt storage tanks and one 10,000-gallon asphalt storage tank (Source ID P102), a 12,000-gallon fuel oil storage tank (Source ID P103), a batch concrete plant (Source ID P105), and an immersion parts washer (Source P106). This facility has the potential to emit 72.20 tons of carbon monoxide, 21.66 tons of nitrogen oxides, 74.86 tons of particulate matter (including particulate matter less than 10 microns and particulate matter less than 2.5 microns), 90.42 tons of sulfur oxides, 6.54 tons of volatile organic compounds, 1.39 ton of hazardous air pollutants, and 13,120.82 tons of CO<sub>2</sub>e. 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. 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: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**10-00305: Harsco Minerals PA** (359 North Pike Road, Sarver, PA 16055-8633) for a renewal of the Natural Minor Operating Permit to operate a steel making byproduct processing plant and stockpiling located in Winfield Township, **Butler County**. The emitting sources include a Hyway thermal fluid heating system, Truck travel (Paved & Unpaved Roads), Materials handling, Front-End loaders travel, Slag crushing, Wind erosion from storage piles, Slag skull screening, Holo-Flight aggregate dryer and Fluid Bed Dryer, and 100 TPH screening plant. The emission of pollutants from the facility are less than the Title V threshold-limits. Thus, the facility is natural minor. The potential PM, NO<sub>x</sub>, CO, SO<sub>x</sub>, and VOC emissions are 27.9 TPY, 10.52 TPY, 8.8 TPY, 0.06 TPY, and 0.58 TPY, respectively.

## 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 Returned*

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

**11040701 and NPDES No. PA0235717. Rosebud Mining Company** (previously Amfire Mining Company, LLC), (301 Market Street, Kittanning, PA 16201). To revise the permit for the Refuse Area No. 1 in Portage Township, **Cambria County** and related NPDES permit to expand the coal refuse processing operation. Five new NPDES outfalls will be added. Coal Refuse Disposal Support Acres Proposed 96.4, Coal Refuse Disposal Acres Proposed 59.5. Receiving stream: Unnamed Tributary to Spring Run, classified for the following use: CWF. The application was considered administratively complete on June 27, 2011. Application received December 16, 2010. Application returned October 16, 2015.

### *Coal Applications Withdrawn*

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

**30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit for construction of the 7 North 3 Airshaft site and add one NPDES



outfall. Surface Acres Proposed 31.2. Receiving Stream: Unnamed Tributary to Browns Creek, classified for the following use: HQ-WWF. The Application was considered administratively complete on June 30, 2015. Application received April 15, 2015. Application withdrawn February 8, 2017.

**03981301 and NPDES No. PA0215198. Western Allegheny Energy, LLC**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Parkwood Mine in Plumcreek Township, **Armstrong County** and related NPDES permit to add a new coal yard, sediment pond and NPDES outfall 003. Receiving Stream: Crooked Creek, classified for the following use: WWF. The application was considered administratively complete on May 26, 2015. Application received January 2, 2015. Application withdrawn October 20, 2016.

**03091301 and NPDES No. PA0235822. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the TJS No. 7 Deep Mine in Manor Township, **Armstrong County** to add acreage for haul road relocation and add NPDES outfall 003. Surface Acres Proposed 21.1. Receiving Stream: Unnamed Tributary to Garretts Run, classified for the following use: WWF. The application was considered administratively complete on April 9, 2014. Application received December 5, 2013. Application withdrawn October 20, 2016.

**03110701 and NPDES No. PA0236128. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To operate the Logansport Refuse Disposal Area No. 1 in Bethel Township, **Armstrong County** and related NPDES permit. Coal Refuse Disposal Support Acres Proposed 47.6, Coal Refuse Disposal Acres Proposed 59.1. Receiving Stream: Allegheny River, classified for the following use: WWF. Receiving Stream: Unnamed Tributaries to Allegheny River, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is Buffalo Township Municipal Authority at Freeport, Pennsylvania and intake: Allegheny River. The application was considered administratively complete on January 23, 2012. Application received August 3, 2011. Application withdrawn October 20, 2016.

**63101601 and NPDES No. PA0236063. Penn Ridge Coal, LLC**, (2596 Battle Run Road, Triadelphia, WV 26059-1200). To operate Penn Ridge in Independence Township, **Washington County** a coal preparation plant with a related NPDES permit. Surface Acres Proposed 55.5. Receiving Stream: Unnamed Tributary to Cross Creek, classified for the following use: WWF. The application was considered administratively complete on August 18, 2011. Application received September 9, 2010. Application withdrawn January 28, 2016.

**30031301 and NPDES No. PA0235610. Dana Mining Company of Pennsylvania, LLC**, (103 Corporate Drive, Suite 102, Morgantown, WV 26501-4582). To revise the permit for the 4-West Mine in Dunkard and Perry Townships, **Greene County** and related NPDES permit to add acreage for development mining. Underground

Acres Proposed 85.4, Subsidence Control Plan Acres Proposed 85.4. No additional discharges. The application was considered administratively complete on March 5, 2012. Application received August 23, 2011. Application withdrawn September 28, 2015.

*Coal Applications Received*

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

**16110102. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface mine in Monroe Township, **Clarion County** affecting 189.2 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries to Brush Run and unnamed tributaries to Piney Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 9, 2017.

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

**03090105 and NPDES Permit No. PA0251755. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application for reclamation only to an existing bituminous surface mine, located in Bethel Township, **Armstrong County**, affecting 42 acres. Receiving streams: unnamed tributaries to Crooked Creek and Crooked Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 6, 2017.

**26110101 and NPDES Permit No. PA0252123. 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 95.4 acres. Receiving streams: unnamed tributaries to Stony Fork and Stony Fork, 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: February 6, 2017.

**02020201 and NPDES Permit No. PA0250121. Robindale Energy Services, Inc.** (226 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Revision application for land use change from unmanaged natural habitat to residential to an existing bituminous coal refuse reprocessing surface mine, located in Plum Borough, **Allegheny County**, affecting 172 acres. Receiving streams: unnamed tributary to Little Plum Creek and Little Plum Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 9, 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. 44170801. William Shafranich**, 8782 Back Mountain Road, Milroy, PA 17063, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in Armagh Township, **Mifflin County**, affecting 5.0 acres. Receiving streams: unnamed tributary to Laurel Creek and Honey Creek. Permit received: January 26, 2017.

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

**25122801. Groundwork Resource, LLC** (8870 Baron Road, McKean, PA 16426) Renewal of existing NPDES No. PA0259128 in McKean Township, **Erie County**. Receiving streams: Unnamed tributary to Walnut Creek, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 6, 2017.

**10030302. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Renewal of existing NPDES No. PA0242462 in Brady Township, **Butler County**. Receiving streams: Unnamed tributaries to Big Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 6, 2017.

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

**4775SM18 and NPDES PA0116459. Hanson Aggregates Pennsylvania LLC** (7660 Imperial Way, Allentown, PA 18195). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Marion Township, **Centre County** affecting 227.0 acres. Receiving stream(s): Nittany Creek. Application received: January 19, 2017.

**14060301 and NPDES PA0256323. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803-1649). NPDES renewal and modification for continued operation and reclamation of a large noncoal surface mining site located in Rush Township, **Centre County** affecting 159.0 acres. Receiving stream(s): Unnamed Tributaries to Moshannon Creek. Application received: December 1, 2016.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

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

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

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

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0213527 (Mining Permit No. 30841317), Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). A revision to the NPDES and mining activity permit for the Enlow Fork Mine in Richhill Township, **Greene County** and Morris Township, **Washington County** to add one (1) NPDES Outfall—037. Surface Acres Affected 83.1. Receiving stream: Unnamed Tributary 40906 to Ten Mile Creek, classified for the following use: TSF. The application was considered administratively complete on July 26, 2016. Application received March 11, 2016.

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

*Outfall 037* discharges to: UNT 40906 to Tenmile Creek

The proposed effluent limits for *Outfall 037* (Lat: 40° 01' 24" Long: 80° 16' 18.4") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	9.0 Max	-
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese <sup>d</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids <sup>d</sup>	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	Report	Report	-
Selenium	(mg/l)	-	Report	Report	-
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

EPA Waiver not in effect.

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

**NPDES No. PA0234231 (Mining Permit No. 56960107), PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for reclamation only with post-mining discharges in Jenner Township, **Somerset County**, affecting 125.4 acres. Receiving stream: unnamed tributary to Quemahoning Creek, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: September 6, 2016.

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

The treated wastewater outfall listed below discharges to unnamed tributary to Quemahoning Creek:

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

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

<i>Outfalls: (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall listed below discharges to unnamed tributary to Quemahoning Creek:

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

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

<i>Outfalls: (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75

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

**NPDES No. PA0227358 (Permit No. 61970101). Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215). Renewal of an existing NPDES permit for a bituminous surface mine in Irwin Township, **Venango County**, affecting 75.2 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. TMDL: Scrubgrass Creek. Application received: December 1, 2016.

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA1	N
TA2	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

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

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

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

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



**NPDES No. PA0241539 (Permit No. 33990109). McKay Coal Company, Inc.** (P.O. Box 343, Punxsutawney, PA 15767) Renewal of an existing NPDES permit for a bituminous surface mine in Perry Township, **Jefferson County**, affecting 72.5 acres. Receiving streams: Unnamed tributaries to Perryville Run and Perryville Run, classified for the following uses: CWF. TMDL: None. Application received: September 16, 2016.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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

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

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

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

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

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

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

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

**NPDES No. PA0251798 (Mining Permit no. 03090201), Coal Valley Sales, LLC**, 111 Freeport Road, Pittsburgh, PA 15215. Renewal NPDES permit for a bituminous surface mine in Cadogan and North Buffalo Townships, **Armstrong County**, affecting 38.5 acres. Receiving stream: unnamed tributary (UNT) 1 to the Allegheny River, classified for the following use(s): WWF. Application received: April 08, 2016.

The stormwater outfall(s) listed below discharge to UNT 1 to the Allegheny River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
004 (SP-B)	N	SW

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

<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	1.5	1.9
Total Suspended Solids (mg/L)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

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



*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0259683 (Permit No. 37150302). Amerikohl Aggregates, Inc.** (202 Sunset Drive, Butler, PA 16001) New NPDES permit for a large industrial minerals surface mine in Shenango Township, **Lawrence County**, affecting 221.1 acres. Receiving streams: Unnamed tributaries to McKee Run and McKee Run, classified for the following uses: WWF. TMDL: None. Application received: September 28, 2016.

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	Y
TP2	Y
TP3	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPA	Y
SPB	Y
SPC	Y
SPD	Y
SPE	Y

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

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

**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.*

**E48-428A. City of Bethlehem**, 10 East Church Street, Bethlehem, PA 18018, in City of Bethlehem, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To amend Permit No. E48-428 which authorized the construction and maintenance of a stream restoration project in a 1,000-foot reach of Monocacy Creek (HQ-CWF, MF) with work consisting of:

1. removing existing floodway and floodplain structures;
2. modification of existing floodway check dams;
3. placement of in-stream random boulders;
4. plantings along the streambanks in floodway and floodplain;
5. placement of seven toe wood bank stabilization structures;
6. placement of five log sill structures
7. graded bankfull floodplain areas;
8. excavation and backfill in various areas of the channel and embankments;
9. placement of rock apron.

Modifications under this amendment include:

1. placement of a bank stabilization system and matting in lieu of previously approved toe wood bank stabilization structures;
2. placement of four rock cross vane weirs in lieu of log sill structures;
3. construction of temporary stream crossing consisting of a series of 36-inch diameter CMPs and clean rock fill;
4. and placement of a temporary rock filter in lieu of a rock apron.

The project is located in Illicks Mill Park and begins upstream of the intersection of Monocacy Creek Road and Illicks Mill Road (Catasauqua, PA Quadrangle, Latitude: 40°38'16"; Longitude: -75°22'25").

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

**E14-577. Pennsylvania Department of Transportation**, Engineering District 2-0, 70 PennDOT Drive, Clearfield, PA 16830. SR 3014, Section 152, Atherton Street Stream Enclosure Replacement over Big Hollow Run in Ferguson Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle; Latitude: 40°48'09"; Longitude -77°52'55").

PA DOT Engineering District 2-0 proposes to replace a Single Span Corrugated Metal Pipe Stream Enclosure with a 5.5 × 4.0 Single Cell Precast Concrete Box Culvert Stream Enclosure. The proposed Box Culvert Stream Enclosure will be located approximately Five Feet to the East of the existing structure. The existing stream enclosure has a span of 4.0 Ft., a skew of 27 degrees, an underclearance of 2.83 Ft., and a low chord of 1,087.52 Ft. and a hydraulic opening of 8.9 Ft<sup>2</sup>. The proposed stream enclosure has a span of 5.5 Ft., a skew of 27 degrees, an underclearance of 3.0 Ft., and a low chord of 1,087.66 Ft. and a hydraulic opening of 16.5 Ft<sup>2</sup>. The proposed structure will utilize R-6 Rip Rap, choked with native material for scour protection at the inlet and outlet. The existing stream enclosure is 105.8 Ft. long and the proposed stream enclosure is 108.0 Ft. long. The project will utilize half width construction to convey

traffic during construction. In addition, the project will include the replacement of a 36 inch pipe outfall and the rehabilitation of a 30 inch pipe outfall. The project will not impact any jurisdictional wetlands. Big Hollow Run is classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards.

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

**E63-694, Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Amwell Township, **Washington County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Remove an existing single-span, concrete (in place), arch deck-closed bridge (Span 103 feet, Length 27.3 feet, Under-clearance 20.5 feet) over Tenmile Creek (TSF),
2. Construct and maintain a replacement single-span, P/S concrete spread box beam bridge (Span 127 feet, Length 38.2 feet, Under-clearance 18.2 feet) over Tenmile Creek (TSF), which will permanently impact 117 linear feet of perennial, Tenmile Creek (aka Stream 1) and temporarily impact 175 linear feet of Stream 1,
3. Temporarily impact 41 linear feet of an intermittent unnamed tributary to Tenmile Creek (aka Stream 2),
4. Relocate 256 linear feet of an intermittent, unnamed tributary to Tenmile Creek (aka Stream 3) to a new channel that will be 396 linear feet long and temporarily impact 78 linear feet of Stream 3,
5. Temporarily impact 31 linear feet of an intermittent, unnamed tributary to Tenmile Creek (aka Stream 4),
6. Temporarily affect two PEM wetlands (0.031 acre of Wetland 1 and 0.002 acre of Wetland 2),

Cumulatively, the project proposes to permanently impact 373 linear feet of stream channel, temporarily impact 325 linear feet of stream channel, and temporarily impact 0.033 acre of PEM wetlands.

For the purposes of replacing the existing S.R. 0019 (Amity Ridge Road), Section 000 bridge, a structurally deficient structure over Tenmile Creek (TSF) which is located near the Amwell Township Ballpark (Amity, PA USGS Quadrangle, Latitude: 40° 1' 26"; Longitude: -80° 12' 19"; Sub-basin 19B; Pittsburgh ACOE District) in Amwell Township, Washington County.

**E63-696, Plenary Walsh Keystone**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Independence and Blaine Townships, **Washington County**, Pittsburgh ACOE District.

The applicant proposes to:

Remove the existing single-span reinforced concrete bridge (JV # 522) having a span of 41.54 feet with an underclearance of 13.33 feet (as measured from the center of the existing arch bridge) and to construct and maintain a single span concrete box beam bridge having a span of 76.5 feet with a minimum underclearance of 8.58 feet (as measured at abutment 1) across Brush Run (WWF) for the purpose of replacing an existing bridge and improving public transportation. The bridge is located on SR 0231, Section 000 just north from the confluence of Brush Creek and Buffalo Creek (West Middletown, PA Quadrangle, N: 12.9 inches; W: 10.2 inches; Latitude: 40°-11'-43.44"; Longitude: 80°-26'-53.16") in Independence and Blaine Townships, Washington County. The project as proposed will impact approximately 28.0 ft. of watercourse.

**ENVIRONMENTAL ASSESSMENTS**

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

**D39-022EA. Helen Hewell**, Millbrook Farms Home-owners Association, 2700 Millrace Road, Allentown, PA

18106, Lower Macungie Township, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Mill Dam for the purpose of eliminating a threat to public safety and restoring approximately 380 feet of stream channel to a free-flowing condition. The project is located across Little Lehigh Creek (HQ-CWF, MF) (Allentown West, PA Quadrangle, Latitude: 40.5390; Longitude: -75.5322).

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
17002	Shell Chemical Appalachia LLC 300 Frankfort Road Monaca, PA 15061 Attn: James H. Sewell	Beaver	Potter and Center Townships	15 ASTs storing hazardous substances and petroleum products	3,269,937 gallons total

**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.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0205761 (Sewage)	Harshbarger MHP 207 Main Street Dawson, PA 15428	Beaver County Hanover Township	Unnamed Tributary to Little Traverse Creek (20-D)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0043273	Hollidaysburg Borough Sewer Authority 401 Blair Street Hollidaysburg, PA 16648-1805	Frankstown Township, Blair County	Frankstown Branch Juniata River/ Watershed 11-A	Y
PA0042269	Lancaster Area Sewer Authority 130 Centerville Road Lancaster, PA 17603	Manor Township, Lancaster County	Dry Run/Watershed 7-J	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0113182 (Sewage)	Nittany Grove MHP Water System 113 Ramsey Way Boalsburg, PA 16827-1904	Centre County Harris Township	Spring Creek (9-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0092304 (Sewage)	Shelbourne Personal Care 296 Dinnerbell Road Butler, PA 16002-8862	Butler County Penn Township	Robinson Run (20-C)	Yes
PA0103641 (Sewage)	Wilmington Township Sewer Authority Orchard Terrace STP 669 Wilson Mill Road New Castle, PA 16105-3917	Lawrence County Wilmington Township	Unnamed Tributary to Little Neshannock Creek (20-A)	Yes

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

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

**NPDES Permit No. PA0255165**, Sewage, SIC Code 8811, **Bill J. Lilly**, 845 Barclay Hill Road, Beaver, PA 15009.

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

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

**NPDES Permit No. PA0255122**, Sewage, SIC Code 8800, **Stanley W. Kuny**, 6201 Penn Drive, Butler, PA 16002.

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

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

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

**NPDES Permit No. PA0264768**, Sewage, SIC Code 8800, **Elizabeth Swanson**, 2031 Marble Strobleton Road, Fryburg, PA 16326.



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

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

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

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

**QM Permit No. 0416402**, Sewage, SIC Code 8811, **Bill J. Lilly**, 845 Barclay Hill Road, Beaver, PA 15009.

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

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

**QM Permit No. 0216404**, Sewage, SIC Code 8800, **Stanley Kuny**, 6201 Penn Drive, Butler, PA 16002.

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

Description of Proposed Action/Activity: The Applicant proposes to construct a single residence sewage treatment plant to serve his property.

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

**QM Permit No. 2105402 A-8**, Sewerage, **Shippensburg Borough Authority**, 111 North Fayette Street Shippensburg, PA 17257-0129.

This proposed facility is located in Shippensburg Borough, **Cumberland County**.

Description of Proposed Action/Activity: This amendment approves the construction of sewage facilities consisting of: A 82' wide by 138' long biosolids storage pad.

**QM Permit No. 3694412**, Sewerage, **Yvonne S. Martin**, 1580 Briertown Road, East Earl, PA 17519-9404.

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

Description of Proposed Action/Activity: The small flow treatment facility consists of two 1,000-gallon septic tanks, a dosing tank, a subsurface sand filter, a tablet chlorinator, and a chlorine contact tank which discharges to an unnamed tributary to Conestoga River.

**QM Permit No. 2102408**, Sewerage, **John S Trayer & Richelle K Trayer**, 277 Clover Hill Road, Newburg, PA 17240.

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

Description of Proposed Action/Activity: of:

- 1,500-gallon dual compartment septic tank.
- 500-gallon dosing tank with air powered pump
- 864 SF sand filter.
- Tablet chlorinator and 500-gallon contact tank.

**QM Permit No. 6786201 A1**, Industrial Waste, **Modern Landfill**, 4400 Mount Pisgah Road, York, PA 17406. This proposed facility is located in Windsor Township and Lower Windsor Township, **York County**.

Description of Proposed Action/Activity:

-Four (4) existing 250,000-gallon influent storage tanks; one with a new jet mixing system -Existing grit chamber, neutralization tank, two (2) flocculation tanks and two (2) gravity plate separators -Two (2) 63,500-gallon pre-anoxic tanks converted from two (2) existing clarifiers -New 5,000-gallon methanol storage tank with chemical feed system -Two (2) existing 264,000-gallon aeration tanks with new jet aeration systems replacing existing fine bubble aeration systems -Two (2) new cross-flow tubular ultrafilter membrane systems (each with three (3) membrane modules) -New membrane clean-in place (CIP) system consisting of a cleaning tank, hot/cold water storage tanks, chemical metering system for caustic, sodium hypochlorite and citric acid based cleaning chemicals -Conversion of the existing phosphoric acid feed system from manual operation to an automatically controlled, -New flow splitter boxes for pre-anoxic tanks and aeration tanks -New two (2) plate-and frame heat exchangers for cooling the activated sludge biomass -Elimination of two (2) existing sand filters -New effluent flow meter and flow-proportional composite sampler -Existing outfall structure -Other appurtenances associated with the upgrade project

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

**QM Permit No. 2489202 A-8**, Industrial, **Advanced Disposal Service Greentree Landfill LLC**, 635 Toby Road, Kersey, PA 15846-1033.

This existing facility is located in Fox Township, **Elk County**.

Description of Proposed Action/Activity: Addition of chemical addition mix tanks and inclined plate clarifier to process train.

**QM Permit No. 1616406**, Sewage, **Elizabeth Swanson**, 2031 Marble Strobleton Road, Fryburg, PA 16326.

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

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



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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024816016	Annunciation Hellenic Orthodox Church c/o Mr. Aristides Manolas 319 South 20th St. Easton, PA 18042	Northampton	Bethlehem Township	UNT to Bushkill Creek (HQ-CWF, MF)
PAI024816013	UGI Utilities, Inc. c/o Mr. Chris Langman 2525 N 12th Street Reading, PA 19612	Northampton	Forks Township	UNT to Bushkill Creek (HQ-CWF, MF)
PAI024516005	Great Bend Holdings, Inc. PO Box 239 Harford, PA 18823	Monroe	Tobyhanna Township	Goose Run (HQ-CWF, MF)
PAI023916019	Jaindl Land Company David Jaindl 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030616001 Issued	Wildflower LLC 540 Countryside Lane New Holland, PA 17557	Lancaster	East Earl Township	UNT Black Creek (HQ, WWF/MF) Wetlands

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180006	Dave Lapp 380 Auction Road Mill Hall, PA 17751	Clinton	Lamar Twp	Long Run HQ-CWF

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

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

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

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

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Providence Township Montgomery County	PAG02004615051(1)	Ivan Hess Jr. & R Erich Hess 651 Keller Creamery Road Telford, PA 18969	Unnamed Tributary to Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG02004616038	UMTSD 2900 Terwood Road Willow Grove, PA 19090	Unnamed Tributary to Pennypack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Towamencin Township Montgomery County	PAG02004616065	Towamencin Township P.O. Box 303 Kulpsville, PA 19443-0303	Towamencin Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAC460015	NHM Housing LP One Brewery Park 1301 North 31St Street Philadelphia, PA 19121-4495	Unnamed Tributary to Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Perkiomen Township Montgomery County	PAC460032	Antonia Mazzamuto 391 Wartman Road Collegeville, PA 19426	Schoolhouse Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bethel Township Delaware County	PAC230003	Chris Panarello, Jr. 1386 Naamans Creek Road Garnet Valley, PA 19060	West Branch of Naamans Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Darby Township Delaware County	PAC230009	Drexelbrook Associates, LLC 4812 Drexelbrook Drive Drexel Hill, PA 19026	Darby Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Delaware County	PAC230013	WV-PP Towne Center, L.P. 940 West Sproul Road Suite 301 Springfield, PA 19064-1255	Unnamed Tributary to Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Mahoning Township Carbon County	PAC130001	Ronald P. Sherry 757 Fredericks Grove Drive Lehighton, PA 18235	Mahoning Creek (CWF, MF)	Carbon County Conservation District 610-377-4894
Larksville Borough Luzerne County	PAC400005	CRS Storage, LLC Stan Wateski 765 Main Street Swoyersville, PA 18704	Susquehanna River (WWF, MF)	Luzerne Conservation District 570-674-7991
Washington Township Lehigh County	PAC390006	Slatington DG, LLC 361 Summit Blvd Suite 110 Birmingham, AL 36243	UNT to the Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583

<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>
Allen Township Northampton County	PAC480008	Andrew Loeb Fedex Ground Package System, Inc. 1000 Fedex Drive Moon Township, PA 15108	Catasauqua Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Butler Township Schuylkill County	PAC540004	Scott McCormick 16 North Oak Street Mt. Carmel, PA 17851	UNT to Little Mahanoy Creek (CWF, 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.*

<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>
Ruscombmanor Township Berks County Issued	PAC060009-Phase 2	David Hrobuchak, PA DEP 909 Elmerton Avenue Harrisburg, PA 17110	Willow Creek (CWF-MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657 x200
North Lebanon Township West Lebanon Township Lebanon County Issued	PAC380014	Robert J. Philips 400 South 8th Street Room 207 Lebanon, PA 17042	UNT Swatara Creek (WWF-MF) Union Canal (WWF-MF) Quittapahilla Creek (TSF-MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Lower Allen Township Cumberland County Issued	PAC210017	PR Capital City Limited Partnership 200 S. Broad Street Philadelphia, PA 19102	Cedar Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812

*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 County	PAC140011 previously PAG02001414015	GLP 331 IP LLP 10096 Redrun Blvd Suite 100 Baltimore, MD 21117	Big Hollow CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

*General Permit Type—PAG-3*

<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>
Ephrata Township, Lancaster County	PAG033554	US Pipe Fabrication LLC 596 Trout Run Road Ephrata, PA 17522	Indian Run in Watershed(s) 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Brecknock Township, Lancaster County	PAG033555	Reading Equipment Distribution Bowmansville 1363 Bowmansville Road Bowmansville, PA 17507	Muddy Creek in Watershed(s) 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
East Cocalico Township, Lancaster County	PAG033547	Supervalu Inc. 250 East Parkcenter Boulevard Po Box 20—Dept. 72405 Boise, ID 87326	Little Muddy Creek in Watershed(s) 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster City, Lancaster County	PAR323512	Armstrong Flooring Inc 2500 Columbia Ave PO Box 3025 Lancaster, PA 17604-3025	UNT to Little Conestoga Creek in Watershed(s) 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Manchester Township, York County	PAG033552	GEA NA 3475 Board Road York, PA 17406	UNT to Codorus Creek in Watershed(s) 7-H	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lower Allen Township, Cumberland County	PAG033538	Central Transport Inc. 12225 Stephens Road Warren, MI 48089	Cedar Run in Watershed(s) 7-E	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lititz Borough, Lancaster County	PAG033549	Tait Towers Manufacturing LLC 401 West Lincoln Avenue Lititz, PA 17543	UNT to Santo Domingo Creek in Watershed(s) 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Jefferson Township Greene County	PAR606166	Hoyles Auto Salvage Inc. 483 Clarksville Road Clarksville, PA 15322	South Fork Tenmile Creek—19-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Pine Creek Township Jefferson County	PAG038346	Brookville Equipment Corporation 175 Evans Street Brookville, PA 15825	Sandy Lick Creek/ TSF	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<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>
East Earl Township, Lancaster County	PAG043893	Yvonne S. Martin 1580 Briertown Road East Earl, PA 17519-9404	UNT to Cedar Creek/7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Hopewell Township, Cumberland County	PAG043693	John S Trayer & Richelle K Trayer 277 Clover Hill Road Newburg, PA 17240	Laughlin Run/ 7-B	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-8*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Borough of Mechanicsburg, Cumberland County	PAG083528	Borough of Mechanicsburg 36 West Allen Blvd Mechanicsburg, PA 17055	Mechanicsburg Wastewater Treatment Plant 842 West Church Rd Mechanicsburg, PA 17055	DEP—SCRO— Clean Water Program 909 Elmerton Ave Harrisburg, PA 17110-8200 717-705-4707
Spring Township Berks County	PAG083567	Sinking Spring Township 3940 Penn Avenue Sinking Spring, PA 19608	Sinking Spring Borough 2305 Reedy Road Sinking Spring, PA 19608-11698	DEP—SCRO— Clean Water Program 909 Elmerton Ave Harrisburg, PA 17110-8200 717-705-4707

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Morgan Township Greene County	PAG086115	Lower Ten Mile Joint Sewer Authority 144 Chartiers Road Jefferson, PA 15344	Mather Wastewater Treatment Plant Morgan Township Greene County, PA	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Warsaw Township Jefferson County	PAG098301	Williams & Sons Services, Inc. 411 Williams Road Reynoldsville, PA 15851	Williams Sanitary Services 411 Williams Road Reynoldsville, PA 15851	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Canal Township Venango County	PAG098310	Charles Heffern, Jr. 668 Buttermilk Hill Road Franklin, PA 16323	Heffern Septic Service 668 Buttermilk Hill Road Franklin, PA 16323	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Perry Township Mercer County	PAG098308	Scott E Peterman 26 Everbreeze Drive Hadley, PA 16130	Peterman Septic Services 2495 Perry Highway Hadley, PA 16130	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Operations Permit # 0916518** issued to **Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033, [(PWSID)] Lower Makefield Township, **Bucks County** on January 25, 2017 for the operation of Ferric Chloride Blended Polymer Coagulant.

**Operations Permit # 0916521** issued to **Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974, [(PWSID)] Warminster Township, **Bucks County** on February 1, 2017 for the operation of a Temporary GAC Filtration Units to Treat PFOS/PFOA Well 3 facilities approved under construction permit # 0916521.

**Permit No. 1516514, Construction.** Public Water Supply.

Applicant	<b>Coventry Terrace MHP, LLC</b> 6 Orchard Lane Spring City, PA 19475
Township	East Coventry
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	EEMA, Inc. 1690 Sumneytown Pike Suite 260 Lansdale, PA 19446
Permit to Operate Issued	February 3, 2017

**Permit No. 1516521, Construction.** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Schuylkill



County **Chester**  
 Type of Facility PWS  
 Consulting Engineer BCM Engineering's  
 920 Germantown Pike  
 Suite 200  
 Plymouth Meeting, PA 19462

Permit to Operate February 1, 2017  
 Issued

**Permit No. 4616526, Construction.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Borough Hatboro  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer GHD  
 1240 Mountain Road  
 Harrisburg, PA 17112

Permit to Operate January 27, 2017  
 Issued

**Permit No. 4616527, Construction.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Township Upper Moreland  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer GHD  
 1240 Mountain Road  
 Harrisburg, PA 17112-1754

Permit to Operate January 27, 2017  
 Issued

**Permit No. 4616529, Construction.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Township Upper Moreland  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer GHD  
 1240 Mountain Road  
 Harrisburg, PA 17112-1754

Permit to Operate January 27, 2017  
 Issued

**Permit No. 4616530, Construction.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Borough Hatboro  
 County **Montgomery**  
 Type of Facility PWS

Consulting Engineer GHD  
 1240 Mountain Road  
 Harrisburg, PA 17112-1754

Permit to Operate January 27, 2017  
 Issued

**Permit No. 4616531, Construction.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Township Upper Merion  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer GHD  
 1240 Mountain Road  
 Harrisburg, PA 17112-1754

Permit to Operate February 8, 2017  
 Issued

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

**Permit No. 2580024, Operations Permit.** Public Water Supply.

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

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

Permit to Operate 1/11/2017  
 Issued

**Permit No. 3480038, Operations Permit.** Public Water Supply.

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

[Borough or Township] Upper Mt. Bethel Township  
 County **Northampton**  
 Type of Facility PWS  
 Consulting Engineer Craig Darosh, PE  
 Pennsylvania American Water Company  
 4 Wellington Blvd., Suite 2  
 Wyomissing, PA 19610

Permit to Operate 1/12/2017  
 Issued

**Permit No. 4016513, Public Water Supply.**

Applicant **Mooretown Properties, LLC  
 T/A Evergreen Estates Mobile Home Park**  
 396 SR 415  
 Noxen, PA 18636

Municipality Lake Township  
 County **Luzerne**  
 Type of Facility PWS  
 Consulting Engineer Martin J. Gilligan, P.E.  
 Martin J. Gilligan, LLC  
 52 Westminster Drive  
 Dallas, PA 18612  
 Permit to Construct February 8, 2017  
 Issued

**Permit No. 2450143, Transfer of Operation Permit,**  
 Public Water Supply.

Applicant **Sciota Ventures, LLC**  
**(formerly Grant Homes, Inc.)**  
 701 West Broad Street, Suite 200  
 Bethlehem, PA 18018

Municipality Hamilton Township  
 County **Monroe**  
 Type of Facility PWS  
 Consulting Engineer N/A  
 Permit to Operate February 14, 2017  
 Issued

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

**Permit No. 2216505,** Public Water Supply.

Applicant **Thomas W. Edwards II**  
 Municipality Londonderry Township  
 County **Dauphin**  
 Responsible Official Thomas W. Edwards II  
 1899 Wisagarver Road  
 Manheim, PA 17545

Type of Facility Installation of an anion exchange  
 treatment system along with  
 blending for the removal of  
 nitrate.

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

Permit to Construct 2/8/2017  
 Issued

**Permit No. 3616515, Minor Amendment.** Public  
 Water Supply.

Applicant **Farmersville Mennonite  
 School**

Municipality West Earl Township  
 County **Lancaster**  
 Responsible Official David L. Seibel, Head  
 Maintenance  
 65 E. Farmersville Road  
 Ephrata, PA 17522

Type of Facility Replacement well for use with  
 existing treatment facility.

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

Permit to Construct 2/10/2017  
 Issued

**Permit No. 2117503 E.** Public Water Supply.  
 Applicant **Shippensburg Borough  
 Authority**

Municipality Southampton Township  
 County **Franklin**

Responsible Official John Eply, Borough Manager  
 111 North Fayeete Street  
 PO Box 129  
 Shippensburg, PA 17257-2147

Type of Facility Emergency  
 Construction/Operation Permit  
 for temporary sodium  
 hypochlorination facilities at the  
 Well No. 2 treatment facility.

Consulting Engineer Dennis Hammaker, PE  
 RETTEW Associates, Inc.  
 3020 Columbia Avenue  
 Lancaster, PA 17603

Permit to Construct 2/9/2017  
 Issued

**Operation Permit No. 0116501 MA** issued to:  
**Littlestown Borough Authority (PWS ID No.  
 7010022)**, Littlestown Borough, **Adams County** on  
 1/27/2017 for facilities approved under Construction Per-  
 mit No. 0116501 MA.

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

**Permit No. 4116505-MA—Operation—Public Water  
 Supply.**

Applicant **Williamsport Municipal Water  
 Authority**

Township/Borough City of Williamsport  
 County **Lycoming**

Responsible Official Douglas E. Keith  
 Executive Director  
 253 West Fourth St.  
 Williamsport, PA 17701

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued February 10, 2017

Description of Action Permit authorizes operation of  
 the following addition to the bulk  
 water filling station located at 26  
 Arch Street: New 2-inch fill port  
 for potable water only that is  
 equipped with a dedicated RPZ  
 backflow prevention device and  
 flow meter for potable bulk  
 water sales.

**Permit Nos. 4985501-T1, 4998501-T1, MA-GWR-  
 T1—Transfer/Operation—Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**

Township/Borough East Cameron Township  
 County **Northumberland**

Responsible Official Mark A. Lucca  
 President  
 762 West Lancaster Ave.  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply

Consulting Engineer Amanda Stank  
 GHD  
 1240 N. Mountain Rd.  
 Harrisburg, PA 17112

Permit Issued February 10, 2017

Description of Action Transfer of permits for operation from East Cameron Township Municipal Authority to Aqua Pennsylvania, Inc. The disconnected and abandoned springs have been removed from PWS Permit No. 4985501-T1.

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

**Transfer of Operation Permit** issued to **Greenville Holding LLC, PWSID No. 6430039**, Hempfield Township, **Mercer County** on February 8, 2017. Action is for change in ownership; the potable water supplier will do business as Greenville MHP. The new permit number is 4391506-T2.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Earl Township	157 West Metzler Road Brownstown, PA 17508	Lancaster

*Plan Description:* Approval of a revision to the official plan of West Earl Township, Lancaster County. The project is known as Conestoga View Sanitary Sewer Extension. The plan provides for completion of 10,000 linear feet of pressure sewers and associated grinder pumps for the Millway Road/Conestoga View area. Alternative 1 is to be completed by June 2018. Sewers will connect to the Cocalico Creek Road Pumping Station. This plan revision provides the detail needed to implement the Township's 537 Official Sewage Plan. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-36959-201-3M and the APS Id is 932363. Any permits must be obtained in the name of the West Earl Sewer Authority.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Conewango Township	4 Firemans Street Warren, PA 16365	Warren

*Plan Description:* The approved plan provides for an evaluation of alternatives for both the headworks and the digesters at the North Warren Municipal Authority

wastewater treatment plant. It concludes with selecting the construction of a new headworks building containing two new fine screens and construction of two new aerobic digester tanks with conversion of the existing anaerobic digester to a sludge holding tank and construction of a digester equipment building. The North Warren Municipal Authority will obtain financing, design, construct, own, operate and maintain the facilities. The Department's review of the sewage facilities plan has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Under the Pennsylvania Sewage Facilities Act**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Silver Spring Township	8 Flowers Dr. Mechanicsburg, PA 17050	Cumberland

*Plan Description:* The exemption request for the Glendale Estates Subdivision, DEP Code No. A3-21925-580-2E, APS Id 933238, is disapproved. The purpose of this subdivision is to create twenty-five new single family residential building lots to use onlot sewage disposal systems. The project is located along Glendale Drive, north of the junction with Wertzville Road. The application is denied because the areas of some of the proposed lots are not at least one acre in size, as required by Chapter 71, section 71.51b(1)(iv).

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Salisbury Township	5581 Old Philadelphia Pike Gap, PA 17527	Lancaster

*Plan Description:* The planning module for the Sam's Mechanical Subdivision, DEP Code No A3-36950-485-3E APS Id 931481, consisting of a proposed commercial lot served by public sewer and a remaining lot served by on lot sewage disposal is disapproved. The proposed development is located at on the south side of Lincoln Highway East just west of Mount Vernon Road in Salisbury Township and in Sadsbury Township, Lancaster County. This plan is disapproved because soils testing and completion of the on lot portion of the exemption request has not been completed for the lot using on lot disposal.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995 PREAMBLE 2**

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**



Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**LVIP VII Coal Chemical Area**, Commerce Center Boulevard, Bethlehem City, **Northampton County**. HDR Engineering, 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a Site-Specific Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with VOCs and heavy metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Sunoco Fullerton Terminal # 0358-1501**, 2480 Main Street, Whitehall Township, **Lehigh County**. Aquaterra Technologies, Inc., 122 S. Church Street, West Chester, PA 19382, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, submitted a Site-Specific Remedial Investigation Report concerning remediation of site soils contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Johnnies Fuel Service & Repair LLC Property**, 1417 Main Street, Dickson City Borough, **Lackawanna County**. Pennsylvania Tectonics, Inc., 723 Main Street,

Archbald, PA 18403, on behalf of Johnnies Fuel Service & Repair, LLC, 1417 Main Street, Dickson City, PA 18519, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Cumene, Ethylbenzene, 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.

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

**Hershey 19 East Facility—The Hershey Company**, 19 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Langan Engineering and Environmental Services, P.O. Box 1569, Doylestown, PA 18901, on behalf of The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, and Chocolate Realty DST, 10 Tara Boulevard, Suite 130, Nashua, NH 03062 submitted a Remedial Investigation and Final Report concerning remediation of site soils contaminated with Inorganics and SVOCs. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Alumax Mill Products—Linpar Release Area**, 1480 Manheim Pike, Lancaster, PA 17604-3167, Manheim Township, **Lancaster County**. Tetra Tech, 661 Andersen Drive, Foster Plaza 7, Pittsburgh, PA 15220-2745, on behalf of Alumax Mill Products, 1480 Manheim Pike, Lancaster, PA 17604-3167, submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with Linpar Cold Rolling Oil. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Gino Gaspari & Sons, Inc.**, 2103 Georgia Road, Temple, PA 19560, Muhlenberg Township, **Berks County**. Leed Environmental, Inc., 2209 Quarry Drive, Suite C-35, Reading, PA 19609, on behalf of Gino Gaspari and Sons, Inc., 2103 Georgia Road, Temple, PA 19560, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with diesel and unleaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Schneider National, Inc.—Carlisle Facility**, 1 Schneider Drive, Middlesex Township, **Cumberland County**. GEI Consultants, Inc., 18000 Horizon Way, Mount Laurel, NJ 08054, on behalf of Schneider National, Inc., 3101 Packerland Drive, Green Bay, WI 54313-6187, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Safety-Kleen New Kingstown Service Center**, 10 Eleanor Drive, New Kingstown, PA 17072, Silver Spring Township, **Cumberland County**. CB&I Environmental & Infrastructure, Inc., 13 British American Boulevard, Latham, NY 12110, on behalf of Safety-Kleen Systems, Inc., A Clean Harbors Company, 4120 Thunderbird Lane, Fairfield, OH 45014, submitted Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Site Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

**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:

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

**Warriors Mark Fuel Tanker Release**, Route 350, Warriors Mark, PA 16877, Warriors Mark Township, **Huntingdon County**. ATC Group Services LLC, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Sel-Lo Oil, Inc., 7043 Ellenberger Drive, Altoona, PA

16601, and Marilee Ormsby, 1858 Quebec Street, Severn, MD 21144 submitted a Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel. The Report was administratively incomplete and was disapproved by the Department on February 6, 2017.

**Max-Mile Car Care Center**, 145 Guy Street, Hallam, PA 17406, Hallam Borough, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Jump Start Garage, 2739 Black Bear Road, Needmore, PA 17238, submitted a Final Report to remediate site soil contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on February 10, 2017.

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

**Former Glassport Rail Yard, (former P&LE Railroad Maintenance Buildings and Yard)** Borough of Glassport, **Allegheny County**. KU Resources Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Borough of Glassport, 440 Monongahela Ave, Glassport, PA 15045 has submitted a Final Report concerning the remediation of site soils contaminated with Benzo(a)-pyrene, Arsenic and Manganese. The Final Report was approved by the Department February 12, 2017.

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

**Harvard Seven-Lot 2**, Harvard and Columbia Roads, Haverford Township, **Delaware County**. Thomas Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin Hillsinger, Harvard Seven, LLC, 1305 Catfish Lane, Audubon, PA 19403 has submitted a Risk Assessment/Remedial Investigation/Cleanup and a Final Report concerning the remediation of site no. 1, 2, 4 and no. 6 fuel oil contaminated with soil. The Risk Assessment/Remedial Investigation/Cleanup and a Final Report was approved by the Department on January 17, 2017. PF811568.

**Pier 60**, 1499/1505/1533 Christopher Columbus Boulevard, City of Philadelphia, **Philadelphia County**. Bill Schmidt, PE, Pennoni Associates Inc., 3001 Market Street, Philadelphia, PA 19104, Joel Zickler, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Tina Roberts, Sugarmill Development Associates, LP, 817 North 3rd Street, Philadelphia, PA 19123 has submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with the release of heavy metals and naphthalene. The Remedial Investigation/Cleanup Plan was approved by the Department on January 24, 2017. PF666027.

**Sunoco Twin Oaks Terminal # 0234-3267**, 4041 Market Street, Upper Chichester, **Delaware County**. David Schantz, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382, William Brochu, Evergreen Resource Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 on behalf of Bradford Fish, Sr., Sunoco Partners Market & Terminal, LP 4041 Market Street, Aston, PA 19014 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with leaded gasoline. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on January 25, 2017. PF733789.



**Harvard Seven-Lot 4**, Harvard and Columbia Roads, Haverford Township, **Delaware County**. Thomas Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin Hillsinger, Harvard Seven, LLC, 1305 Catfish Lane, Audubon, PA 19403 has submitted a Risk Assessment/Remedial Investigation/Cleanup Plan/Final Report concerning the remediation of site no. 1, 2, 4 and no. 6 fuel oil contaminated with soil. The Risk Assessment/Remedial Investigation/Cleanup and a Final Report was approved by the Department on January 30, 2017. PF811570.

**528-540 North 34th Street**, 528-540 North 34th Street, City of Philadelphia, **Philadelphia County**. James R. Burke, PG, Monridge Construction, Inc., P.O. Box 26, Lenni, PA 19052 on behalf of William Loonstyn, 528-40 North 34th Street, L.P., 2048A Fairmont Avenue, Philadelphia, PA 19130 has submitted a Remedial Investigation/Final Report concerning the remediation of site groundwater and soil contaminated with Chlorinated solvents. The Remedial Investigation/Final Report was approved by the Department on February 1, 2017. PF736589.

**Sears Logistics Service Terminal Freights**, 3820 North 2nd Street, City of Philadelphia, **Philadelphia County**. Heidi Gahnz, Resources Control Consultants LLC, P.O. Box 180, Moorestown, NJ 08057 on behalf of Scott Taylor, Sears Holding Management Corporation, Department 766x, 3333 Beverly Road, B5-335A, Hoffman Estates, IL 60179 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Remedial Investigation Report was approved by the Department on February 2, 2017. PF619022.

#### 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.*

#### *Renewal Applications Received*

**Hazmat Environmental Group, Inc.**, 60 Commerce Drive, Buffalo, NY 14218-1040. License No. PA-AH 0315. Effective Feb 13, 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 Reissued*

**Choice MedWaste, LLC**, PO Box 1443, Hockessin, DE 19707. License No. PA-HC 0266. Effective Feb 08, 2017.

**Conservative Environmental Services, Inc.**, PO Box 745, Mechanicsburg, PA 17055. License No. PA-HC 0224. Effective Feb 09, 2017.

#### *Renewal Applications Received*

**Choice MedWaste, LLC**, PO Box 1443, Hockessin, DE 19707. License No. PA-HC 0266. Effective Feb 08, 2017.

#### MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGM015D003. Superior Mulch, LLC**. Narrows Road & State Route 119, Connellsville, PA 15425. This permit is for the processing and beneficial use of wood and timber waste, tree stumps, limbs, clean wood, untreated and unpainted wood and pallets and leaf and yard waste as mulch and compost. The application for renewal under WMGM015D003 was issued on February 7, 2017.

Persons interested in reviewing the general permit may contact Ali Tarquino Morris, Chief, 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.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Application Received for Registration 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. WMGR097R028, Seneca Resources Corporation**, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237. The registration to operate under General Permit Number WMGR097R028 is for research and development activities to support the beneficial use or processing prior to beneficial use. The location in the application is at the CRV Pad C09-G and Brewer Fork Lane access road in **Cameron County**, Shippen Township. The project involves the beneficial use of vertical drill cutting (tophole) from natural gas wells as an aggregate in a stabilized soil pavement for construction of Marcellus Shale well pads and access roads. The application for registration under General Permit No. WMGR097R028 was denied on February 13, 2017.

Questions concerning the denial of the application should be directed to Chris Tersine, Environmental Engineer, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

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**OPERATE WASTE PROCESSING OR DISPOSAL  
AREA OR SITE**

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**Permit(s) issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 301358. Phoenix Resources, Inc.**, 782 Antrim Road, Wellsboro, PA 16901, Duncan Township, **Tioga County**. The permit modification covers Installation of leachate concentrator/evaporation and trucking leachate in an emergency. The permit was issued by Northcentral Regional Office on February 8, 2017.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**AIR QUALITY**

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**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.**

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

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

**GP9-54-001A: USS Achey Inc.** (355 East Second Mountain Road, Schuylkill Haven, PA 17972) on February 8, 2017 for the installation and operation of a Diesel I/C Engine at the site located in North Manheim Twp., **Schuylkill County**.

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

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

**GP1-06-03079: Interstate Container LLC** (100 Grace Street, Reading, PA 19611) on February 7, 2017, for an existing 25.1 MMBtu/hr. natural gas-fired boiler, under GP1, at the facility located in Reading City, **Berks County**.

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

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

**GP4-25-079C: Berry Plastics Corp.** (316 W 16th Street, Erie, PA 16502) on January 26, 2017, for the authority to construct and/or operate a burn off oven (BAQ-GPS/GP4) located at their facility in City of Erie, **Erie County**.

**GP5-33-208A: XTO Energy Inc. Winslow Compressor Station** (810 Houston St. Fort Worth, TX 76102) on January 30, 2017, for the authority to construct and/or operate a natural gas fired compressor engine (Caterpillar

3508) (BAQ-GPS/GP5) located at their facility in McCalmont Township, **Jefferson County**.

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

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

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

**23-0016D: PQ Corporation** (1201 West Front Street, Chester, PA 19013) On February 10, 2017 for a plan approval to replace the fuel oil supply skid that supplies fuel oil to the # 4 Sodium Silicate Furnace (Source ID 102) and amend the Title V Operating Permit for their facility located in the City of Chester, **Delaware County**.

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

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

**40-00123A: Vita Line Products Inc.** (1111 N Park Drive, Humboldt Industrial Park North, Hazle Twp., PA 18202-9720) on February 9, 2017 for the installation of an odor control system at the site located in Hazle Twp., **Luzerne County**.

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

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

**36-03034B: Purina Animal Nutrition, LLC** (3029 Hempland Road, Lancaster, PA 17601) on February 7, 2017, for the installation of a new pellet cooler and cyclone on System # 2 at the Hempfield facility located in East Hempfield Township, **Lancaster County**.

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

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

**10-368E: Markwest Liberty Midstream & Resources, Bluestone Gas Processing Plant** (1515 Arapahoe St., Suite 1600, Denver, CO 80202), on January 24, 2017 issued a Plan Approval to construct three (3) additional process heaters and modifications/revisions to previously permitted process heaters and storage tanks at this facility in Jackson Township, **Butler County**. This is a State Only facility.

**25-1053A: Alpont LLC** (2797 Freedland Rd., Hermitage, PA 16148), on February 9, 2017 issued a Plan Approval for construction of a methanol and sodium methylate (30% wt. solution) production facility in City of Erie, **Erie County**.

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

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



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

**09-0237: TC Millwork** (PO Box, Bensalem, PA 19020-5910) On February 8, 2017 for the installation and operator of two (2) spray booth operations and associated filters in Bensalem Township, **Bucks County**.

**15-0010D: ArcelorMittal Plate LLC:** (139 Modena Road, Coatesville, PA 19320-4036) On February 8, 2017 for the replacement of an 8.0 MMBtu/hr ladle preheat burner in Coatesville City, **Chester County**.

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

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

**36-03199A: Doodad Printing LLC** (72 Industrial Circle, Lancaster, PA 17601) on February 7, 2017, for construction of a printing operation at a new facility to be located in East Lampeter Township, **Lancaster County**. The operation will consist of four heatset presses controlled by a regenerative thermal oxidizer, one coldest press, and parts washers. 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.

**49-00064A: Milton Sewer Regional Authority** (5585 State Route 405, PO Box 433, Milton, PA 17847), on February 7, 2017, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from February 8, 2017 to August 7, 2017 at their facility located in West Chilisquaque Township, **Northumberland County**. The plan approval has been extended.

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

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

**25-025W: General Electric Co, GE Transportation, Erie Plant** (2901 East Lake Rd. Bldg. 9, Room 201, Erie, PA 16531) on December 28, 2016, effective December 31, 2016, has issued a plan approval extension for the modifications of plan approval 25-025T with regards to removing the final test cell in Area 10K (Source 365), deleting the construction schedule conditions, and deleting 40 CFR 63 Subpart P (National Emission Standards for hazardous Air Pollutants for Engine Test Cells/Stands) requirements in Lawrence Park Township, **Erie County**. This is a Title V facility.

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

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

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

**V15-000: Inolex Chemical Company** (Jackson and Swanson Streets, Philadelphia, PA 19148) for the operation of a chemical manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 52 MMBTU/hr boiler (limited

to 49 MMBTU/hr), a 20 MMBTU/hr boiler, a 6.5 MMBTU/hr boiler, a 49 MMBTU/hr boiler, 7 reactors, a reactor tank, a distillation column, a deodorizer tank, two preblend tanks, a vent condenser, a 150 hp emergency generator, and an adipic silo. The facility's air emission control devices include two scrubbers and two baghouses.

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

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

**OP16-000026: Philly Shipyard, Inc.—Philadelphia Naval Business Center** (2100 Kitty Hawk Avenue, Philadelphia, PA 19112) for the operation of a ship building facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include: two (2) 12.6 MMBTU/hr natural-gas fired boilers controlled by low NO<sub>x</sub> burners, five (5) natural-gas fired heaters each rated at less than 2.0 MMBTU/hr, one (1) 4 MMBTU/hr natural-gas fired pre-heater, one (1) 4 MMBTU/hr natural-gas fired Cure Oven, 23 welding and milling operations controlled by 22 baghouses, painting, shot blasting, and abrasive blasting operations controlled by eleven (11) dust collectors, paint stop filters, and a catalytic oxidizer.

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

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

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

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

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

**15-00021: Glasgow, Inc.** (P.O. Box 1089, Glenside, PA) On February 10, 2017 for renewal of the State Only

Operating Permit for the Catanach Asphalt Plant and Quarry located in East Whiteland Township, **Chester County**.

**46-00154: Eye Designs, LLC** (220 West 5th Street, Collegeville, PA 19426) On February 10, 2017 for renewal of a State Only Operating Permit to operate three spray booths at a wood office furniture manufacturing facility in Trappe Borough, **Montgomery County**.

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

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

**48-00016: Lehigh University** (461 Webster Street, Bethlehem, PA 18015-1755) issued on 2/10/17, a State-Only (Synthetic Minor) Operating Permit for operation in the City of Bethlehem, **Northampton County**. The sources consist of six (6) natural-gas fired boilers, miscellaneous diesel and natural gas-fired generators, water heaters, three (3) parts washers, and a gasoline underground storage tank. The operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**35-00042: Pennsylvania American Water Company, Scranton Site** (312 Adams Avenue, Scranton, PA 18503). On February 9, 2017, the Department issued a renewal State-Only Natural Minor Permit for this facility located in Scranton, **Lackawanna County**.

The main sources at this facility consist of 2 Filter Presses and a Sludge Tank. The sources are controlled by a Wet Scrubber. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**54-00071: Van Hoekelen Greenhouses, Inc., Lofty Road Greenhouse** (Route 309, P.O. Box 88, McAdoo, PA 18237-0088). On February 8, 2017, the Department issued a renewal State-Only Synthetic Minor Permit for this facility located in Kline Township, **Schuylkill County**. The main sources at this facility consist of two (2) boilers and (4) Emergency Generators. The coal-fired boiler is controlled with a Flyash Arrestor (Multiclone). The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**06-03053: Hamburg Manufacturing, Inc.** (221 South 4th Street, PO Box 147, Hamburg, PA 19526) on February 6, 2017, for the castings finishing facility located in Hamburg Borough, **Berks County**. The State-only permit was renewed.

**38-05034: Bluescope Building North America LLC** (400 North Weaber Street, Annville, PA 17003-1103) on February 7, 2017 for the steel fabrication facility located in Annville Township, **Lebanon County**. The State-only permit was renewed.

**67-03098: White Rose Crematorium LLC** (420 Patison Street, York, PA 17403-2439) on February 2, 2017, for the human crematory unit at the facility located in York City, **York County**. The State-only permit was renewed.

**67-03052: Bimax, Inc.** (158 Industrial Road, Glen Rock, PA 17327-8626) on February 3, 2017, for the specialty chemical manufacturing facility located in Springfield Township, **York 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.*

**19-00025: Ingredient, Inc.** (920 Back Road, Berwick, PA 18603) on February 1, 2017, was issued a renewal State only operating permit for their Berwick Plant located in Berwick Borough, **Columbia County**. The State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00066: Elysburg GD, LLC (dba Great Dane Trailers)** (207 Progress Road, Elysburg, PA 17824) on February 6, 2017, was issued a state only operating permit for their Elysburg Plant located in Ralpho Township, **Northumberland County**. The State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**32-00397: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) On February 3, 2017, the Department issued a facility-wide Natural Minor Operating Permit renewal for the operation of a coal preparation plant, known as the Heilwood Mine Coal Preparation Plant, located in Pine Township, **Indiana County**.

The plant contains coal stockpiles, conveyers, screens, coal cleaning plant, two emergency diesel engines (275-bhp, and 1,490-bhp), and roadways. Air pollution prevention equipment at the facility includes enclosures, water sprays, water truck, sweeper, and tarping of truck loads. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to the applicable requirements of 40 CFR Part 60, Subpart Y, 40 CFR 60, Subpart IIII, 40 CFR 63, Subpart ZZZZ, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Parts 60 and 63 and 25 Pa. Code, Article III, Chapters 121—145.



**32-00398: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) On February 3, 2017, the Department issued a facility-wide Natural Minor Operating Permit renewal for the operation of a coal preparation plant, known as the Knob Creek Mine Coal Preparation Plant, located in Young Township, **Indiana County**.

The plant contains coal stockpiles, conveyers, screens, coal cleaning plant, one emergency diesel engine (755-bhp), and roadways. Air pollution prevention equipment at the facility includes enclosures, water sprays, water truck, sweeper, and tarping of truck loads. The facility is subject to the applicable requirements of 40 CFR Part 60 Subpart Y, 40 CFR 60 Subpart IIII, and 25 Pa. Code 25 Chapters 121—145. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Part 60 and 25 Pa. Code, Article III, Chapters 121—145.

**32-00432: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) On February 7, 2017, the Department issued a facility-wide Natural Minor Operating Permit renewal for the operation of a coal preparation plant, known as the Coral Graceton Mine Coal Preparation Plant, located in Center Township, **Indiana County**.

The plant contains coal stockpiles, conveyers, screens, coal cleaning plant, two emergency diesel engines (732-bhp and 1,372-bhp), and roadways. Air pollution prevention equipment at the facility includes enclosures, water sprays, water truck, sweeper, and tarping of truck loads. The facility is subject to the applicable requirements of 40 CFR Part 60 Subpart Y, 40 CFR 60 Subpart IIII, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Part 60 and 25 Pa. Code, Article III, Chapters 121—145.

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

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

**25-00971: Erie Plating Company** (656 West 12th Street, Erie, PA 16501-1509) on February 10, 2017, the Department renewed the Natural Minor Permit to operate the electroplating, plating, anodizing and coloring facility. The facility's major emission sources include, a natural gas boiler rated at 16.7 mmbtu/hr, space heaters, chromic acid anodizing tank (controlled by a fume suppressant and mesh-pad mist eliminator), chrome plating tanks (controlled by a fume suppressant and a wet scrubber, a rotoblast, a sludge dryer, solution tanks [passivate] (controlled by a scrubber), dry polishing operation (controlled by a baghouses that exhausts indoors), a dip spin paint booth, nickel/copper plating (controlled by a scrubber), and electroless nickel plating (controlled by a scrubber). The facility is located in City of Erie, **Erie County**. The emission of the pollutants from the facility is less than Title V threshold limits and therefore the facility is a natural minor. The chrome anodizing pro-

cesses are subject to 40 CFR Part 63 Subpart N—NESHAPs from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The nickel plating, electroless plating and dry polishing sources are subject to 40 CFR Part 63, Subpart WWWW—NESHAPs: Area Sources Standards for Plating and Polishing Operations. The facility replaced scrubber C102B with C102C during the term of the permit through a Request for Determination which exempted the construction from a plan approval. The Department is including a requirement for testing C102C. The facility also has an emergency generator that is subject to 40 CFR 63 Subpart ZZZZ. The permit contains the updated Federal requirements applicable to the sources, emission restrictions, monitoring requirements, record keeping requirements, work practice requirements, and additional requirements to demonstrate compliance with the previous plan approvals and the Air Pollution Control Act. The potential HAPs from the facility are less than 2 TPY. The criteria pollutants for the facility are each less than 1 TPY.

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

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

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

**46-00122: Arborcrest Lakeside, LLC** (46-00122) On February 10, 2017 administratively amended the permit for the change of ownership for their existing facility located in Whitpain Township, **Montgomery County**.

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

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

**53-00001: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Suite 1446C, Houston, TX 77002) on February 3, 2017, issued a revision to Title V Operating Permit TVOP 53-00001 for their Compressor Station 313 facility located in Hebron Township, **Potter County**, which incorporated the applicable presumptive additional RACT requirements as codified in 25 Pa. Code Sections 129.97—129.100. All applicable Federal and State regulatory requirements including monitoring, recordkeeping, reporting and work practice conditions to demonstrate compliance with the applicable regulatory requirements have been included in TVOP 53-00001.

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

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

**25-00918: Cosmed Group Inc.** (2500 Brunswick Ave., Linden, NJ 07036) on February 9, 2017 the Department administratively amended the State Operating Permit for the medical sterilization facility located in Erie City, **Erie County**. The amendment incorporates the name change from IUVO BioScience Operations LLC to Cosmed Group Inc. The responsible official changed to David G. Howe—Chief Operating Officer. The permit contact changed to Christine Render—Director of Corporate QA & RA.

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

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

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

**24-00062: Metal Powder Products—St Marys** (879 Washington Street, St Marys, PA 15857) for its facility

located in St Marys City, **Elk County**. The De minimis emission increase is for construction of a new powder metal sintering furnace # 6. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on May 29, 2015.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
7-27-16	PM Sintering Furnace # 3	0.41				
2-7-17	PM Sintering Furnace # 6	0.41				
Total Reported Increases		0.82				
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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

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

*Coal Permits Issued*

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

**33100106 and NPDES Permit No. PA0259004. Strishock, LLC** (220 Hillcrest Drive, DuBois, PA 15801). Renewal of an existing bituminous surface mine and associated NPDES permit in Washington Township, **Jefferson County**, affecting 257.5 acres. Receiving streams: Unnamed tributaries to Horm Run and unnamed tributaries to Five Mile Run. Application received: November 16, 2016. Permit Issued: February 7, 2017.

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

**17000109 and NPDES PA0242985. Waroquier Coal Company** (P.O. Box 128, Clearfield, PA 16830). Permit renewal for reclamation only of a bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 38.0 acres. Receiving stream(s): Unnamed Tributary No. 2 to Orr’s Run and Orr’s Run classified for the

following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 7, 2016. Permit issued: February 7, 2017.

**17070114 and NPDES PA0256480. RES Coal LLC** (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface coal mine from Rosebud Mining Company located in Girard Township, **Clearfield County** affecting 119.4 acres. Receiving stream(s): Unnamed Tributaries to Bald Hill Run and Bald Hill Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2016. Permit issued: February 6, 2017.

**17950113 and NPDES PA0220159. Waroquier Coal Company** (P.O. Box 128, Clearfield, PA 16830). Permit renewal of an existing bituminous surface and auger mine located in Greenwood Township, **Clearfield County** affecting 60.2 acres. Receiving stream(s): Unnamed Tributaries No. 1 and No. 2 to Watts Creek to Watts Creek to Clearfield Creek. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2016. Permit issued: February 3, 2017.

**17030106 and NPDES PA0243477. Waroquier Coal Company** (P.O. Box 128, Clearfield, PA 16830). Permit renewal of an existing bituminous surface mine located in Beccaria Township, **Clearfield County** affecting 244.0 acres. Receiving stream(s): Unnamed Tributaries to Dotts Hollow and Dotts Hollow. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2016. Permit issued: February 3, 2017.

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

**Permit No. 40100201R. Susquehanna Haul & Drilling, LLC**, (249 Harland Street, Exeter, PA 18643), renewal of an existing anthracite coal refuse reprocessing operation in Salem Township and Shickshinny Borough, **Luzerne County** affecting 25.0 acres, receiving stream: Paddy Run. Application received: October 26, 2016. Renewal issued: February 7, 2017.

**Permit No. PAM116047. Susquehanna Haul & Drilling, LLC**, (249 Harland Street, Exeter, PA 18643), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40100201 in Salem Township and Shickshinny Borough, **Luzerne County**, receiving stream: Paddy Run. Application received: October 26, 2016. Permit issued: February 7, 2017.

*Noncoal Permits Issued*

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

**PAM612009. B & P Slag Corp.** (1504 Highland Avenue, New Castle, PA 16105). General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37960303 in Union Township, **Lawrence County**. Receiving streams: Mahoning River. Application received: January 5, 2017. Permit Issued: February 1, 2017.

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

**26992001. Coolspring Mining, Inc.** (P.O. Box 1328, Uniontown, PA 15401). Permit issued to add 330.8 acres to an existing underground noncoal mine, located in North Union and Dunbar Townships, **Fayette County**, affecting 740.8 acres. Receiving streams: unnamed tributaries to Cove Run, Dunbar Creek, Coolspring Run, Shutes Run and Redstone Creek. Application received: September 2, 2016. Permit issued: February 9, 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*

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

**63174101. Austin Powder Company** (25800 Science Park Drive, Cleveland, OH 44122). Blasting activity permit for the construction of the PA Turnpike Southern Beltway 55A, located in Robinson Township, **Washington County** with an expiration date of January 1, 2018. Blasting permit issued: February 6, 2017.

**65174101. Newville Construction Service, Inc.** (408 Mowhawk Road, Newville, PA 17241). Blasting activity permit for the demolition of the Monessen Lock and Dam, located in Monessen Township, **Westmoreland County** and Charleroi Borough, Washington County with an expiration date of September 1, 2017. Blasting permit issued: February 9, 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.*

**E35-462. Thirty Nine Hundred Corporation**, 7 Park Center Court, Owing Mills, MD 21117. South Abington Township, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 2,000 square foot commercial building, parking lot and driveway within the floodway of unnamed tributary to Summit Lake Creek (TSF, MF). The project also proposes the removal of an existing driveway crossing over the unnamed tributary to Summit Lake Creek (TSF, MF). The project is located along Northern Boulevard approximately 500 feet from its intersection with Shady Lane Road (Scranton, PA Quadrangle Latitude: 41°28'33.7"; Longitude: -75°41'3.3") in South Abington Township, Lackawanna County.



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

**E18-503. Chad Vangorder & Tom Temple**, 88 Rose Lane, Mill Hall, PA 17751, 1162 Checkerberry Lane, Lock Haven, PA 17745. Recreational structure in Woodward Township, **Clinton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle Lat: 40° 8' 51"; Long: -77° 26' 36").

The project proposes to have the following impacts

<i>ID</i>	<i>Stream Name</i>	<i>Chapter 93 Classification</i>	<i>Temporary Impact area Length (LF)</i>	<i>Permanent Impact area Length (Sq Ft)</i>	<i>Latitude</i>	<i>Longitude</i>
Structure	W. Br. Susq River	WWF, MF	0	600	40° 8' 51"	77° 26' 36"

The total estimated permanent floodway disturbance for the project is approximately 600 SF of permanent impacts. There are no proposed waterway impacts.

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

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Domenic Rocco, 484.250.5900.*

**E23-524, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608, Mariner East II/Pennsylvania Pipeline Project, in Aston Township, Chester Township, Brookhaven Borough, Edgmont Township, Middletown Township, Thornbury Township and Upper Chichester Township, **Delaware County**, ACOE Philadelphia District. The project starts at the intersection of E. Street Road and Middletown Road in Thornbury Township, PA, West Chester, PA Quadrangle N: 39° 57' 1.35"; W: -75° 30' 38.10", and ends at Conchester Highway in Marcus Hook, PA, Marcus Hook, PA Quadrangle N: 39° 50' 38.60"; W: -75° 25' 4.55"W.

The project consists of the installation and maintenance of approximately 11.7 miles of 20-inch diameter pipeline and 16-inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Delaware County include a total of 62 linear feet of temporary impacts to 1 unnamed tributary to Chester Creek, and 1,306 linear feet of permanent impacts to Chester Creek (TSF, MF), 13 unnamed tributaries to Chester Creek (TSF, MF), Chrome Run (TSF), Crum Run (TSF), 1 unnamed tributary to Crum Run (TSF), Rocky Run (HQ-CWF), and 4.028 acres of permanent floodway impacts, and 1.926 acre of temporary floodway impacts, and 0.455 acre of permanent impacts to Palustrine Emergent (PEM), Palustrine Forested (PFO) and Palustrine Scrub-Shrub (PSS) wetlands, and 0.830 acre of temporary impacts to PEM wetlands. No compensation is being proposed by the applicant for the permanent project impacts in Delaware County. The project impacts in this permit application are associated with a

Chad Vangorder & Tom Temple have applied for a Small Projects—Joint Permit Application to construct, operate and maintain recreational structure in the floodway of the West Branch Susquehanna River in Woodward Township, Clinton County. The project is proposing to construct a recreational structure measuring 20' by 30' in the floodway of the West Branch of the Susquehanna River.

transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Delaware County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Domenic Rocco, 484.250.5900, to request a file review.

**E15-862, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608, Mariner East II/Pennsylvania Pipeline Project, in West Nantmeal Township, East Nantmeal Township, Wallace Township, Upper Uwchlan Township, Uwchlan Township, West Whiteland Township, West Goshen Township, East Goshen Township, Westtown Township, and Elverson Borough, **Chester County**, ACOE Philadelphia District. The project starts at West Main Street in Elverson, PA Quadrangle N: 40° 9' 20.97"; W: -75° 50' 35.65", and ends at the intersection of E. Street Road and Middletown Road in Westtown Township, PA, West Chester, PA Quadrangle N: 39° 57' 1.35"; W: -75° 30' 38.10".

The project consists of the installation and maintenance of approximately 24 miles of 20-inch diameter pipeline and 16-inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Chester County include a total of 52 linear feet of temporary impacts to Marsh Creek (HQ-TSF, MF), 1 unnamed tributary to Marsh Creek (HQ-TSF, MF), a total of 1,095 linear feet of permanent impacts to Black Horse Creek (HQ-TSF, MF), 2 unnamed tributaries to Black Horse Creek (HQ-TSF, MF), East Branch Chester Creek (TSF, MF), 3 unnamed tributary to East Branch Chester Creek (TSF, MF), Marsh Creek (HQ-TSF, MF), 26 unnamed tributaries to Marsh Creek (HQ-TSF), Shamona Creek (HQ-TSF, MF), 7 unnamed tributaries to Shamona Creek (HQ-TSF, MF), South Branch French Creek (EV, MF), 5 unnamed tributaries to South Branch French Creek (EV, MF), Valley Creek (CWF, MF), 9 unnamed tributaries to Valley Creek (CWF, MF), 2 unnamed tributaries to School House Run (HQ-TSF, MF), 1 unnamed tributary to Ridley Creek (HQ-TSF, MF), and 3.435 acres of permanent floodway impacts, and 1.833 acre of temporary floodway impacts, and 0.001 acre



of temporary impacts to Palustrine Emergent (PEM), Palustrine Forested (PFO) and Palustrine Scrub-Shrub (PSS) wetlands and 3.713 acres of permanent impacts to PEM, PFO, and PSS wetlands. No compensation is being proposed by the applicant for the permanent project impacts in Chester County.

The project impacts in this permit application are associated with a transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Chester County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Domenic Rocco, 484.250.5900, to request a file review.

*Southcentral Regional Office: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Scott Williamson, 717.705.4802.*

**E67-920, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Fairview Township, **York County**, ACOE Baltimore District. The project starts and ends in Fairview Township, PA Quadrangle Lemoine beginning at N: 40°, 11', 31"; W: 76°, 54', 41", and ending at PA Quadrangle Steelton N: 40°, 11', 57"; W: 76°, 47', 50".

The project consists of the installation and maintenance of approximately 6.5 miles of 20-inch diameter pipeline and a 16-inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in York County include a total of 275 linear feet of temporary impacts to unnamed tributaries to the Susquehanna River (WWF, MF), a total of 1,265 linear feet of permanent impacts to 9 unnamed tributaries to the Susquehanna River (WWF, MF), Yellow Breeches Creek (CWF, MF), 7 unnamed tributaries to Yellow Breeches Creek (CWF, MF), and 4 unnamed tributaries to Marsh Run (WWF), and 3.157 acres of permanent floodway impacts, and 1.934 acre of temporary floodway impacts, and 0.148 acre of temporary impacts to Palustrine Emergent (PEM) wetlands and 0.255 acre of permanent impacts to Palustrine Emergent (PEM) and Palustrine Forested (PFO) wetlands. No compensation is being proposed by the applicant for the proposed permanent project impacts in York County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the York County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E06-701, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in South Heidelberg, Spring, Cumru, Becknock, New Morgan, Robeson, and Caernarvon Townships, **Berks County**, ACOE Baltimore and Philadelphia Districts. The project starts at South

Heidelberg Township, PA Quadrangle Sinking Spring N: 40°, 17', 7"; W: 76°, 6', 13" and ends at Caernarvon Township, PA Quadrangle Elverson N: 40°, 9', 20"; W: 75°, 50', 34".

The project consists of the installation and maintenance of approximately 20.4 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Berks County include a total of 94 linear feet of temporary impacts to Wyomissing Creek (HQ-CWF), an unnamed tributary to Wyomissing Creek (HQ-CWF) an unnamed tributary to Hay Creek (EV), a total of 2,619 linear feet of permanent impacts to 5 unnamed tributaries to Cocalico Creek (TSF), Cacoosing Creek (CWF), 17 unnamed tributaries to Cacoosing Creek (CWF), Allegheny Creek (CWF), 11 unnamed tributaries to Allegheny Creek (CWF), Wyomissing Creek (HQ-CWF), 9 unnamed tributaries to Wyomissing Creek (HQ-CWF), Little Muddy Creek (TSF), Muddy Creek (HQ-TSF), 8 unnamed tributaries to Muddy Creek (HQ-TSF), Hay Creek (EV), 10 unnamed tributaries to Hay Creek (EV), East Branch Conestoga River (WWF), and 12 unnamed tributaries to East Branch Conestoga River (WWF), and 8.30 acres of floodway impacts, 0.01 acre of temporary impacts to PEM wetlands and 2.37 acres of permanent impacts to Palustrine unconsolidated bottom (PuB), Palustrine Emergent (PEM), Palustrine Forested (PFO), and Palustrine Scrub-Shrub (PSS) wetlands. No compensation is being proposed by the applicant for the proposed permanent project impacts in Berks County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Berks County Chapter 105 permit application related to this project, which is available in the DEP Regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E07-459: Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Allegheny, Blair, Frankstown, Juniata, and Woodbury Townships, **Blair County**, ACOE Baltimore District. The project starts at Juniata Township, PA Quadrangle Cresson N: 40°, 24', 29"; W: 78°, 33', 23" and ends at Woodbury Township, PA Quadrangle Williamsburg N: 40°, 24', 34"; W: 78°, 10', 38".

The project consists of the installation and maintenance of approximately 23.5 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified below. The project impacts in Blair County include a total of 326 linear feet of temporary impacts to 11 unnamed tributaries to Robinson Run (WWF) and 5 unnamed tributaries to Frankstown Branch Juniata River (WWF), a total of 2,400 linear feet of permanent impacts to 2 unnamed

tributaries to Beaverdam Branch (WWF), Oldtown Run (WWF), an unnamed tributary to Oldtown Run (WWF), Frankstown Branch Juniata River (WWF), 12 unnamed tributaries to Frankstown Branch Juniata River (WWF), Clover Creek (HQ-CWF), 2 unnamed tributaries to Poplar Run (CWF), Dry Run (WWF), 2 unnamed tributaries to Blair Run (CWF), Blair Run (CWF), Piney Run (HQ-CWF), 2 unnamed tributaries to Piney Creek (HQ-CWF), Dry Run (WWF), 10 unnamed tributaries to Dry Run (WWF) and an unnamed tributary to Blair Gap Run (TSF), and 6.491 acres of permanent floodway impacts, 3.867 acres of temporary floodway impacts, 0.789 acre of temporary impacts to Palustrine Emergent (PEM) and Palustrine Scrub-Shrub (PSS) wetlands and 2.420 acres of permanent impacts to Palustrine Forested (PFO), (PEM), and (PSS) wetlands. To compensate for the proposed permanent project impacts in Blair County, the applicant is proposing the enhancement of 0.58 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Blair County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E21-449, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Mechanicsburg Borough, Lower Mifflin, Upper Frankford, Lower Frankford North Middleton, Middlesex, Monroe, Silver Spring, Upper Allen, and Lower Allen Townships, **Cumberland County**, ACOE Baltimore District. The project starts at Lower Mifflin Township, PA Quadrangle Andersonburg N: 40°, 15', 24"; W: 77°, 28', 11" and ends at Lower Allen Township, PA Quadrangle Lemoyne N: 40°, 11', 31"; W: 76°, 54', 41".

The project consists of the installation and maintenance of approximately 33.1 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified below. The project impacts in Cumberland County include a total of 139 linear feet of temporary impacts to 2 unnamed tributaries to Conodoguinet Creek (WWF), an unnamed tributary to Letort Spring Run (CWF), Bloser Creek (WWF), an unnamed tributary to Locust Creek (WWF) a total of 6,344 linear feet of permanent impacts to the Conodoguinet Creek (WWF), 34 unnamed tributaries to Conodoguinet Creek (WWF), 6 unnamed tributaries to Yellow Breeches Creek (CWF), Opossum Creek (HQ-TSF), 5 unnamed tributaries to Opossum Creek (HQ-TSF), Doubling Gap Creek (HQ-CWF), 5 unnamed tributaries to Doubling Gap Creek (HQ-CWF), 5 unnamed tributaries to Doubling Gap Creek (CWF), an 3 unnamed tributaries to Locust Creek (WWF), Locust Creek (CWF), 6 unnamed tributaries to Bloser Creek (WWF), Letort Spring Run (CWF), 2 unnamed tributaries to Letort Spring Run (CWF), Hogestown Run (CWF), 2 unnamed tributaries to Cedar Run (CWF), Rock Run (WWF), Meetinghouse Run (twice) (WWF), and 2 unnamed tributaries to Meeting-

house Run (WWF), and 15.800 acres of permanent floodway impacts, 5.708 acres of temporary floodway impacts, 0.548 of an acre of temporary impacts to Palustrine Emergent (PEM) wetlands and 5.068 acres of permanent impacts to Palustrine unconsolidated bottom (PuB), Palustrine Forested (PFO), (PEM), and Palustrine Scrub-Shrub (PSS) wetlands. To compensate for the proposed permanent project impacts in Cumberland County, the applicant is proposing the enhancement of 0.58 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Cumberland County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E22-619, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Highspire and Middletown Boroughs, Lower Swatara, Londonderry, Conewago, and Derry Townships, **Dauphin County**, ACOE Baltimore District. The project starts at Lower Swatara Township, PA Quadrangle Steelton N: 40°, 11', 57"; W: 76°, 47', 50" and ends at Derry Township, PA Quadrangle Elizabethtown N: 40°, 15', 13"; W: 76°, 35', 30".

The project consists of the installation and maintenance of approximately 11.5 miles of 20-inch diameter pipeline and 16-inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Dauphin County include a total of 293 linear feet of temporary impacts to 1 unnamed tributary to Spring Creek (WWF, MF), 1 unnamed tributary to Swatara Creek (WWF, MF), 1 unnamed tributary to Lisa Lake (WWF, MF), and a total of 1,978 linear feet of permanent impacts to 1 unnamed tributary to the Susquehanna River (WWF), Spring Creek (WWF), 19 unnamed tributaries to Spring Creek (WWF), Swatara Creek (WWF), 10 unnamed tributaries to Swatara Creek (WWF), 8 unnamed tributaries to Iron Run (WWF), 9 unnamed tributaries to Lisa Lake (WWF, MF), and 6.393 acres of permanent floodway impacts, and 4.967 acres of temporary floodway impacts, and 0.366 acre of temporary impacts to Palustrine Emergent (PEM) wetlands and 1.525 acre of permanent wetland impacts to PEM, Palustrine Forested (PFO) and Palustrine Scrub-Shrub (PSS) wetlands. No compensation is being proposed by the applicant for the proposed permanent project impacts in Dauphin County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Dauphin County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.



**E31-234: Sunoco Pipeline, L.P. (SPLP),** 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Penn, Union, Shirley, and Tell Townships, **Huntingdon County**, ACOE Baltimore District. The project starts at Penn Township, PA Quadrangle Williamsburg N: 40°, 24', 34"; W: 78°, 10', 38" and ends at Tell Township, PA Quadrangle Blairs Mill N: 40°, 18', 22"; W: 77°, 43', 16".

The project consists of the installation and maintenance of approximately 26.2 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified below. The project impacts in Huntingdon County include a total of 468 linear feet of temporary impacts to 8 unnamed tributaries to Raystown Branch Juniata River (WWF), 2 unnamed tributaries to Little Trough Creek (TSF), George Creek (CWF), 3 unnamed tributaries to George Creek (CWF), Blacklog Creek (HQ-CWF), and an unnamed tributary to James Creek (WWF), a total of 9,161 linear feet of permanent impacts to Little Trough Creek (TSF), 8 unnamed tributaries to Little Trough Creek (TSF), George Creek (CWF), 15 unnamed tributaries to George Creek (CWF), Blacklog Creek (HQ-CWF), 6 unnamed tributaries to Blacklog Creek (HQ-CWF), Fort Run (CWF), 6 unnamed tributaries to Fort Run (CWF), Raystown Branch Juniata River (WWF), 21 unnamed tributaries to Raystown Branch Juniata River (WWF), Aughwick Creek (TSF), 7 unnamed tributaries to Aughwick Creek (TSF), Smith Run (TSF), 2 unnamed tributaries to Smith Run (TSF), Hares Valley Creek (TSF), 6 unnamed tributaries to Hares Valley Creek (TSF), Scrub Run (HQ-CWF), Singers Gap Run (HQ-CWF), Hill Valley Creek (HQ-CWF), an unnamed tributary to Hill Valley Creek (HQ-CWF), 3 unnamed tributaries to the Juniata River (HQ-CWF), and James Creek (WWF), 16.602 acres of permanent floodway impacts, 7.065 acres of temporary floodway impacts, 0.681 acre of temporary impacts to Palustrine Emergent (PEM) and Palustrine Forested (PFO) wetlands and 2.855 acres of permanent impacts to Palustrine unconsolidated bottom (PuB), (PEM), Palustrine Scrub-Shrub (PSS), and Palustrine Forested (PFO) wetlands. To compensate for the proposed permanent project impacts in Huntingdon County, the applicant is proposing the enhancement of 0.58 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Huntingdon County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E34-136: Sunoco Pipeline, L.P. (SPLP),** 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Lack Township, **Juniata County**, ACOE Baltimore District. The project starts and ends in Lack Township, PA Quadrangle Blairs Mills beginning at N: 40°, 18', 22"; W: 77°, 43', 16" and ending at N: 40°, 17', 45"; W: 77°, 39', 55".

The project consists of the installation and maintenance of approximately 3 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Juniata County include a total of 2,309 linear feet of permanent impacts to Tuscarora Creek (CWF), 20 unnamed tributaries to Tuscarora Creek (CWF), and 7 unnamed tributaries to George Creek (CWF), and 4.82 acres of floodway impacts, 0.10 of an acre of temporary impacts to Palustrine Emergent (PEM) and Palustrine Forested (PFO) wetlands and 0.15 of an acre of permanent impacts to PEM and PFO wetlands. No compensation is being proposed by the applicant the proposed permanent project impacts in Juniata County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Juniata County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E36-945, Sunoco Pipeline, L.P. (SPLP),** 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Clay and West Cocalico Townships, **Lancaster County**, ACOE Baltimore District. The project starts at Clay Township, PA Quadrangle Womelsdorf N: 40°, 17', 8"; W: 76°, 13', 44" and ends at West Cocalico Township, PA Quadrangle Sinking Spring N: 40°, 17', 7"; W: 76°, 6', 13".

The project consists of the installation and maintenance of approximately 7.5 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Lancaster County include a total of 35 linear feet of temporary impacts to an unnamed tributary to Cocalico Creek (HQ-WWF), an unnamed tributary to Cocalico Creek (WWF), a total of 776 linear feet of permanent impacts to Cocalico Creek (HQ-WWF), 8 unnamed tributaries to Cocalico Creek (HQ-WWF), 2 unnamed tributaries to Cocalico Creek (WWF), Harnish Run (WWF), 2 unnamed tributaries to Harnish Run (WWF), 2 unnamed tributaries to Little Cocalico Creek (TSF), and 1.985 acre of permanent floodway impacts, 0.562 acre of temporary floodway impacts, 0.209 acre of temporary impacts to Palustrine Emergent (PEM) wetlands and 1.341 acre of permanent impacts to Palustrine Forested (PFO) and PEM wetlands. No compensation is being proposed by the applicant for the proposed permanent project impacts in Lancaster County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Lancaster County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E38-194, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project in Cornwall Borough, South Londonderry, South Annville, South Lebanon, West Cornwall, and Heidelberg Townships, **Lebanon County**, U.S. ACOE Baltimore District. The project starts at South Londonderry Township, PA Quadrangle Palmyra N: 40°, 15', 13"; W: 76°, 35', 30" and ends at Heidelberg Township, PA Quadrangle Richland N: 40°, 17', 8"; W: 76°, 13', 44".

The project consists of the installation and maintenance of approximately 19.7 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified below. The project impacts in Lebanon County include a total of 27 linear feet of temporary impacts to Hammer Creek (CWF), a total of 2,196 linear feet of permanent impacts to Gingrich Run (TSF), Bachman Run (TSF), Beck Creek (TSF), Snitz Creek (TSF), UNT to Quittapahilla Creek (TSF), 7 unnamed tributaries to Killinger Creek (TSF), Buckholder Run (TSF), 3 unnamed tributaries to Buckholder Run (TSF), 3 unnamed tributaries to Gingrich Run (TSF), 2 unnamed tributaries to Spring Creek (WWF), Middle Creek (WWF), an unnamed tributary to Middle Creek (WWF), Hammer Creek (CWF), and 4 unnamed tributaries to Hammer Creek (CWF), and 4.561 acres of permanent floodway impacts, 1.978 acre of temporary floodway impacts, 0.02 acre of temporary impacts to Palustrine Emergent (PEM) wetlands and 1.138 acre of permanent impacts to PEM and Palustrine Forested (PFO) wetlands. To compensate for the proposed permanent project impacts in Lebanon County, the applicant is proposing the enhancement of 0.58 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Lebanon County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

**E50-258, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Toboyne and Jackson Townships, **Perry County**, ACOE Baltimore District. The project starts at Toboyne Township, PA Quadrangle Blairs Mill N: 40°, 17', 45"; W: 77°, 39', 55" and ends at Jackson Township, PA Quadrangle Andersonburg N: 40°, 15', 24"; W: 77°, 28', 11".

The project consists of the installation and maintenance of approximately 10.4 miles of 20-inch pipeline and a 16-inch pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct

and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified below. The project impacts in Perry County include a total of 245 linear feet of temporary impacts to Horse Valley Run (HQ-CWF), 2 unnamed tributaries to Horse Valley Run (HQ-CWF), 2 unnamed tributaries to Shermans Creek (HQ-CWF), an unnamed tributary to Laurel Run (HQ-CWF), 3 unnamed tributaries to Schaeffer Run (HQ-CWF), a total of 1,528 linear feet of permanent impacts to Laurel Run (EV), Bull Run (HQ-CWF), Horse Valley Run (HQ-CWF), Schultz Creek (HQ-CWF), South Branch Laurel Run (HQ-CWF), an unnamed tributary to Horse Valley Run (HQ-CWF), an unnamed tributary to Laurel Run (EV), 4 unnamed tributaries to Laurel Run (HQ-CWF), 3 unnamed tributaries to Schaeffer Run (HQ-CWF), 4 unnamed tributaries Schultz Creek (HQ-CWF), 5 unnamed tributaries Sherman Creek (HQ-CWF), an unnamed tributary to South Branch Laurel Run (HQ-CWF) and Schaeffer Run (HQ-CWF), and 3.958 acres of permanent floodway impacts, 2.305 acres of temporary floodway impacts, 0.006 acre of temporary impacts to Palustrine Emergent (PEM) wetlands and 1.188 acre of permanent impacts to PEM, Palustrine Forested (PFO), and Palustrine Scrub-Shrub (PSS) wetlands. To compensate for the proposed permanent project impacts in Perry County, the applicant is proposing the enhancement of 0.58 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Perry County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Scott Williamson, 717.705.4802, to request a file review.

*Southwest Region: Waterway and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman, 412.442.4149.*

**E02-1718, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Elizabeth Township and Forward Township, **Allegheny County**, ACOE Pittsburgh District. The project starts at a crossing of the Monongahela River, approximately two miles downstream from the town of New Eagle, Pennsylvania (USGS Monongahela Quadrangle, Lat: 40° 13' 48", Long: -79° 48' 18"), and exiting the county approximately 0.25 mile north of the intersection of Salem Church Road and SR 136 (USGS Donora Quadrangle, Lat: 40° 13' 10", Long: -79° 48' 18").

The project consists of the installation and maintenance of approximately 9.1 miles of a 20 inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Allegheny County include a total of 33 linear feet of temporary impacts to UNT's to UNT to Perry Mill Run (WWF), a total of 1,507 linear feet of permanent impacts to UNT's to Bunola Run (WWF), Monongahela River (WWF), Kelly



Run (WWF), UNT's to Sunfish Run (WWF), Sunfish Run (WWF), UNT's to Becketts Run (WWF), UNT to Gillespie Run (WWF), Long Hollow (WWF), UNT's to Pollock Run (WWF), Bunola Run (WWF), Perry Mill Run (WWF), and UNT's to Perry Mill Run (WWF) and 3.537 acres of floodway impacts, 0 acre of temporary impacts to PEM and PSS wetland(s) and 0.361 acre of permanent impacts to PEM, PSS, and PFO wetland(s). No compensation is being proposed by the applicant for the proposed permanent project impacts in Allegheny County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles in Pennsylvania between Chartiers Township, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Allegheny County Chapter 105 permit application related to this project, which is available in the DEP Regional office, please contact Rita A. Coleman (412) 442-4149 to request a file review.

**E32-508, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Burrell Township, West Wheatfield Township, and East Wheatfield Township, **Indiana County**, ACOE Pittsburgh District. The project starts approximately at a crossing of the Conemaugh River, approximately two miles downstream from U.S. 119N (USGS Blairsville Quadrangle, Lat: 40° 26' 43", Long: -79° 18' 00"), and exit the county approximately one mile to the northeast of Findley Run Reservoir (USGS Vintondale Quadrangle, Lat: 40° 25' 46" Long: -78° 57' 16").

The project consists of the installation and maintenance of approximately 18.8 miles of a 20 inch diameter pipeline and a 16 inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Indiana County include a total of 221 linear feet of temporary impacts to UNT's to UNT to Conemaugh River (CWF), UNT to Blacklick Creek (CWF), West Branch Richards Run (CWF), UNT's to West Branch Richards Run (CWF), Findley Run (HQ-CWF), UNT to Findley Run (HQ-CWF), UNT to Roaring Run (CWF), a total of 4,393 linear feet of permanent impacts to UNT's to UNT's to Conemaugh River (TSF, CWF, WWF), Conemaugh River (WWF), UNT's to Blacklick Creek (CWF), UNT's to East Branch Richards Run (CWF), West Branch Richards Run (CWF), UNT's to West Branch Richards Run (CWF), Toms Run (CWF), UNT's to Toms Run (CWF), Findley Run (HQ-CWF), UNT's to Findley Run (HQ-CWF), UNT's to Hedges Lakes (CWF), UNT's to Roaring Run (CWF), and 11.56 acres of floodway impacts, 0.269 acre of temporary impacts to PEM and PSS wetland(s) and 1.151 acre of permanent impacts to PEM, PSS, PUB, and PFO wetland(s). No compensation is being proposed by the applicant for the proposed permanent project impacts in Indiana County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles in Pennsylvania between Chartiers Township, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Indiana County Chapter 105 permit application related to this

project, which is available in the DEP Regional office, please contact Rita A. Coleman (412) 442-4149 to request a file review.

**E63-674, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Chartiers Township, North Strabane Township, Nottingham Township, and Union Township, **Washington County**, ACOE Pittsburgh District. The project starts approximately at a point located approximately 2,000 feet west of the intersection of Ullom Road and S.R. 519 (USGS Midway Quadrangle, Lat: 40° 15' 41", Long: -80° 16' 01"), and exiting the county at a crossing of the Monongahela River, approximately two miles downstream from the town of New Eagle, Pennsylvania (USGS Hackett Quadrangle, Lat: 40° 13' 48", Long: -79° 58' 15").

The project consists of the installation and maintenance of approximately 19.1 miles of a 20 in diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Washington County include a total of 213 linear feet of temporary impacts to Chartiers Run (WWF), UNT's to Mingo Creek (HQ-TSF), a total of 2,457 linear feet of permanent impacts to Chartiers Run (WWF), UNT's to Chartiers Run (WWF), Chartiers Creek (WWF), UNT's to Chartiers Creek (WWF), UNT's to Little Chartiers Creek (HQ-WWF), Little Chartiers Creek (HQ-WWF), UNT's to Mingo Creek (HQ-TSF), Froman Run (TSF), UNT's to Froman Run (TSF), UNT to Mingo Creek (TSF), Peters Creek (TSF), UNT's to Peters Creek (TSF), Westland Run (WWF), UNT to Westland Run (WWF) and 6.897 acres of floodway impacts, 0.143 acre of temporary impacts to PEM wetland(s) and 0.431 acre of permanent impacts to PEM wetland(s). No compensation is being proposed by the applicant for the proposed permanent project impacts in Washington County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles in Pennsylvania between Chartiers Township, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Washington County Chapter 105 permit application related to this project, which is available in the DEP Regional office, please contact Rita A. Coleman (412) 442-4149 to request a file review.

**E11-352, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Jackson Township, Cambria Township, Munster Township, Washington Township, and Cresson Township, **Cambria County**, ACOE Pittsburgh District. The project starts approximately two miles northeast of the intersection of SR 711 and SR 403 (USGS Vintondale Quadrangle, Latitude: 40° 25' 46", Longitude: -78° 57' 16") and exits the county approximately one mile north of the intersection of Mountain Road and Lily Mountain Road (USGS Cresson Quadrangle, Latitude: 40° 24' 30", Longitude: -78° 33' 25").

The project consists of the installation and maintenance of approximately 23.3 miles of a 20 inch diameter pipeline and a 16 inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed

temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Cambria County include a total of 305 linear feet of temporary impacts to UNT's to Findley Run (HQ-CWF), UNT to Stewart Run (HQ-CWF), UNT to Bear Rock Run (CWF), UNT to Howells Run (CWF), UNT to North Branch Little Conemaugh River (CWF), North Branch Little Conemaugh River (CWF), UNT to Hinckston Run (CWF), Roaring Run (CWF) and, UNT to Saltlick Run (HQ-CWF), a total of 5,895 linear feet of permanent impacts to UNT's to Findley Run (HQ-CWF), UNT's to Little Conemaugh River (CWF), UNT's to Stewart Run (HQ-CWF), Stewart Run (HQ-CWF), Little Conemaugh River (CWF), UNT's to Bear Rock Run (CWF), Blair Run (CWF-MF), UNT's to Blair Run (CWF-MF), UNT's to Burgoon Run (CWF), Burgoon Run (CWF), UNT's to Howells Run (CWF), UNT's to Noels Creek (HQ-CWF), UNT's to North Branch (CWF), UNT's to North Branch Little Conemaugh River (CWF), North Branch Little Conemaugh River (CWF), UNT's to Hinckston Run (CWF), Hinckston Run (CWF), UNT's to Laurel Run (HQ-CWF), Laurel Run (HQ-CWF), Roaring Run (CWF), UNT's to Roaring Run (CWF), UNT's to Saltlick Run (HQ-CWF), Saltlick Run (HQ-CWF), and 16.1 acre of floodway impacts, 1.193 acre of temporary impacts to PEM and PSS wetland(s) and 3.607 acres of permanent impacts to PEM, PSS, and PFO wetland(s). To compensate for the proposed permanent project impacts in Cambria County, the applicant is proposing the enhancement of 1.05 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles in Pennsylvania between Chartiers Township, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Cambria County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Rita A. Coleman (412) 442-4149 to request a file review.

**E65-973, Sunoco Pipeline, L.P. (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II/Pennsylvania Pipeline Project, in Rostraver Township, South Huntingdon Township, Sewickley Township, Hempfield Township, City of Jeanette, Penn Township, Salem Township, Loyalhanna Township, Murrysville Borough, and Derry Township, **Westmoreland County**, ACOE Pittsburgh District. The project starts approximately 1,500 feet northwest of the intersection of Salem Church Road and S.R. 136 (USGS Donora Quadrangle, Latitude: 40° 13' 10", Longitude: -79° 48' 18"), and exiting the county at a crossing of the Conemaugh River, approximately two miles downstream from U.S. 119N (USGS Blairsville Quadrangle, Latitude: 40° 26' 43", Longitude: -79° 18' 00").

The project consists of the installation and maintenance of approximately 38.3 miles of a 20 inch diameter pipeline and a 16 inch diameter pipeline and appurtenant structures to convey natural gas liquid. The following listed temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The project impacts in Westmoreland County include a

total of 881 linear feet of temporary impacts to UNT's to Youghiogheny River (WWF-MF), UNT's to Little Sewickley Creek (TSF), Little Sewickley Creek (TSF), UNT's to Brush Creek (TSF), Brush Creek (TSF), UNT's to Sewickley Creek (WWF-MF), Sewickley Creek (WWF-MF), Beaver Run (HQ-CWF), UNT's to Beaver Run (HQ-CWF), UNT to Porters Run (HQ-CWF), Serviceberry Run (HQ-WWF), UNT's to Serviceberry Run (HQ-WWF), UNT's to Boatyard Run (CWF) a total of 6,802 linear feet of permanent impacts to Youghiogheny River (WWF-MF), UNT's to Youghiogheny River (WWF) (TSF-MF), UNT's to Pollock Run (WWF-MF), Pollock Run (WWF-MF), UNT's to Kelly Run (WWF-MF), UNT's to Little Sewickley Creek (TSF), Little Sewickley Creek (TSF), UNT's to Brush Creek (TSF), Brush Creek (TSF), UNT's to Bushy Run (TSF), Bushy Run (TSF), UNT's to Turtle Creek (TSF), Turtle Creek (TSF), UNT's to Sewickley Creek (WWF-MF), Sewickley Creek (WWF-MF), Beaver Run (HQ-CWF), UNT's to Beaver Run (HQ-CWF), UNT's to Loyalhanna Creek (WWF), UNT to Porters Run (HQ-CWF), Porters Run (HQ-CWF), UNT's to Conemaugh River (WWF) (CWF), Spruce Run (HQ-CWF), UNT's to Spruce Run (HQ-CWF), Serviceberry Run (HQ-WWF), UNT's to Serviceberry Run (HQ-WWF), Boatyard Run (CWF), UNT's to Boatyard Run (CWF) and 16.439 acres of floodway impacts, 0.793 acre of temporary impacts to PEM and PSS wetland(s) and 2.755 acres of permanent impacts to PEM, PSS, PUB, and PFO wetland(s). To compensate for the proposed permanent project impacts in Westmoreland County, the applicant is proposing the enhancement of 1.05 acre of an existing PEM wetland with tree plantings to create PFO replacement wetlands. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles in Pennsylvania between Chartiers Township, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

For more detailed information regarding the Westmoreland County Chapter 105 permit application related to this project, which is available in the DEP regional office, please contact Rita A. Coleman (412) 442-4149 to request a file review.

**Water Quality Certification under Section 401 of the Federal Clean Water Act for the PennEast Pipeline Project**

**Natural Gas Pipeline Project and Related Mitigation; FERC Doc. No. CP15-558-000; PADEP File No. WQ02-005**

**WQ02-005, PennEast Pipeline Company, LLC** (Applicant), 1 Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610, PennEast Pipeline Project (Project), in Dallas, Kingston, Jenkins, Plains and Bear Creek Townships, West Wyoming, Wyoming and Laflin Boroughs, **Luzerne County**, Kidder, Penn Forest, Towamensing and Lower Towamensing Townships, **Carbon County**, Lehigh, Moore, East Allen, Upper Nazareth, Lower Nazareth, Bethlehem, Lower Saucon, and Williams Townships, and Easton City, **Northampton County**, and Durham and Rieglesville Townships, **Bucks County**, Philadelphia and Baltimore District Corps of Engineers. The proposed project starts at a point at the Wyoming Pipeline Interconnect of the Energy Transfer Partners, L.P. pipeline (Kingston, PA Quadrangle N: 41°20'48.16", W: 75°56'43.42") and ends at a point under the Delaware River as it enters New Jersey (Rieglesville, PA Quadrangle N: 40°35'2.28", W: 75°11'35.43").

On September 24, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC)



under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a Certificate of Public Convenience and Necessity to construct and operate its Project (FERC Docket No. CP 15-558-000). The FERC Environmental Assessment for the Project, when available, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Docket Search; CP 15-558-000).

On February 9, 2016, Applicant requested a state water quality certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The pipeline project is an approximate 78.2 mile long, 36-inch diameter pipeline for the purpose of transporting natural gas, beginning at a point at the Wyoming Pipeline Interconnect of the Energy Transfer Partners, L.P. pipeline (Kingston, PA Quadrangle N: 41°20'48.16", W: 75°56'43.42") crossing Dallas, Kingston, Jenkins, Plains and Bear Creek Townships, West Wyoming, Wyoming and Laflin Boroughs, Luzerne County; Kidder, Penn Forest, Towamensing and Lower Towamensing Townships, Carbon County; Lehigh, Moore, East Allen, Upper Nazareth, Lower Nazareth, Bethlehem, Lower Saucon, and Williams Townships, and Easton City, Northampton County; and Durham and Rieglesville Townships, Bucks County, ending at a point under the Delaware River as it enters New Jersey (Rieglesville, PA Quadrangle N: 40°35'2.28", W: 75°11'35.43"). The project includes an approximate 2.1-mile-long lateral, known as the Hellertown lateral consisting of 24-inch pipeline located in Lower Saucon Township, Northampton County and will serve as an interconnect with Columbia Gas Transmission, LLC and UGI Utilities, Inc. The project will require 1,646.2 acres for temporary workspace and permanent easement, 67.3 acres of floodway impacts, 22.45 acres of wetland impacts with 7.43 acres of scrub shrub and forested wetland conversion to emergent wetlands and 17,905 linear feet of stream impacts. The project will also include pig launcher and receiver facilities, meter stations, compressor stations, mainline valves, access roads and contractor yards.

PADEP published notice of its proposed state water quality certification in 46 Pa.B. 2428 (May 14, 2016) and 46 Pa.B. 5591 (August 27, 2016) and received comments from the public. PADEP has reviewed the comments received.

PADEP certifies that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapters 16, 93, and 105, provided that the construction, operation, and maintenance of the Project complies with the following conditions of this certification, including the criteria and conditions of the following permits:

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

2. *Erosion and Sediment Control Permit*—PennEast Pipeline Company, LLC shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil

and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

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

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

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

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

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

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to the Department of Environmental Protection, Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

10. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve PennEast Pipeline Company, LLC from any re-

sponsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

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

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

#### 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 # ESX10-083-0019A—MROC Headwater Impoundment Renewal

Applicant Triana Energy, LLC  
Contact Walter C. Showen, III  
Address 900 Virginia Street East  
City Charleston State WV Zip Code 25301  
County McKean Township(s) Lafayette  
Receiving Stream(s) and Classification(s) Droney Run, Minard Run, UNT of Railroad Run EV, East Branch of Tunungwant Creek HQ-CWF

ESCGP-2 # ESX11-047-0026—HM 7 WT 3237 PAT—Renewal

Applicant Hunt Marcellus Operating Company  
Contact Kurt Lewis  
Address 2144 Buena Vista Highway  
City Wilcox State PA Zip Code 15870  
County Elk Township(s) Jones  
Receiving Stream(s) and Classification(s) Wolf Run, Little Wolf Run and SlideRun

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

ESCGP-2 # ESX29-117-17-0001  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079  
County Tioga  
Township(s) Jackson  
Receiving Stream(s) and Classification(s) Hammond Ck (CWF)

ESCGP-2 # ESX29-117-17-0002  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079  
County Tioga  
Township(s) Richmond  
Receiving Stream(s) and Classification(s) North Elk Run (CWF)

ESCGP-2 # ESX12-117-0019(01)  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079  
County Tioga  
Township(s) Shippen  
Receiving Stream(s) and Classification(s) Darling Run (HQ-CWF)

ESCGP-2 # ESG29-081-16-0036  
Applicant Name Range Resources—Appalachia LLC  
Contact Person Christopher Waddell  
Address 80 Health Dr  
City, State, Zip Lock Haven, PA 17745  
County Lycoming  
Township(s) Cogan House  
Receiving Stream(s) and Classification(s) Little Gap Run (HQ-CWF); Hoagland Run (HQ-CWF)  
Secondary—Hoagland Run (HQ-CWF); Lycoming Ck (EV)

ESCGP-2 # ESG29-115-15-0032  
Applicant Name Williams Field Services Co LLC  
Contact Person Lauren Miladinovich  
Address Park Place Corporate Ctr 2, 2000 Commerce Dr  
City, State, Zip Pittsburgh, PA 15275-1026  
County Susquehanna  
Township(s) Brooklyn, Harford, and Lenox  
Receiving Stream(s) and Classification(s) Martins Ck (CWF-MF) and tributaries thereto; Millard Ck (CWF-MF) and tributaries thereto; and Tower Branch (CWF-MF) and tributaries thereto

ESCGP-2 # ESX12-117-0030(01)  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079  
County Tioga  
Township(s) Charleston  
Receiving Stream(s) and Classification(s) Catlin Hollow (TSF)

ESCGP-2 # ESX29-117-17-0004  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford, E1296-E  
City, State, Zip Houston, TX 77079  
County Tioga



Township(s) Chatham  
Receiving Stream(s) and Classification(s) Crooked Creek  
(WWF)

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

ESCGP-2 # ESG15-059-0012 Major Modification  
Applicant Name Rice Poseidon Midstream, LLC  
Contact Person Kyle Shirey  
Address 2200 Rice Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene County  
Township(s) Center Township  
Receiving Stream(s) and Classification(s) UNTs to  
Claylick Run (HQ-WWF)  
Secondary: Claylick Run

ESCGP-2 # ESG16-059-0013  
Applicant Name Cone Midstream Partners LP  
Contact Person Carol Phillips  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene County  
Township(s) Morris Township  
Receiving Stream(s) and Classification(s) UNT to Bates  
Fork (HQ-WWF)  
Secondary: Bates Fork

*Southwest Regional Office: Waterways and Wetlands  
Program Manager, 400 Waterfront Drive, Pittsburgh, PA  
15222, 412-442-4000.*

The following Erosion and Sediment Control permit has  
been issued by the Department under the authority of  
The Clean Streams Law and 25 Pa. Code Chapter 102:

E&S Permit No.: ESG0500015001  
Project Name: Mariner East II/Pennsylvania Pipeline  
Project

Applicant Name: Sunoco Pipeline, L.P.  
Contact Person: Matthew L. Gordon  
Address: 535 Fritztown Road  
City, State, Zip: Sinking Spring, PA 19608

Project Locations:

Chartiers Township, Washington County  
North Strabane Township, Washington County  
Nottingham Township, Washington County  
Union Township, Washington County  
Forward Township, Allegheny County  
Elizabeth Township, Allegheny County  
Rostraver Township, Westmoreland County  
South Huntington Township, Westmoreland County  
Sewickley Township, Westmoreland County  
Hempfield Township, Westmoreland County  
City of Jeanette, Westmoreland County  
Penn Township, Westmoreland County  
Murrysville, Westmoreland County  
Salem Township, Westmoreland County  
Loyalhanna, Westmoreland County  
Derry Township, Westmoreland County  
Burrell Township, Indiana County  
West Wheatfield, Indiana County  
East Wheatfield, Indiana County  
Jackson Township, Cambria County  
Cambria Township, Cambria County  
Munster Township, Cambria County  
Cresson Township, Cambria County  
Washington Township, Cambria County

Receiving Streams and Classifications:

Watershed: Chartiers Run, WWF  
Watershed: UNT to Chartiers Run (4), WWF

Watershed: Westland Run, WWF  
Watershed: Chartiers Creek, WWF  
Watershed: UNT to Chartiers Creek, WWF  
Watershed: UNT to Chartiers Creek (3), WWF  
Watershed: Little Chartiers Creek, WWF-HQ  
Watershed: UNT to Little Chartiers Creek, WWF-HQ  
Watershed: UNT to Peters Creek (6), TSF  
Watershed: Peters Creek, TSF  
Watershed: UNT to Mingo Creek (9), TSF-HQ  
Watershed: UNT to Mingo Creek (3), TSF-HQ  
Watershed: Froman Run, TSF  
Watershed: UNT to Froman Run (3), TSF  
Watershed: Monongahela River, WWF  
Watershed: Monongahela River, WWF  
Watershed: UNT to Bunola Run (4), WWF  
Watershed: Bunola Run, WWF  
Watershed: Kelly Run, WWF  
Watershed: UNT to Kelly Run, WWF  
Watershed: UNT to Perry Mill Run, WWF  
Watershed: Perry Mill Run, WWF  
Watershed: Sunfish Run, WWF  
Watershed: UNT to Sunfish Run (5), WWF  
Watershed: UNT to Becketts Run (8), WWF  
Watershed: UNT to Gillespie Run (3), WWF  
Watershed: Long Hollow, WWF  
Watershed: UNT to Pollock Run (2), WWF  
Watershed: UNT to Pollock Run (2), WWF  
Watershed: Pollock Run, WWF  
Watershed: Youghioghney River, WWF  
Watershed: Youghioghney River, WWF  
Watershed: UNT to Sewickley Creek (2), WWF  
Watershed: Sewickley Creek, WWF  
Watershed: UNT to Sewickley Creek (3), WWF  
Watershed: UNT to Kellys Run, WWF  
Watershed: Little Sewickley Creek, TSF  
Watershed: UNT to Little Sewickley Creek, TSF  
Watershed: Little Sewickley Creek, TSF  
Watershed: UNT to Little Sewickley Creek (15), TSF  
Watershed: UNT to Brush Creek (6), TSF  
Watershed: Brush Creek, TSF  
Watershed: UNT to Brush Creek, TSF  
Watershed: UNT to Bushy Run, TSF  
Watershed: Bushy Run, TSF  
Watershed: UNT to Turtle Creek (2), TSF  
Watershed: UNT to Turtle Creek (3), TSF  
Watershed: Turtle Creek, TSF  
Watershed: Thorn Run, CWF-HQ  
Watershed: UNT to Beaver Run (19), CWF-HQ  
Watershed: Beaver Run, CWF-HQ  
Watershed: UNT to Porters Run (12), CWF-HQ  
Watershed: Porters Run, CWF-HQ  
Watershed: UNT to Loyalhanna Creek (12), CWF-HQ  
Watershed: UNT to Serviceberry Run (2), WWF-HQ  
Watershed: UNT to Serviceberry Run (4), WWF-HQ  
Watershed: Serviceberry Run, WWF-HQ  
Watershed: UNT to Loyalhanna Lake (2), WWF-HQ  
Watershed: UNT to Loyalhanna Creek (8), WWF  
Watershed: Loyalhanna Creek, WWF  
Watershed: UNT to Boatyard Run (8), CWF  
Watershed: Boatyard Run, CWF  
Watershed: UNT to Boatyard Run (12), CWF  
Watershed: UNT to Spruce Run (6), CWF-HQ  
Watershed: Spruce Run, CWF-HQ  
Watershed: UNT to Conemaugh River, CWF  
Watershed: Conemaugh River, WWF  
Watershed: Conemaugh River, WWF  
Watershed: UNT to Conemaugh River (5), CWF  
Watershed: UNT to Blacklick Creek (21), CWF  
Watershed: UNT to Toms Run (9), CWF-TSF  
Watershed: Toms Run, CWF-TSF

Watershed: UNT to Roaring Run (6), CWF  
 Watershed: Roaring Run, CWF  
 Watershed: UNT to Conemaugh River (2), CWF  
 Watershed: West Branch Richards Run, CWF  
 Watershed: UNT to West Branch Richards Run (4), CWF  
 Watershed: UNT to East Branch Richards Run (7), CWF  
 Watershed: East Branch Richards Run, CWF  
 Watershed: UNT to Conemaugh River (31), CWF  
 Watershed: UNT to Findley Run (15), CWF-HQ  
 Watershed: Findley Run, CWF-HQ  
 Watershed: UNT to Findley Run (10), CWF-HQ  
 Watershed: UNT to Laurel Run (10), CWF-HQ  
 Watershed: Laurel Run, CWF-HQ  
 Watershed: Hinckston Run, CWF  
 Watershed: UNT to Hinckston Run (10), CWF  
 Watershed: UNT to Saltlick Run (24), CWF-HQ  
 Watershed: Saltlick Run, CWF-HQ  
 Watershed: Stewart Run, CWF-HQ  
 Watershed: UNT to Stewart Run (7), CWF-HQ  
 Watershed: UNT to Roaring Run (8), CWF  
 Watershed: Roaring Run, CWF  
 Watershed: Howells Run, CWF  
 Watershed: UNT to Howells Run (20), CWF  
 Watershed: Sanders Run, CWF  
 Watershed: UNT to North Branch Little Conemaugh River (13), CWF  
 Watershed: North Branch Little Conemaugh River, CWF  
 Watershed: UNT to Noels Creek (19), CWF-HQ  
 Watershed: Noels Creek, CWF-HQ  
 Watershed: UNT to Little Conemaugh River (15), CWF  
 Watershed: Little Conemaugh River, CWF  
 Watershed: Burgoon Run, CWF  
 Watershed: UNT to Burgoon Run (5), CWF  
 Watershed: UNT to Bear Rock Run (9), CWF  
 Watershed: UNT to Bear Rock Run, CWF  
 Watershed: UNT to Blair Run (3), CWF

The Department received a Notice of Intent (NOI) for coverage under the Department's ESCGP-2 general permit for this project. The Department published notice at 46 Pa.B. 4892 (August 6, 2016) that the NOI was under technical review. The Permit Number assigned to the NOI at that time was ESG0500015001. A 30-day public comment period was provided, which ended on September 6, 2016. Following the comment period, the Department determined that stormwater discharges associated with the proposed earth disturbances would be more appropriately controlled through an individual E&S permit, and the NOI and supporting materials that were submitted by the applicant were adequate to prepare an individual E&S permit.

*Southeast Regional Office: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5160.*

The following Erosion and Sediment Control permit has been issued by the Department under the authority of The Clean Streams Law and 25 Pa. Code Chapter 102:

E&S Permit No.: ESG0100015001  
 Project Name: Mariner East II/Pennsylvania Pipeline Project

Applicant Name: Sunoco Pipeline, L.P.  
 Contact Person: Matthew Gordon  
 Address: 535 Fritztown Road  
 City, State, Zip: Sinking Spring, PA 19608

**Project Locations:**

West Nantmeal Township, Chester County  
 East Nantmeal Township, Chester County  
 Wallace Township, Chester County

Upper Uwchlan Township, Chester County  
 Uwchlan Township, Chester County  
 West Whiteland Township, Chester County  
 East Whiteland Township, Chester County  
 West Goshen Township, Chester County  
 East Goshen Township, Chester County  
 Westtown Township, Chester County  
 Thornbury Township, Delaware County  
 Edgmont Township, Delaware County  
 Middletown Township, Delaware County  
 Aston Township, Delaware County  
 Brookhaven Borough, Delaware County  
 Chester Township, Delaware County  
 Upper Chichester Township, Delaware County

**Receiving Streams and Classifications:**

**Chester County:**

Black Horse Creek and unnamed tributaries (HQ-TSF, MF)

East Branch Chester Creek and unnamed tributaries (TSF, MF)

Marsh Creek and unnamed tributaries (HQ-TSF, MF)

Shamona Creek and unnamed tributaries (HQ-TSF, MF)

South Branch French Creek and unnamed tributaries (EV, MF)

Valley Creek and unnamed tributaries (CWF, MF)

unnamed tributaries to School House Run (HQ-TSF, MF)

unnamed tributary to Ridley Creek (HQ-TSF, MF)

**Delaware County:**

Chester Creek and unnamed tributaries (TSF, MF)

Chrome Run (TSF)

Crum Run and unnamed tributary (TSF)

Rocky Run (HQ-CWF)

The Department received a Notice of Intent (NOI) for coverage under the Department's ESCGP-2 general permit for this project. The Department published notice at 46 Pa.B. 4892 (August 6, 2016) that the NOI was under technical review. The Permit Number assigned to the NOI at that time was ESG0100015001. A 30-day public comment period was provided, which ended on September 6, 2016. Following the comment period, the Department determined that stormwater discharges associated with the proposed earth disturbances would be more appropriately controlled through an individual E&S permit, and the NOI and supporting materials that were submitted by the applicant were adequate to prepare an individual E&S permit.

*Southcentral Regional Office: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, 717.705.4802.*

The following Erosion and Sediment Control permit has been issued by the Department under the authority of The Clean Streams Law and 25 Pa. Code Chapter 102:

E&S Permit No.: ESG0300015002

Project Name: Mariner East II/Pennsylvania Pipeline Project

Applicant Name: Sunoco Pipeline, L.P.

Contact Person: Matthew Gordon

Address: 535 Fritztown Road

City, State, Zip: Sinking Spring, PA 19608

**Project Locations:**

Brecknock, Caernarvon, Cumru, Robeson, South Heidelberg and Spring Townships and New Morgan Borough, Berks County

Allegheny, Blair, Frankstown, Juniata and Woodbury Townships, Blair County

Lower Allen, Lower Frankford, Lower Mifflin, Middlesex, Monroe, North Middleton, Silver Spring, Upper Allen and Upper Frankford Townships, Cumberland County

Conewago, Derry, Londonderry and Lower Swatara Townships and Highspire and Middletown Boroughs, Dauphin County  
 Penn, Shirley, Tell and Union Townships, Huntingdon County  
 Lack Township, Juniata County  
 Clay and West Cocalico Township, Lancaster County  
 Heidelberg, South Annville, South Lebanon, South Londonderry and West Cornwall Townships and Cornwall Borough, Lebanon County  
 Jackson and Toboyne Townships, Perry County  
 Fairview Township, York County

Receiving Streams and Classifications:

5 UNTs to Blair Run, Designated Use CWF  
 Blair Run, Designated Use CWF  
 UNT to Poplar Run, Designated Use CWF  
 Dry Run, Designated Use WWF  
 20 UNTs to Dry Run, Designated Use WWF  
 UNT to Blair Gap Run, Designated Use TSF  
 3 UNTs to Beaverdam Branch, Designated Use WWF  
 2 UNTs to Juniata River, Designated Use WWF  
 17 UNTs to Frankstown Branch Juniata River, Designated Use WWF  
 Frankstown Branch Juniata River, Designated Use WWF  
 11 UNTs to Oldtown Run, Designated Use WWF  
 Oldtown Run, Designated Use WWF  
 8 UNTs to Robinson Run, Designated Use WWF  
 22 UNTs to Juniata River, Designated Use WWF  
 Juniata River, Designated Use WWF  
 UNT to Piney Creek, Designated Use HQ-CWF  
 Piney Creek, Designated Use HQ-CWF  
 Clover Creek, Designated Use HQ-CWF  
 37 UNTs to Raystown Branch Juniata River, Designated Use WWF  
 James Creek, Designated Use WWF  
 13 UNTs to James Creek, Designated Use WWF  
 9 UNTs to Raystown Lake, Designated Use WWF  
 7 UNTs to Little Trough Creek, Designated Use TSF  
 Little Trough Creek, Designated Use TSF  
 11 UNTs to Smith Run, Designated Use TSF  
 Smith Run, Designated Use TSF  
 9 UNTs to Hares Valley Creek, Designated Use TSF  
 Hares Valley Creek, Designated Use TSF  
 Scrub Run, Designated Use HQ-CWF  
 UNT to Scrub Run, Designated Use HQ-CWF  
 Singers Gap Run, Designated Use HQ-CWF  
 UNT to Singers Gap Run, Designated Use HQ-CWF  
 UNT to Hill Valley Creek, Designated Use HQ-CWF  
 Hill Valley Creek, Designated Use HQ-CWF  
 3 UNTs to Juniata River, Designated Use HQ-CWF  
 8 UNTs to Aughwick Creek, Designated Use TSF  
 Aughwick Creek, Designated Use TSF  
 7 UNTs to Fort Run, Designated Use CWF  
 Fort Run, Designated Use CWF  
 6 UNTs to Blacklog Creek, Designated Use HQ-CWF  
 Blacklog Creek, Designated Use HQ-CWF  
 19 UNTs to George Creek, Designated Use CWF  
 George Creek, Designated Use CWF  
 7 UNTs to George Creek, Designated Use CWF  
 George Creek, Designated Use CWF  
 20 UNTs to Tuscarora Creek, Designated Use CWF  
 Tuscarora Creek, Designated Use CWF  
 Horse Valley Run, Designated Use HQ-CWF  
 5 UNTs to Horse Valley Run, Designated Use HQ-CWF  
 6 UNTs to Shermans Creek, Designated Use HQ-CWF  
 Shermans Creek, Designated Use HQ-CWF  
 4 UNTs to Shultz Creek, Designated Use HQ-CWF  
 Shultz Creek, Designated Use HQ-CWF  
 6 UNTs to Shaeffer Run, Designated Use HQ-CWF

Shaeffer Run, Designated Use HQ-CWF  
 Bull Run, Designated Use HQ-CWF  
 Laurel Run, Designated Use EV  
 7 UNTs to Laurel Run, Designated Use HQ-CWF  
 UNT to South Branch Laurel Run, Designated Use HQ-CWF  
 South Branch Laurel Run, Designated Use HQ-CWF  
 14 UNTs to Double Gap Creek, Designated Use HQ-CWF  
 Doubling Gap Creek, Designated Use HQ-CWF  
 Rock Run, Designated Use WWF  
 UNT to Rock Run, Designated Use WWF  
 64 UNTs to Conodoguinet Creek, Designated Use WWF  
 5 UNTs to Blosser Creek, Designated Use WWF  
 Blosser Creek, Designated Use WWF  
 9 UNTs to Locust Creek, Designated Use WWF  
 Locust Creek, Designated Use WWF  
 9 UNTs to Opossum Creek, Designated Use HQ-TSF  
 Opossum Creek, Designated Use HQ-TSF  
 5 UNTs to Meetinghouse Run, Designated Use WWF  
 Meetinghouse Run, Designated Use WWF  
 Conodoguinet Creek, Designated Use WWF  
 3 UNTs to Letort Spring Run, Designated Use CWF, Existing Use HQ-CWF  
 Letort Spring Run, Designated Use CWF, Existing Use HQ-CWF  
 Hogestown Run, Designated Use CWF  
 Trindle Spring Run, Designated Use HQ-CWF  
 UNT to Trindle Spring Run, Designated Use HQ-CWF  
 13 UNTs to Yellow Breeches Creek, Designated Use CWF  
 5 UNTs to Cedar Run, Designated Use CWF  
 Yellow Breeches Creek, Designated Use CWF  
 12 UNTs to Yellow Breeches Creek, Designated Use CWF  
 8 UNTs to Marsh Run, Designated Use WWF  
 11 UNTs to Susquehanna River, Designated Use WWF  
 Susquehanna River, Designated Use WWF  
 9 UNT to Lisa Lake, Designated Use WWF  
 20 UNTs to Swatara Creek, Designated Use WWF  
 Swatara Creek, Designated Use WWF  
 17 UNTs to Iron Run, Designated Use WWF  
 Iron Run, Designated Use WWF  
 23 UNTs to Spring Creek, Designated Use WWF  
 7 UNTs to Spring Creek, Designated Use WWF  
 8 UNTs to Killinger Creek, Designated Use TSF  
 5 UNTs to Buckholder Run, Designated Use TSF  
 Buckholder Run, Designated Use TSF  
 4 UNTs to Gingrich Run, Designated Use TSF  
 Gingrich Run, Designated Use TSF  
 Bachman Run, Designated Use TSF  
 Beck Creek, Designated Use TSF  
 Snitz Creek, Designated Use TSF  
 UNT to Snitz Creek, Designated Use TSF  
 UNT to Quittapahilla Creek, Designated Use TSF  
 6 UNTs to Hammer Creek, Designated Use CWF  
 Hammer Creek, Designated Use CWF  
 Middle Creek, Designated Use WWF  
 5 UNTs to Middle Creek, Designated Use WWF  
 31 UNTs to Cocalico Creek, Designated Use HQ-WWF  
 Cocalico Creek, Designated Use HQ-WWF  
 Harnish Run, Designated Use WWF  
 3 UNT to Harnish Run, Designated Use WWF  
 9 UNTs to Little Cocalico Creek, Designated Use TSF  
 8 UNTs to Cacoosing Creek, Designated Use CWF  
 Cacoosing Creek, Designated Use CWF  
 15 UNTs to Cacoosing Creek, Designated Use CWF  
 Little Muddy Creek, Designated Use TSF  
 13 UNTs to Wyomissing Creek, Designated Use HQ-CWF  
 Wyomissing Creek, Designated Use HQ-CWF  
 Allegheny Creek, Designated Use CWF  
 19 UNTs to Allegheny Creek, Designated Use CWF



2 UNTs to Sleepy Hollow Run, Designated Use CWF, Existing Use HQ-CWF  
 8 UNTs to Rock Run, Designated Use HQ-CWF  
 Rock Run Berks, Designated Use HQ-TSF  
 UNT to Rock Run, Designated Use HQ-TSF  
 Hay Creek Berks, Designated Use EV, Existing Use HQ-CWF  
 12 UNTs to Hay Creek, Designated Use EV, Existing Use HQ-CWF  
 UNT to Hay Creek, Designated Use CWF  
 UNT to Conestoga River, Designated Use WWF  
 12 UNTs to East Branch Conestoga River, Designated Use WWF  
 East Branch Conestoga River, Designated Use WWF

The Department received a Notice of Intent (NOI) for coverage under the Department's ESCGP-2 general permit for this project. The Department published notice at 46 Pa.B. 4892 (August 6, 2016) that the NOI was under technical review. The Permit Number assigned to the NOI at that time was ESG0300015002. A 30-day public comment period was provided, which ended on September 6, 2016. Following the comment period, the Department determined that stormwater discharges associated with the proposed earth disturbances would be more appropriately controlled through an individual E&S permit, and the NOI and supporting materials that were submitted by the applicant were adequate to prepare an individual E&S permit.

## SPECIAL NOTICES

### Air Quality; Alternative Compliance Schedule for Case-by-Case RACT 2 Implementation

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

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

**06-05036C: Novipax, LLC** (4275 Reading Crest Avenue, Reading, PA 19605) On December 29, 2016, DEP approved Novipax's October 24, 2016 petition for an alternative compliance schedule for case-by-case RACT 2 implementation at the polystyrene foam product manufacturing facility located in Muhlenberg Township, **Berks County**. Novipax proposed the use of a non-VOC blowing agent to limit pentane content of foam products in all seven extruders at their Reading facility. This will involve the installation of additional equipment (e.g. piping, pumps, controls) on Extruder 250, as well as extensive product testing for all extruders, in order to implement the proposed RACT plan. In order to implement this project Novipax requested the following alternative compliance schedule:

- 1.) until 1/1/18 for Extruders 260, 230, 222, 217, 270 and 290, for the increased use of non-VOC blowing agent, to include product testing.
- 2.) until 57 weeks after Final Plan Approval and completion of the appropriate public notice and comment period, for the Extruder 250, to include obtaining plan approval, equipment installation and product testing.
- 3.) upon issuance of the Final Plan Approval for a proposed reduction in annual VOC limit from 711 tpy to 650 tpy.

Between the initial compliance date of 1/1/17 and the completion of modifications and product testing noted above, the facility would comply 1.) with an interim

facility VOC limit of 650 tpy, inclusive of all seven extruders, and 2.) with a 4.1% pentane content limit on all foam products produced from Extruders 260, 230, 222, and 217 with a basis weight of 8.0 g/60 sq. in. or greater.

DEP approved the petition for alternative compliance schedule, as described above, with the following caveats: 1.) the final compliance date shall be no later than 3 years after December 29, 2016, and 2.) the petition approval is contingent upon future DEP approval of the case-by-case RACT proposal contained in Plan Approval Application No. 06-05036C, as proposed by Novipax.

### Conditional State Water Quality Certification for the Gray's Landing Lock and Dam Hydroelectric Project, FERC Project No. 13763

On February 27, 2014, FFP Missouri 13, LLC (Applicant) filed an application with the Federal Energy Regulatory Commission (FERC) for a license to construct and operate a 12-megawatt (MW) hydropower facility at the Gray's Landing Lock and Dam, owned and operated by the U.S. Army Corps of Engineers (Corps), on the Monongahela River, at river mile 82.0, in Greene and Fayette Counties, Pennsylvania (Project). The Applicant is required pursuant to section 401(a) of the Federal Clean Water Act (act) (33 U.S.C.A. § 1341(a)) to provide FERC with certification from the Commonwealth of Pennsylvania (Commonwealth) that any discharge from the Project to waters of the Commonwealth will comply with provisions of the act relating to water quality standards, and necessary measures to achieve and maintain those standards. The Commonwealth has established such standards and programs to achieve and maintain them under State law, which have been approved by the U.S. Environmental Protection Agency as consistent with the applicable provisions of the act. The Pennsylvania Department of Environmental Protection (Department) administers the Commonwealth's water quality standards programs under State law, and is responsible for the review of requests from applicants for water quality certification made pursuant to section 401 of the act.

On February 10, 2016, Applicant requested a State water quality certification from the Department, as required by Section 401 of CWA (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with CWA requirements.

On September 22, 2016, Rye Development, LLC provided the Department with a complete application for State Water Quality Certification, including an Environmental Assessment for the Project, on behalf of the Applicant. The Project would consist of a new, approximately 300-foot-long intake channel to be excavated from the river to a concrete intake structure that would convey flows past a trash rack with 3-inch clear bar spacing, to a new concrete, 150-long powerhouse that would be built on the east bank, adjacent to the river. The powerhouse would house two (2) horizontal pit Kaplan turbine generator units with a combined capacity of 12 MW. Flows would exit the powerhouse into an approximately 250-foot-long, new tailrace that will join the river. The tailrace will be bordered by a new concrete retaining wall or a combination of retaining wall and riprap as appropriate. Variable high crest gates would be installed on the existing dam. Project power would be transmitted from the powerhouse to a new 40' x 40' project substation, and



then from the new substation to an existing transmission line, with a 9,965-foot-long, 69-kilovolt overhead transmission line.

The Department published notice of its proposed State water quality certification at 46 Pa.B. 7543 (December 3, 2016), and received zero comments from the public.

By this notice, the Department certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of CWA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and will not violate the Commonwealth's water quality standards set forth in 25 Pa. Code Chapter 93, provided that the construction, operation and maintenance of the Project complies with the conditions for this certification as listed below, and the terms and conditions of the State law permits required to demonstrate compliance with Pennsylvania's Water Quality Standards:

1. *Conditional State Water Quality Certification*—This conditional State water quality certification is based upon the information that is available, to date, due to the FERC licensing process, and is granted with the understanding that the applicant will be submitting a final Environmental Assessment (EA) to the Department, to be reviewed and approved by the Department, prior to the start of construction. Within its final EA, the Applicant shall also provide written documentation that it has complied with each of the conditions within this Conditional Water Quality Certification. This final EA shall be submitted to the Department at the same time that the Applicant submits its application to the U.S. Army Corps of Engineers (USACE or Corps) for a Section 404 Permit, to facilitate a coordinated review between the Department and USACE. The final EA that is submitted to the Department must be developed from final design plans, specifications and reports.

2. *Erosion and Sediment Control*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 102. The Applicant shall obtain and comply with an NPDES permit from the Department for the discharge of stormwater if the earth disturbance activities associated with the Project will result in a total disturbance equal to or greater than 1 acre. Earth disturbance activities associated with discharging dredged or fill material from the Project to waters of the United States which require permit coverage under Section 404 of CWA (33 U.S.C.A. § 1344) need not obtain an additional NPDES Permit from the Department for earth disturbance activities covered by the Section 404 permit. The Applicant shall submit final detailed erosion and sediment control and post construction stormwater management plans for all Project activities to the Department and County Conservation District for their review and approval prior to commencement of construction. Specific guidance on the requirements of the NPDES Permit for Stormwater Discharges Associated with Construction Activities can be obtained from the County Conservation District or the DEP Regional Office.

3. *Water Obstruction and Encroachment Permit*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 105 relating to dam safety and waterway management. The Applicant shall obtain, from the Department, and comply with Chapter 105 Water Obstruction and Encroachment Permit(s) (WO&EP), for the construction, operation and maintenance of any water obstruction or encroachment associated with the Project that is outside the scope of work licensed under the Federal Power Act, pursuant to the Clean Streams Law (35 P.S. §§ 691.1—691.1001), Dam Safety and Encroach-

ments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations.

4. *Submerged Lands License Agreement*—The Applicant shall obtain, from the Department, and comply with a Submerged Lands License Agreement, pursuant to Section 15 of the Dam Safety and Encroachments Act, 32 P.S. § 693.15, to occupy submerged lands of the Commonwealth in navigable waters as necessary to construct, operate and maintain the Project.

5. *Water Resource Planning Act Registration*—In accordance with the Pennsylvania Water Resources Planning Act, 27 Pa.C.S. § 3118, and the regulations thereunder, 25 Pa. Code Chapter 110, the Applicant must register the hydropower facility with the Department, and report water usage to the Department, annually.

6. *Limited Power Permit*—The Applicant shall obtain and comply with a permit from the Department as required by the Water Power and Water Supply Permits Act, Act of June 14, 1923, 32 P.S. §§ 591—625, related to the construction of a power dam or for a “change in stream” to develop power. The Applicant shall submit an application for this permit to the Department on the form available from the Department.

7. *Water Quality Monitoring*—During final design, the Applicant shall develop a water quality monitoring plan, to be implemented during the construction and operation of this project, and shall submit this plan to the Department for review and approval, prior to the start of construction, to ensure that the receiving water quality is not adversely impacted by the Applicant's construction, operation or maintenance of the Project. This water quality monitoring plan shall include adequate provisions to ensure that monitoring will assess any potential cumulative effect upon water quality, from the operation of all the currently proposed hydroelectric projects, within the greater Pittsburgh region. Thereafter, Applicant shall submit the results of the water quality monitoring to the Department and the USACE, along with suggested modifications in the operation or maintenance of the Project for inclusion in the adaptive management plan, should adverse impacts to water quality result from the project. The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by the Applicant's construction, operation or maintenance of the Project.

8. *Operating Plan and Adaptive Management Plan*—The applicant will be developing an operating plan, Memorandum of Agreement, and an adaptive management plan with the USACE. Applicant will submit these plans to the Department for review and approval, prior to the start of construction, to evaluate potential effects of these plans upon, and compliance with, State water quality standards.

9. *Final Project Design Development*—Applicant has indicated that potential fish protection measures for the Project will be further addressed in the final design as detailed engineering is undertaken. Accordingly, during final design, applicant shall evaluate alternative designs for the proposed Project that may have the potential to reduce expected fish entrainment and mortality, such as, but not limited to, reducing and/or modifying the proposed 3-inch trash rack spacing, intake channel design, or other alternative designs, pursuant to Section 105.14(b)(4) and (6) of the Department's regulations, 25 Pa. Code § 105.13(e)(1)(viii) and § 105.14(b)(4) and (6). This alternatives analysis shall be included in the Applicant's final

EA, to be submitted to the Department for review and approval, prior to the start of construction. The final design shall also take into account the cumulative impact evaluations associated with conditions (10), (11), (12).

10. *Cumulative Impacts to Fish Populations*—Since the project is one of several, currently proposed hydroelectric projects on the Ohio, Monongahela and Allegheny Rivers within the greater Pittsburgh area river basins, the applicant, during final design, shall further evaluate the cumulative impacts from these hydroelectric projects, upon area fish populations, due to expected fish entrainment and mortality. Applicant shall include this evaluation in its final EA, to be submitted to the Department for review and approval, prior to the start of construction.

11. *Cumulative Impacts to Mussel Populations*—Since the Project is one of several currently proposed hydroelectric projects on the Ohio, Monongahela and Allegheny Rivers within the greater Pittsburgh area river basins, the applicant shall further evaluate, during final design, the cumulative impacts from these hydroelectric projects, upon local mussel populations, due to potential unavailability of host fish from expected fish entrainment and mortality. Applicant shall include this evaluation in its final EA, to be submitted to the Department for review and approval, prior to the start of construction.

12. *Cumulative Impacts to Riverine Habitat and Food Chain*—Since the project is one of several, currently proposed hydroelectric projects on the Ohio, Monongahela and Allegheny Rivers within the greater Pittsburgh area river basins, and since the development of locks and dams for navigation has compressed the flowing water habitat within these rivers to tailrace areas below these dams, the Applicant, during final design, shall further evaluate the cumulative impacts from these hydroelectric projects, upon riverine habitat and the food chain, within the three (3) river basins. Applicant shall include this evaluation in its final EA, to be submitted to the Department for review and approval, prior to the start of construction.

13. *Minimum By-pass Flows*—Applicant has proposed variable, minimum by-pass flows, on a monthly basis, through the proposed crest gates; however, during the final design, Applicant shall further evaluate the amount of by-pass flows necessary for the purposes of protection of public health, water quality control, conservation of fisheries, and aquatic habitat, improvement of recreation, and protection of instream and downstream water uses. Since the Applicant's model simulations indicate that dissolved oxygen levels, in particular during average and dry hydrology years, will be reduced by the operation of the proposed hydropower facility, the Applicant shall consider within its evaluation whether year-round by-pass flows, increased by-pass flow volumes, and/or aeration equipment are needed to maintain State water quality standards. Applicant shall provide this evaluation to the Department, within its final EA, for the Department's review and approval, prior to the start of construction. By-pass flows shall be provided across the length of the dam.

14. *Effect on Pool Elevation*—Applicant has indicated that the Project will affect the pool elevation behind the existing lock and dam structure. Accordingly, during the final design, Applicant shall further investigate and quantify any changes in pool elevation, as a result of this Project. In addition, Applicant shall evaluate potential threats from the identified change in pool elevation, which shall include but not be limited to, threats to property, riparian rights, existing wetlands and other aquatic habitats, and fishing access. Applicant shall in-

clude its investigation and evaluation in its final EA, to be submitted to the Department, for review and approval, prior to the start of construction.

15. *Aids to Navigation (ATON) Plan*—Applicant shall develop an ATON Plan, to avoid or minimize impacts to recreational boating. This plan must be reviewed and approved by the PA Fish and Boat Commission (PFBC), prior to the start of construction. Please contact the PA Fish and Boat Commission, PO Box 67000, Harrisburg, PA 17106, regarding the requirements for an ATON Plan.

16. *Hydraulic Modeling*—Applicant shall provide estimates of flood frequencies and flood flows at the site of the proposed raceway, which could include additional hydraulic modeling. The estimates of flood frequencies and flood flows, or the results of any additional hydraulic modeling, shall be included in the applicant's final EA that is to be submitted to the Department, for the Department to review and approve, prior to the start of construction. If additional hydraulic modeling is undertaken, the applicant shall use the results of the additional hydraulic modeling to further evaluate potential impacts to fish, freshwater mussels, and aquatic habitat, within the project area, and any other potential impacts that may be identified during the Department's review of the Applicant's final EA. Alternative designs may need to be considered, to avoid or minimize any adverse environmental impacts that may be identified from this additional modeling and/or additional evaluations for impacts. Mitigation may be required to compensate for any adverse environmental impacts that cannot be avoided. The development of these site-specific hydraulic studies should be coordinated with the Department and the PA Fish and Boat Commission, before conducting them.

17. *Wetland Delineation*—Applicant has indicated that the proposed transmission line was not included within its original survey corridor. Accordingly, Applicant shall identify the regulated Waters of the Commonwealth (i.e. watercourses, floodways, and bodies of water, including wetlands) on the site. The wetlands shall be identified and delineated in accordance with the Department's Wetland Delineation Policy. The Applicant shall include this information within its final EA to be submitted to the Department, for review and approval, prior to the start of construction. If the proposed transmission line will impact any watercourse, floodway, and/or bodies of water, including wetlands, the Applicant may need to submit applications for, and obtain, Water Obstruction and Encroachment Permits, from the Department, prior to the start of construction.

18. *Programmatic Agreement*—The PA Historical and Museum Commission (PHMC) has determined that FERC's issuance of an original license to FFP Missouri 13, LLC to construct, operate, and maintain the Gray's Landing Lock and Dam Hydroelectric Project may affect properties included in or eligible for inclusion in the National Register of Historic Places. Accordingly, Applicant shall work with PHMC in the creation of a mitigation plan to protect this structure, which may include the Applicant complying with a Final Programmatic Agreement Between the Federal Energy Regulatory Commission and the Pennsylvania State Historic Preservation Office for Managing Historic Properties that may be Affected by Issuing an Original License to FFP Missouri 13, LLC for the Construction, Operation, and Maintenance of the Gray's Landing Lock and Dam Hydroelectric Project Located in Greene and Fayette Counties, Pennsylvania (FERC No. 13763-002).



19. *Riparian Property*—Within its final EA, Applicant shall submit evidence that it has obtained notarized and signed releases, or has acquired rights of occupancy and use other than fee title, from the owners of any affected riparian property. This conditional water quality certification does not convey any real property rights or interests or authorization to trespass on privately-owned riparian land.

20. *Corps Authorization*—This conditional water quality certification does not relieve the Applicant of the responsibility to obtain any applicable approval/permit from the District Engineer, Pittsburgh District, U.S. Army Corps of Engineers, Room 1817 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222, under Section 10 of the Rivers and Harbor Act or Section 404 of the Clean Water Act of 1977.

21. *Fish and Mussel Surveys and Mitigation*—At a minimum, fish and mussel surveys shall be conducted three (3) years after project construction, to evaluate the project's impact to fish and mussel species in the project area. The plans for these surveys shall be included within the Applicant's final EA, for the Department's review and approval. In addition, the results of these surveys shall be submitted to the Department for review, within 60 days of completion of these surveys. If the results of these surveys indicate an adverse environmental impact to fish and mussels in the project area, Applicant shall develop a remediation plan to eliminate or reduce the adverse environmental impact. In addition, the applicant may have to provide compensation for the adverse environmental impact.

22. *Cumulative Environmental Impact Assessment*—The Project is one of several, currently proposed hydroelectric projects in the Ohio, Monongahela, and Allegheny Rivers, within the greater Pittsburgh area river basins. Fish species, such as walleye, smallmouth bass, darters, etc., inhabit the area that can exhibit some migratory behavior, and could pass through multiple hydroelectric projects. In addition, the Applicant's Fish Entrainment Study reports mortality to fish species, such as catfish, drum, darters and bass, that are more likely to be host fish that are important to mussel propagation. Accordingly, Applicant shall develop a plan to conduct fish and mussel surveys, after the construction of all, or at least 50%, of the currently proposed hydroelectric projects, to evaluate the potential for cumulative impacts to area fish and mussel populations. This plan shall be included with the Applicant's final EA, for the Department's review and approval. If the results of these surveys indicate an adverse environmental impact to fish and mussels in the project area, Applicant shall develop a remediation plan to eliminate or reduce the adverse environmental impact. In addition, the Applicant may have to provide compensation for the adverse environmental impact.

23. *Clean Water Program Coordination*—Applicant shall evaluate the cumulative impacts of lowering Dissolved Oxygen (DO) concentration below existing levels on overall water quality. This analysis shall include an evaluation of the effects of lower DO levels on other dischargers, whose dissolved oxygen analysis could be impacted by any reduction in DO due to the proposed project. The Applicant shall include, within its final EA to be submitted to the Department, a full analysis depicting the pre- and post-construction dissolved oxygen using a Q7-10 flow, and achieving a 7-day average of 5.5 mg/l and a minimum of 5.0 mg/l at the project site, and all points potentially impacted downstream of the project, in accord-

ance with The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the regulations promulgated thereunder, and 25 Pa. Code § 93.7.

24. *Water Quality Requirements*—The project must maintain the applicable water quality standard of a 7-day average DO concentration of 5.5 mg/l and a minimum DO concentration of 5.0 mg/l, at Q7-10 low flow conditions, unless the analysis required by the preceding condition indicates that a higher DO level is needed to maintain the DO water quality standard within the Maxwell Pool, given consideration of all existing, permitted dischargers currently within the pool in accordance with The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the regulations promulgated thereunder.

25. *Stream and Habitat Mitigation*—Since the Project will impact approximately 1.2 acre of riverine habitat, Applicant shall include, within its final EA to be submitted to the Department, a plan to mitigate for this impact to riverine habitat, for the Department's review and approval, prior to the start of construction.

26. *Fishing Access*—During final design, Applicant shall develop a plan to compensate for lost recreational fishing by providing angler access that is comparable to, or better than, current conditions. Applicant shall consider providing angler access that is close to normal water surface elevations and the water's edge, and adequately compensate for the footage of fishing access lost.

27. *Boater Safety*—During final design, Applicant shall evaluate the potential for velocity changes within the river channel, from the hydroelectric project discharge, to affect navigation and boaters in the vicinity of docks and/or barge mooring areas that are located below the Gray's Landing Lock & Dam structure. Accordingly, in its final EA, Applicant shall provide to the Department, and to the owner(s)/operator(s) of the docks and/or barge mooring areas, an analysis of the effect that the increased velocities might have on barge and/or boat safety, and on barge operators and boaters, and on the docks and mooring areas, below the dam. This analysis shall be completed by a hydrologist. In addition, Applicant shall provide a letter from the owner(s)/operator(s) of the docks and/or mooring areas, commenting on this analysis.

28. *Fish Mitigation*—Since the project will impact fish, Applicant shall include, within its final EA to be submitted to the Department, a mitigation plan to compensate for this environmental impact, for the Department's review and approval, prior to the start of construction.

29. *Fish and Mussel Salvage*—Applicant shall further develop its fish and mussel salvage plan to safely remove fishes and mussels from the project area that would otherwise be trapped behind the proposed coffer dams during the dewatering process. These fish and mussels should be relocated to areas outside of the project area. The Applicant shall include this salvage plan within its final EA, to be reviewed and approved by the Department, prior to the start of construction.

30. *River Sediment Testing*—Applicant shall manage dredge material removed from the river in accordance with the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. §§ 6018.101—6018.1003 ("Solid Waste Management Act") and regulations promulgated thereunder. Permittee should contact the Facilities Chief, Waste Management Program, Southwest Regional Office, with questions regarding this requirement. The project shall be consistent with the Department's Management of Fill policy and the analytic requirements therein. If the testing reveals that the

dredged material exceeds the requirements for unrestricted use as clean fill, then the Applicant shall arrange for off-site disposal of the dredged sediments, after applying for and obtaining approval from the Department's Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

31. *Threatened, Endangered and Special Concern Species*—The results obtained from utilizing the Pennsylvania Natural Diversity Inventory's Pennsylvania Natural Diversity Inventory (PNDI), and any determinations received from an appropriate jurisdictional agency during any associated consultations, are valid only for 2 years. Accordingly, Applicant must include new PNDI search results within its final EA, along with evidence of any necessary follow-up with the appropriate jurisdictional agency(s). In addition, PNDI search results and clearances must be current and valid, prior to the start of construction.

32. *PNDI Avoidance Measure*—Three state-listed plant species (tooth-cup/*Rotala ramosior*—PA Rare; scarlet ammannia/*Ammannia coccinea*—proposed PA Threatened; and hooded arrowhead/*Sagittaria calycina* var. *calycina*—potential new State record) were identified within an emergent, fringe wetland, along the Monongahela River. In addition, sourwood (*Oxydendrum arboreum*—proposed PA Rare) was identified at two (2) locations along the project corridor. Applicant shall avoid directly impacting the mapped locations of these species, and shall maintain a buffer of 50 feet or greater from these sensitive areas. The applicant shall incorporate these avoidance measures into its final design, which is to be included within its final EA, to be submitted to the Department, for review and approval, prior to the start of construction. If these avoidance measures cannot be implemented, then the applicant must consult with the Department, and the PA Department of Conservation and Natural Resources, regarding additional avoidance and mitigation measures that may be required, to avoid or minimize impacts to these species.

33. *Geotechnical Testing*—If a temporary road, drilling platform or other structure is needed to conduct any core boring drilling operations or geotechnical testing, within the Commonwealth's waterways, Applicant shall obtain a permit(s) or other authorization(s) from the Department, prior to conducting any core boring drilling operations or geotechnical testing.

34. *Preparedness, Prevention and Contingency Plan*—The Applicant shall develop and maintain on site a Preparedness, Prevention and Contingency Plan (PPC Plan) for any project activities utilizing pollutants, pursuant to Section 91.34 of the regulations, 25 Pa. Code § 91.34. The PPC Plan shall be developed in accordance with the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" which can be found at: <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-48522/400-2200-001.pdf>.

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

36. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and

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

37. *Transfer of Projects*—If the Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, the Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department's Southwest Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them. The existing owner shall continue to be responsible for construction and operations at the Project until a transfer to the new owner has been completed. The new owner shall comply with the conditions of this certification, which shall remain in effect, unless modified, in writing, by the Department.

38. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, and shall reference DEP File No. WQ05-009, APS ID # 890634, or Authorization No. 1107421.

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

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

41. *FERC Original License*—The Applicant shall supply to the Department a copy of the Original License issued by FERC for this project, not later than ten days after the issuance of such license. The Department may revoke, suspend or modify this Conditional Water Quality Certification as it deems appropriate, depending upon the terms of said license.

42. *Compliance with Terms and Conditions*—This Conditional State Water Quality Certification does not relieve the Applicant of the responsibility for any discharge to waters of the Commonwealth, or allow for any inappropriate discharge to occur. Failure to comply with the terms and conditions of this Conditional State Water Quality Certification will result in the automatic nullification and voidance of this certification, and may subject the Applicant and responsible parties to pay fines of up to \$10,000, per violation, for each day the violation occurs, constituting a separate violation.

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



Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**Conditional State Water Quality Certification for the Point Marion Lock and Dam Hydroelectric Project, FERC Project No. 13771**

On February 27, 2014, Solia 8 Hydroelectric, LLC (Applicant) filed an application with the Federal Energy Regulatory Commission (FERC), for a license to construct and operate a 5-megawatt (MW) hydropower facility, at the Point Marion Lock and Dam, owned and operated by the U.S. Army Corps of Engineers (Corps), on the Monongahela River, at river mile 90.8, in Fayette and Greene Counties, Pennsylvania (Project). The Applicant is required, pursuant to section 401(a) of the Federal Clean Water Act (act) (33 U.S.C.A. § 1341(a)), to provide FERC with certification from the Commonwealth of Pennsylvania (Commonwealth) that any discharge from the Project to waters of the Commonwealth will comply with provisions of the act relating to water quality standards, and necessary measures to achieve and maintain those standards. The Commonwealth has established such standards and programs to achieve and maintain them under State law, which have been approved by the U.S. Environmental Protection Agency as consistent with the applicable provisions of the act. The Pennsylvania Department of Environmental Protection (Department) administers the Commonwealth's water quality standards programs under State law, and is responsible for the review of requests from applicants for water quality certification made pursuant to section 401 of the act.

On February 12, 2016, Applicant requested a State water quality certification from the Department, as required by Section 401 of CWA (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with CWA requirements.

On November 14, 2016, Rye Development, LLC provided the Department with a complete application for State Water Quality Certification, including an Environmental Assessment for the Project, on behalf of the

Applicant. The Project would consist of a new 255-foot-long intake channel, to be excavated into the riverbed immediately downstream of the Corps' dam. The intake channel would lead to a concrete intake structure that would convey flows past a trash rack with 3-inch clear bar spacing, to a new reinforced concrete powerhouse that is 120 feet long. The powerhouse would house two (2) identical horizontal pit Kaplan turbine generator units with a combined capacity of 5 MW. Flows would exit the powerhouse into a 225-foot-long tailrace excavated into the riverbed. Project power would be transmitted from the powerhouse to a new project substation, and then from the new substation to an existing distribution line, with an overhead transmission line.

The Department published notice of its proposed State water quality certification at 46 Pa.B. 7835 (December 17, 2016), and received zero comments from the public.

By this notice, the Department certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of CWA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and will not violate the Commonwealth's water quality standards set forth in 25 Pa. Code Chapter 93, provided that the construction, operation and maintenance of the Project complies with the conditions for this certification as listed below, and the terms and conditions of the State law permits required to demonstrate compliance with Pennsylvania's Water Quality Standards:

1. *Conditional State Water Quality Certification*—This conditional State water quality certification is based upon the information that is available, to date, due to the FERC licensing process, and is granted with the understanding that the applicant will be submitting a final Environmental Assessment (EA) to the Department, to be reviewed and approved by the Department, prior to the start of construction. Within its final EA, the Applicant shall also provide written documentation that it has complied with each of the conditions within this Conditional Water Quality Certification. This final EA shall be submitted to the Department at the same time that the Applicant submits its application to the U.S. Army Corps of Engineers (USACE or Corps) for a Section 404 Permit, to facilitate a coordinated review between the Department and USACE. The final EA that is submitted to the Department must be developed from final design plans, specifications and reports.

2. *Erosion and Sediment Control*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 102. The Applicant shall obtain and comply with an NPDES permit from the Department for the discharge of stormwater if the earth disturbance activities associated with the Project will result in a total disturbance equal to or greater than 1 acre. Earth disturbance activities associated with discharging dredged or fill material from the Project to waters of the United States which require permit coverage under Section 404 of CWA (33 U.S.C.A. § 1344) need not obtain an additional NPDES Permit from the Department for earth disturbance activities covered by the Section 404 permit. The Applicant shall submit final detailed erosion and sediment control and post construction stormwater management plans for all Project activities to the Department and County Conservation District for their review and approval prior to commencement of construction. Specific guidance on the requirements of the NPDES Permit for Stormwater Discharges Associated with Construction Activities can be obtained from the County Conservation District or the DEP Regional Office.

3. *Water Obstruction and Encroachment Permit*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 105 relating to dam safety and waterway management. The Applicant shall obtain, from the Department, and comply with Chapter 105 Water Obstruction and Encroachment Permit(s) (WO&EP), for the construction, operation and maintenance of any water obstruction or encroachment associated with the Project that is outside the scope of work licensed under the Federal Power Act, pursuant to the Clean Streams Law (35 P.S. §§ 691.1—691.1001), Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations.

4. *Submerged Lands License Agreement*—The Applicant shall obtain, from the Department, and comply with a Submerged Lands License Agreement, pursuant to Section 15 of the Dam Safety and Encroachments Act, 32 P.S. § 693.15, to occupy submerged lands of the Commonwealth in navigable waters as necessary to construct, operate and maintain the Project.

5. *Water Resource Planning Act Registration*—In accordance with the Pennsylvania Water Resources Planning Act, 27 Pa.C.S. § 3118, and the regulations thereunder, 25 Pa. Code Chapter 110, the Applicant must register the hydropower facility with the Department, and report water usage to the Department, annually.

6. *Limited Power Permit*—The Applicant shall obtain and comply with a permit from the Department as required by the Water Power and Water Supply Permits Act, Act of June 14, 1923, 32 P.S. §§ 591—625, related to the construction of a power dam or for a “change in stream” to develop power. The Applicant shall submit an application for this permit to the Department on the form available from the Department.

7. *Water Quality Monitoring*—During final design, the Applicant shall develop a water quality monitoring plan, to be implemented during the construction and operation of this project, and shall submit this plan to the Department for review and approval, prior to the start of construction, to ensure that the receiving water quality is not adversely impacted by the Applicant’s construction, operation or maintenance of the Project. This water quality monitoring plan shall include adequate provisions to ensure that monitoring will assess any potential cumulative effect upon water quality, from the operation of all the currently proposed hydroelectric projects, within the greater Pittsburgh region. Thereafter, Applicant shall submit the results of the water quality monitoring to the Department and the USACE, along with suggested modifications in the operation or maintenance of the Project for inclusion in the adaptive management plan, should adverse impacts to water quality result from the project. The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by the Applicant’s construction, operation or maintenance of the Project.

8. *Operating Plan and Adaptive Management Plan*—The applicant will be developing an operating plan, Memorandum of Agreement, and an adaptive management plan with the USACE. Applicant will submit these plans to the Department for review and approval, prior to the start of construction, to evaluate potential effects of these plans upon, and compliance with, State water quality standards.

9. *Final Project Design Development*—Applicant has indicated that potential fish protection measures for the

Project will be further addressed in the final design as detailed engineering is undertaken. Accordingly, during final design, applicant shall evaluate alternative designs for the proposed Project that may have the potential to reduce expected fish entrainment and mortality, such as, but not limited to, reducing and/or modifying the proposed 3-inch trash rack spacing, intake channel design, or other alternative designs, pursuant to Section 105.14(b)(4) and (6) of the Department’s regulations, 25 Pa. Code § 105.13(e)(1)(viii) and § 105.14(b)(4) and (6). This alternatives analysis shall be included in the Applicant’s final EA, to be submitted to the Department for review and approval, prior to the start of construction. The final design shall also take into account the cumulative impact evaluations associated with conditions (10), (11), (12).

10. *Cumulative Impacts to Fish Populations*—Since the project is one of several, currently proposed hydroelectric projects on the Ohio, Monongahela and Allegheny Rivers within the greater Pittsburgh area river basins, the applicant, during final design, shall further evaluate the cumulative impacts from these hydroelectric projects, upon area fish populations, due to expected fish entrainment and mortality. Applicant shall include this evaluation in its final EA, to be submitted to the Department for review and approval, prior to the start of construction.

11. *Cumulative Impacts to Mussel Populations*—Since the Project is one of several currently proposed hydroelectric projects on the Ohio, Monongahela and Allegheny Rivers within the greater Pittsburgh area river basins, the applicant shall further evaluate, during final design, the cumulative impacts from these hydroelectric projects, upon local mussel populations, due to potential unavailability of host fish from expected fish entrainment and mortality. Applicant shall include this evaluation in its final EA, to be submitted to the Department for review and approval, prior to the start of construction.

12. *Cumulative Impacts to Riverine Habitat and Food Chain*—Since the project is one of several, currently proposed hydroelectric projects on the Ohio, Monongahela and Allegheny Rivers within the greater Pittsburgh area river basins, and since the development of locks and dams for navigation has compressed the flowing water habitat within these rivers to tailrace areas below these dams, the Applicant, during final design, shall further evaluate the cumulative impacts from these hydroelectric projects, upon riverine habitat and the food chain, within the three (3) river basins. Applicant shall include this evaluation in its final EA, to be submitted to the Department for review and approval, prior to the start of construction.

13. *Minimum By-pass Flows*—Applicant has proposed a seasonal minimum by-pass flow, over the spillway; however, during the final design, Applicant shall further evaluate the amount of by-pass flows necessary for the purposes of protection of public health, water quality control, conservation of fisheries, and aquatic habitat, improvement of recreation, and protection of instream and downstream water uses. Since the Applicant’s model simulations indicate that dissolved oxygen levels will be reduced by the operation of the proposed hydropower facility, the Applicant shall consider within its evaluation whether year-round by-pass flows, increased by-pass flow volumes, and/or aeration equipment are needed to maintain State water quality standards. Applicant shall provide this evaluation to the Department, within its final EA, for the Department’s review and approval, prior to the start of construction. By-pass flows shall be provided across the length of the dam.

14. *Aids to Navigation (ATON) Plan*—Applicant shall develop an ATON Plan, to avoid or minimize impacts to recreational boating. This plan must be reviewed and approved by the PA Fish and Boat Commission (PFBC), prior to the start of construction. Please contact the PA Fish and Boat Commission, PO Box 67000, Harrisburg, PA 17106, regarding the requirements for an ATON Plan.

15. *Hydraulic Modeling*—Applicant shall provide an evaluation of potential impacts upon the habitat in the vicinity of a small island that is located within the river, below the Point Marion Lock & Dam. In addition, Applicant shall provide an evaluation of the potential for increased erosion of this island. Additional hydraulic modeling may be needed to conduct these evaluations. The results of these evaluations and any additional hydraulic modeling shall be included in the applicant's final EA that is to be submitted to the Department, for the Department to review and approve, prior to the start of construction. In addition, the applicant shall use the results of the additional hydraulic modeling to further evaluate potential impacts to fish, freshwater mussels, and aquatic habitat, within the project area, and any other potential impacts that may be identified during the Department's review of the Applicant's final EA. Alternative designs may need to be considered, to avoid or minimize any adverse environmental impacts that may be identified from this additional modeling and/or additional evaluations for impacts. Mitigation may be required to compensate for any adverse environmental impacts that cannot be avoided, including a plan to address any potential impacts to habitat around the island and impacts from potential accelerated erosion. The development of these site-specific hydraulic studies should be coordinated with the Department and the PA Fish and Boat Commission, before conducting them.

16. *Resource Identification*—Applicant has not provided adequate documentation, regarding its investigation for regulated Waters of the Commonwealth (i.e. watercourses, floodways, and bodies of water, including wetlands), along the entire, proposed access road. Accordingly, Applicant shall identify the regulated Waters of this Commonwealth on the site. The wetlands shall be identified and delineated in accordance with the Department's Wetland Delineation Policy. The Applicant shall include this information within its final EA to be submitted to the Department, for review and approval, prior to the start of construction. If the proposed access road will impact any watercourse, floodway, and/or bodies of water, including wetlands, the Applicant may need to submit application(s) for, and obtain, Water Obstruction and Encroachment Permit(s), from the Department, prior to the start of construction.

17. *Recreation Areas*—Applicant has indicated that project will have a direct impact upon the proposed Monongahela River Trail North, and is in close proximity to the proposed Sheepskin Trail and an abandoned railroad corridor that is used for public access. Accordingly, Applicant shall contact and coordinate its project development with the owners and/or managers of these trails, during its final design process. Applicant shall include evidence of these coordination efforts in its final EA, to be submitted to the Department, for review and approval, prior to the start of construction. Alternative designs may need to be considered, to avoid or minimize any adverse environmental impacts that may be identified, during this coordination with the trail owners and/or managers. Mitigation may be required to compensate for any adverse environmental impacts that cannot be avoided.

18. *Programmatic Agreement*—The PA Historical and Museum Commission (PHMC) has determined that FERC's issuance of an original license to Solia 8 Hydroelectric, LLC to construct, operate, and maintain the Point Marion Lock and Dam Hydroelectric Project may affect properties included in or eligible for inclusion in the National Register of Historic Places. Accordingly, Applicant shall work with PHMC in the creation of a mitigation plan to protect this structure, which may include the Applicant complying with a Final Programmatic Agreement Between the Federal Energy Regulatory Commission and the Pennsylvania State Historic Preservation Office for Managing Historic Properties that may be Affected by Issuing an Original License to Solia 8 Hydroelectric, LLC for the Construction, Operation, and Maintenance of the Point Marion Lock and Dam Hydroelectric Project Located in Fayette County, Pennsylvania (FERC No. 13771-002).

19. *Riparian Property*—Within its final EA, Applicant shall submit evidence that it has obtained notarized and signed releases, or has acquired rights of occupancy and use other than fee title, from the owners of any affected riparian property. This conditional water quality certification does not convey any real property rights or interests or authorization to trespass on privately-owned riparian land.

20. *Corps Authorization*—This conditional water quality certification does not relieve the Applicant of the responsibility to obtain any applicable approval/permit from the District Engineer, Pittsburgh District, U.S. Army Corps of Engineers, Room 1817 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222, under Section 10 of the Rivers and Harbor Act or Section 404 of the Clean Water Act of 1977.

21. *Fish and Mussel Surveys and Mitigation*—The Project footprint will impact approximately 2.0 acres of riverine habitat. Accordingly, at a minimum, fish and mussel surveys shall be conducted three (3) years after project construction, to evaluate the project's impact to fish and mussel species in the project area. The plans for these surveys shall be included within the Applicant's final EA, for the Department's review and approval. In addition, the results of these surveys shall be submitted to the Department for review, within 60 days of completion of these surveys. If the results of these surveys indicate an adverse environmental impact to fish and mussels in the project area, Applicant shall develop a remediation plan to eliminate or reduce the adverse environmental impact. In addition, the applicant may have to provide compensation for the adverse environmental impact.

22. *Cumulative Environmental Impact Assessment*—The Project is one of several, currently proposed hydroelectric projects in the Ohio, Monongahela, and Allegheny Rivers, within the greater Pittsburgh area river basins. Fish species, such as walleye, smallmouth bass, darters, etc., inhabit the area that can exhibit some migratory behavior, and could pass through multiple hydroelectric projects. In addition, the Applicant's Fish Entrainment Study reports mortality to fish species, such as catfish, drum, darters and bass, that are more likely to be host fish that are important to mussel propagation. Accordingly, Applicant shall develop a plan to conduct fish and mussel surveys, after the construction of all, or at least 50%, of the currently proposed hydroelectric projects, to evaluate the potential for cumulative impacts to area fish and mussel populations. This plan shall be included with the Applicant's final EA, for the Department's review and



approval. If the results of these surveys indicate an adverse environmental impact to fish and mussels in the project area, Applicant shall develop a remediation plan to eliminate or reduce the adverse environmental impact. In addition, the Applicant may have to provide compensation for the adverse environmental impact.

23. *Clean Water Program Coordination*—Applicant shall evaluate the cumulative impacts of lowering Dissolved Oxygen (DO) concentration below existing levels on overall water quality. This analysis shall include an evaluation of the effects of lower DO levels on other dischargers, whose dissolved oxygen analysis could be impacted by any reduction in DO due to the proposed project. The Applicant shall include, within its final EA to be submitted to the Department, a full analysis depicting the pre- and post-construction dissolved oxygen using a Q7-10 flow, and achieving a 7-day average of 5.5 mg/l and a minimum of 5.0 mg/l at the project site, and all points potentially impacted downstream of the project, in accordance with The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the regulations promulgated thereunder, and 25 Pa. Code § 93.7.

24. *Water Quality Requirements*—The project must maintain the applicable water quality standard of a 7-day average DO concentration of 5.5 mg/l and a minimum DO concentration of 5.0 mg/l, at Q7-10 low flow conditions, unless the analysis required by the preceding condition indicates that a higher DO level is needed to maintain the DO water quality standard within the Gray's Landing Pool, given consideration of all existing, permitted dischargers currently within the pool in accordance with The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the regulations promulgated thereunder.

25. *Stream and Habitat Mitigation*—Since the Project will impact approximately 2.0 acres of riverine habitat, Applicant shall include, within its final EA to be submitted to the Department, a plan to mitigate for this impact to riverine habitat, for the Department's review and approval, prior to the start of construction.

26. *Fishing Access*—During final design, Applicant shall develop a plan to compensate for lost recreational fishing by providing angler access that is comparable to, or better than, current conditions. Applicant shall consider providing angler access that is close to normal water surface elevations and the water's edge, and adequately compensate for the footage of fishing access lost.

27. *Boater Safety*—During final design, Applicant shall evaluate the potential for velocity changes within the river channel, from the hydroelectric project discharge, to affect navigation and boaters in the vicinity of docks and/or barge mooring areas that are located below the Point Marion Lock & Dam structure. Accordingly, in its final EA, Applicant shall provide to the Department, and to the owner(s)/operator(s) of the docks and/or barge mooring areas, an analysis of the effect that the increased velocities might have on barge and/or boat safety, and on barge operators and boaters, and on the docks and mooring areas, below the dam. This analysis shall be completed by a hydrologist. In addition, Applicant shall provide a letter from the owner(s)/operator(s) of the docks and/or mooring areas, commenting on this analysis.

28. *Fish Mitigation*—Since the project will impact fish, Applicant shall include, within its final EA to be submitted to the Department, a mitigation plan to compensate for this environmental impact, for the Department's review and approval, prior to the start of construction.

29. *Fish and Mussel Salvage*—Applicant shall further develop its fish and mussel salvage plan to safely remove

fishes and mussels from the project area that would otherwise be trapped behind the proposed coffer dams during the dewatering process. These fish and mussels should be relocated to areas outside of the project area. The Applicant shall include this salvage plan within its final EA, to be reviewed and approved by the Department, prior to the start of construction.

30. *River Sediment Testing*—Applicant shall manage dredge material removed from the river in accordance with the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. §§ 6018.101—6018.1003 ("Solid Waste Management Act") and regulations promulgated thereunder. Permittee should contact the Facilities Chief, Waste Management Program, Southwest Regional Office, with questions regarding this requirement. The project shall be consistent with the Department's Management of Fill policy and the analytic requirements therein. If the testing reveals that the dredged material exceeds the requirements for unrestricted use as clean fill, then the Applicant shall arrange for off-site disposal of the dredged sediments, after applying for and obtaining approval from the Department's Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

31. *Threatened, Endangered and Special Concern Species*—The results obtained from utilizing the Pennsylvania Natural Diversity Inventory's Pennsylvania Natural Diversity Inventory (PNDI), and any determinations received from an appropriate jurisdictional agency during any associated consultations, are valid only for 2 years. Accordingly, Applicant must include new PNDI search results within its final EA, along with evidence of any necessary follow-up with the appropriate jurisdictional agency(s). In addition, PNDI search results and clearances must be current and valid, prior to the start of construction.

32. *Geotechnical Testing*—If a temporary road, drilling platform or other structure is needed to conduct any core boring drilling operations or geotechnical testing, within the Commonwealth's waterways, Applicant shall obtain a permit(s) or other authorization(s) from the Department, prior to conducting any core boring drilling operations or geotechnical testing.

33. *Preparedness, Prevention and Contingency Plan*—The Applicant shall develop and maintain on site a Preparedness, Prevention and Contingency Plan (PPC Plan) for any project activities utilizing pollutants, pursuant to Section 91.34 of the regulations, 25 Pa. Code § 91.34. The PPC Plan shall be developed in accordance with the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" which can be found at: <http://www.e-library.dep.state.pa.us/dsweb/Get/Document-48522/400-2200-001.pdf>.

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

35. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water

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

36. *Transfer of Projects*—If the Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, the Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department's Southwest Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them. The existing owner shall continue to be responsible for construction and operations at the Project until a transfer to the new owner has been completed. The new owner shall comply with the conditions of this certification, which shall remain in effect, unless modified, in writing, by the Department.

37. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, and shall reference DEP File No. WQ05-010, APS ID # 890865, or Authorization No. 1107811.

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

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

40. *FERC Original License*—The Applicant shall supply to the Department a copy of the Original License issued by FERC for this project, not later than ten days after the issuance of such license. The Department may revoke, suspend or modify this Conditional Water Quality Certification as it deems appropriate, depending upon the terms of said license.

41. *Compliance with Terms and Conditions*—This Conditional State Water Quality Certification does not relieve the Applicant of the responsibility for any discharge to waters of the Commonwealth, or allow for any inappropriate discharge to occur. Failure to comply with the terms and conditions of this Conditional State Water Quality Certification will result in the automatic nullification and voidance of this certification, and may subject the Applicant and responsible parties to pay fines of up to \$10,000, per violation, for each day the violation occurs, constituting a separate violation.

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

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act,

35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

[Pa.B. Doc. No. 17-332. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Oil and Gas Technical Advisory Board Meeting Cancellation

The Oil and Gas Technical Advisory Board (Board) meeting scheduled for Thursday, May 18, 2017, at 10 a.m. in the Department of Environmental Protection, Rachel Carson State Office Building, Conference Room 105, 400 Market Street, Harrisburg, PA is cancelled.

To view the Board meeting dates for 2017, visit the Department of Environmental Protection's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Oil and Gas Advisory Committees," then "Oil and Gas Technical Advisory Board (TAB)"). Questions concerning the meeting can be directed to Todd Wallace, Office of Oil and Gas Management, at (717) 783-9438 or [twallace@pa.gov](mailto:twallace@pa.gov).

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-333. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Proposed Conditional State Water Quality Certification under Section 401 of the Clean Water Act for the United States Army Corps of Engineers Nationwide Permits

The United States Army Corps of Engineers (Corps) has published its reissuance of 50 existing Nationwide permits (NWP) and issuance of two new NWPs under section 404 of the Clean Water Act (act) (33 U.S.C.A. § 1344) and section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C.A. § 403) at 82 FR 1860 (January 6, 2017). The final NWPs are listed as follows and are effective for 5 years beginning on March 19, 2017, and

expiring on March 18, 2022. On January 18, 2017, the Corps Baltimore District requested State Water Quality Certification (SWQC) on behalf of the Baltimore, Philadelphia and Pittsburgh Districts under section 401 of the act (33 U.S.C.A. § 1341) from the Department of Environmental Protection (Department) for discharges of dredged and fill material into waters of the Commonwealth authorized by the final NWP.

Consistent with section 401 of the act, the Department proposes to certify that activities authorized by the Corps under the final NWP will comply with the applicable provisions of sections 301—303, 306 and 307 of the act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), provided the project applicant complies with the following SWQC conditions and constructs, operates and maintains the project in compliance with the terms and conditions of State law permits obtained to meet these SWQC conditions:

1. Prior to beginning any activity authorized by the Corps under a NWP, the applicant shall obtain from the Department all necessary environmental permits or approvals, and submit to the Department environmental assessments and other information necessary to obtain the permits and approvals, as required under State law, including The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326), The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P.S. §§ 6020.101—6020.1305), the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908), 58 Pa.C.S. §§ 3201—3274 (related to development) and the regulations promulgated thereunder, including 25 Pa. Code Chapters 77, 78, 78a, 86—91, 92a, 93, 95, 96, 102, 105 and 260a—299.

2. Fill material may not contain any wastes as defined in the Solid Waste Management Act.

3. Applicants and projects eligible for these NWP must obtain all State permits or approvals, or both, necessary to ensure that the project meets the state's applicable water quality standards, including a project specific SWQC.

The Department has determined that these proposed SWQC conditions are necessary to achieve the Commonwealth's water quality standards, which have been approved by the United States Environmental Protection Agency as compliant with the act. The proposed SWQC conditions achieve these standards through compliance with existing environmental programs administered by the Department under State laws and regulations.

This proposed SWQC is subject to the Department's determination that the final NWP are consistent with the Coastal Zone Management Act (16 U.S.C.A. §§ 1451—1466).

This proposed SWQC is only available for projects that do not require any Federal authorization other than authorization from the Corps under section 404 of the act or section 10 of the Rivers and Harbors Act of 1899. Applicants seeking authorization for activities not eligible for coverage under the NWP, or for activities that require another Federal authorization (such as an interstate natural gas pipeline, a gas storage field or a nuclear

or hydroelectric project requiring authorization by another Federal agency), must submit a request to the Department for a project-specific SWQC.

The Department will consider all comments received on or before March 27, 2017, before taking the final action on this conditional SWQC. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted by e-mail to [ecomments@pa.gov](mailto:ecomments@pa.gov) or by mail to the Department of Environmental Protection, Bureau of Waterways Engineering and Wetlands, Attn: Sidney Freyermuth, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17101-2301.

Notice of the Corps NWP published in the *Federal Register* can be viewed at [http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017\\_final\\_rule\\_FR\\_06jan2017.pdf?ver=2017-01-06-092409-457](http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017_final_rule_FR_06jan2017.pdf?ver=2017-01-06-092409-457) or copies may be obtained by contacting Amy Elliott, United States Army Corps of Engineers, Baltimore District, State College Field Office, 1631 South Atherton Street, State College, PA 16801 or (814) 235-0570.

The NWP reissued are:

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Utility Line Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. U.S. Coast Guard Approved Bridges
16. Return Water from Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
21. Surface Coal Mining Activities
22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
26. [Reserved]



27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities
28. Modifications of Existing Marinas
29. Residential Developments
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access, and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities
45. Repair of Uplands Damaged by Discrete Events
46. Discharge in Ditches
47. [Reserved]
48. Commercial Shellfish Aquaculture Activities
49. Coal Remining Activities
50. Underground Coal Mining Activities
51. Land-Based Renewable Energy Generation Facilities
52. Water-Based Renewable Energy Generation Pilot Projects

The new NWP's issued are:

- A. Removal of Low-Head Dams
- B. Living Shorelines

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-334. Filed for public inspection February 24, 2017, 9:00 a.m.]

**Proposed General Plan Approval and/or General Operating Permit No. 5A for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations; Proposed Modifications to General Plan Approval and/or General Operating Permit No. 5 for Natural Gas Compressor Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5); Proposed Modifications to the Air Quality Permit Exemption List (275-2101-003); Extension of Public Comment Period**

The Department of Environmental Protection (Department) is publishing notice of the extension of the comment period that began on Saturday, February 4, 2017, for the proposed General Plan Approval and/or General Operating Permit No. 5A for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations; proposed modifications to the existing General Plan Approval and/or General Operating Permit No. 5 for Natural Gas Compressor Stations, Processing Plants and Transmission Stations (GP-5); and proposed modifications to the Air Quality Permit Exemption List. The initial notice was published at 47 Pa.B. 733 (February 4, 2017).

The General Permits establish Best Available Technology requirements and other applicable Federal and State requirements including air emission limits, source testing, leak detection and repair, recordkeeping and reporting requirements for the applicable air contamination sources.

The proposed GP-5A was developed under the authority of section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f)) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits), and will be applicable to unconventional natural gas well site operations and remote pigging stations. The revised GP-5 was developed under the authority of section 6.1(f) of the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter H, and will remain applicable to natural gas compressor stations and processing plants and add applicability to natural gas transmission stations.

Interested persons may submit written comments on the Draft General Permits and Air Quality Permit Exemption List by Monday, June 5, 2017. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to review the proposed General Permits and Air Quality Permit Exemption List and submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-335. Filed for public inspection February 24, 2017, 9:00 a.m.]

# DEPARTMENT OF HEALTH

## Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Milton S. Hershey Medical Center	28 Pa. Code § 51.23 (relating to positron emission tomography)
Good Samaritan Hospital	28 Pa. Code § 107.61 (relating to written orders)

The following hospital is requesting an exception under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Jefferson Hospital	2.1-8.5.3.2	Size (TDRs)	2014

All previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163 or ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 17-336. Filed for public inspection February 24, 2017, 9:00 a.m.]

## Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, March 15, 2017, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so should contact Cynthia Findley, Bureau Director, Department of

Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572, or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department reserves the right to cancel this meeting without prior notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 17-337. Filed for public inspection February 24, 2017, 9:00 a.m.]

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

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d) and (e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Jameson Care Center  
3349 Wilmington Road  
New Castle, PA 16105  
FAC ID # 069402

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

Forbes Center for Rehabilitation and Healthcare  
6655 Frankstown Avenue  
Pittsburgh, PA 15206  
FAC ID # 060402

Jefferson Hills Healthcare and Rehabilitation Center  
448 Old Clairton Road  
Jefferson Hills, PA 15025  
FAC ID # 100202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
Secretary

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## DEPARTMENT OF REVENUE

### Pennsylvania Hot Numbers Fast Play Game 5001

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Hot Numbers (hereinafter “Hot Numbers”). The game number is PA-5001.

#### 2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game:* A specific, pre-defined area of a game ticket located in the play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each Game is played separately, but winning combinations in more than one Game can be combined to win larger

prizes as described in section 6 (relating to prizes available to be won and determination of prize winners).

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *Winning Number Area:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “Your Numbers Area,” determine whether a player wins a prize.

(l) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *Your Numbers Area:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “Winning Number Area,” determine whether a player wins a prize.

3. *Price:* The price of a Hot Numbers ticket is \$5.

4. *Description of the Hot Numbers lottery game:*

(a) The Hot Numbers lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Hot Numbers tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Hot Numbers is played by matching the play symbols in the “Your Numbers Area” to the play symbol located in the “Winning Number Area,” in any “Game.” A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Hot Numbers game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Hot Numbers game ticket. The



ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Hot Numbers game ticket and select the Hot Numbers option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Hot Numbers ticket characteristics:*

(a) A Hot Numbers ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of five "Games" and each "Game" is played separately.

(b) *Play Symbols:* Each Hot Numbers ticket play area will contain a "Winning Number Area" and a "Your Numbers Area." The play symbols located in the "Winning Number Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY). The play symbols located in the "Your Numbers Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY).

(c) *Prize Symbols:* The prize symbols and their captions located in the "Your Numbers Area" are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$500, \$1,000, \$5,000 and \$50,000. A player can win up to 8 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 9,600,000 tickets will be available for sale for the Hot Numbers lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Hot Numbers prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Hot Numbers ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Winning Number" play symbol, in the same "Game," and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Any Of Your Numbers Match The Winning Number For That "Game," Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 9,600,000 Tickets
\$5	\$5	7.94	1,209,600
\$5 × 2	\$10	31.25	307,200
\$10	\$10	33.33	288,000
\$5 × 4	\$20	66.67	144,000
\$10 × 2	\$20	66.67	144,000
\$20	\$20	71.43	134,400
\$5 × 5	\$25	666.67	14,400
\$25	\$25	666.67	14,400
\$5 × 8	\$40	500	19,200
\$10 × 4	\$40	500	19,200
\$20 × 2	\$40	500	19,200
\$40	\$40	500	19,200
\$10 × 5	\$50	500	19,200
\$25 × 2	\$50	1,000	9,600
(\$20 × 2) + (\$5 × 2)	\$50	500	19,200
\$50	\$50	1,000	9,600
\$20 × 5	\$100	2,400	4,000
\$25 × 4	\$100	1,200	8,000
\$50 × 2	\$100	1,200	8,000
(\$20 × 3) + (\$10 × 4)	\$100	2,400	4,000
\$100	\$100	1,200	8,000
\$100 × 5	\$500	12,000	800
(\$100 × 3) + (\$50 × 4)	\$500	8,000	1,200
(\$100 × 2) + (\$50 × 6)	\$500	24,000	400
\$500	\$500	12,000	800
\$500 × 2	\$1,000	24,000	400
(\$100 × 5) + \$500	\$1,000	24,000	400
\$1,000	\$1,000	24,000	400
\$1,000 × 5	\$5,000	240,000	40
\$5,000	\$5,000	192,000	50
\$50,000	\$50,000	960,000	10

Each "Game" is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

#### 8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

#### 9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

#### 10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Hot Numbers lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in

exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Hot Numbers lottery game tickets.

17. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Hot Numbers or through normal communications methods.

19. *Applicability:* This notice applies only to the Hot Numbers lottery game announced in this notice.

EILEEN H. McNULTY,  
Secretary

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## Pennsylvania Keystone Cash Fast Play Game 5000

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Keystone Cash (hereinafter "Keystone Cash"). The game number is PA-5000.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.



(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Progressive Top Prize*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased until a winning top prize ticket is sold and then resets to the minimum prize amount.

(k) *Winning Numbers Area*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "Your Numbers Area," determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *Your Numbers Area*: The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "Winning Numbers Area," determine whether a player wins a prize.

3. *Price*: The price of a Keystone Cash ticket is \$5.

4. *Description of the Keystone Cash lottery game*:

(a) The Keystone Cash lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Keystone Cash tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Keystone Cash is played by matching the play symbols in the "Your Numbers Area" to the play symbols located in the "Winning Numbers Area." A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Keystone Cash game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Keystone Cash game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Keystone Cash game ticket and selecting the Keystone Cash option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Keystone Cash ticket characteristics*:

(a) A Keystone Cash ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each Keystone Cash ticket play area will contain a "Winning Numbers Area" and a "Your Numbers Area." The play symbols located in the "Winning Numbers Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols located in the "Your Numbers Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY).

(c) *Prize Symbols*: The prize symbols and their captions located in the "Your Numbers Area" are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000, \$5,000 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$45,000 and increases by 15¢ every time a Keystone Cash ticket is purchased until a winning top prize ticket is sold, at which point it resets to \$45,000. A player can win up to 12 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 9,600,000 tickets will be available for sale for the Keystone Cash lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Keystone Cash prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Keystone Cash ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any of the "Your Numbers" play symbols match any of the "Winning Numbers" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize."

The amount won under this paragraph is the amount of the Progressive Top Prize as of the time the winning ticket was purchased. The amount won will be a minimum of \$45,000.

(d) Holders of tickets upon which any of the “Your Numbers” play symbols match any of the “Winning Numbers” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any of the “Your Numbers” play symbols match any of the “Winning Numbers” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the “Your Numbers” play symbols match any of the “Winning Numbers” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any of the “Your Numbers” play symbols match any of the “Winning Numbers” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any of the “Your Numbers” play symbols match any of the “Winning Numbers” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any of the “Your Numbers” play symbols match any of the “Winning Numbers” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$5	\$5	10	960,000
\$5 × 2	\$10	25	384,000
\$10	\$10	25	384,000
\$5 × 3	\$15	71.43	134,400
\$10 + \$5	\$15	76.92	124,800
\$15	\$15	76.92	124,800
\$5 × 4	\$20	200	48,000
\$10 × 2	\$20	200	48,000
\$20	\$20	200	48,000
\$5 × 8	\$40	333.33	28,800
\$10 × 4	\$40	333.33	28,800
\$20 × 2	\$40	333.33	28,800
\$40	\$40	333.33	28,800
\$5 × 10	\$50	666.67	14,400
\$10 × 5	\$50	666.67	14,400
\$40 + \$10	\$50	666.67	14,400
\$50	\$50	666.67	14,400
\$20 × 5	\$100	8,000	1,200
\$50 × 2	\$100	8,000	1,200
(\$10 × 8) + (\$5 × 4)	\$100	8,000	1,200
\$100	\$100	8,000	1,200
\$50 × 8	\$400	60,000	160
\$100 × 4	\$400	60,000	160
(\$100 × 2) + (\$20 × 10)	\$400	60,000	160
\$400	\$400	60,000	160
\$50 × 10	\$500	60,000	160
\$100 × 5	\$500	60,000	160
(\$50 × 2) + (\$40 × 10)	\$500	60,000	160
\$500	\$500	60,000	160
\$100 × 10	\$1,000	120,000	80
\$500 × 2	\$1,000	120,000	80
(\$100 × 8) + (\$50 × 4)	\$1,000	120,000	80
\$1,000	\$1,000	120,000	80
\$500 × 10	\$5,000	240,000	40
\$5,000	\$5,000	240,000	40
PROGRESSIVE TOP PRIZE	\$45,000*	192,000	50

\* PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$45,000. The PROGRESSIVE TOP PRIZE increases by 15¢ every time a ticket is purchased until a top prize ticket is sold, at which time the PROGRESSIVE TOP PRIZE resets to \$45,000.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 15¢ from the sale of each Keystone Cash ticket will be accumulated in the Progressive Top Prize pool until a winning top prize ticket is sold.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Keystone Cash game, this notice and the data contained in the Lottery's Central Computer System shall govern.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Keystone Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any



compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Keystone Cash lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Keystone Cash or through normal communications methods.

20. *Applicability:* This notice applies only to the Keystone Cash lottery game announced in this notice.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-340. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Pennsylvania Lots of \$50s Fast Play Game 5002

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Lots of \$50s (hereinafter "Lots of \$50s"). The game number is PA-5002.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Grid:* The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "Winning Symbols Area," determine whether a player wins a prize.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *Winning Symbols Area:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "Play Grid," determine whether a player wins a prize.

(l) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

3. *Price:* The price of a Lots of \$50s ticket is \$2.

4. *Description of the Lots of \$50s lottery game:*

(a) The Lots of \$50s lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Lots of \$50s tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Lots of \$50s is played by matching the play symbols in the "Play Grid" area to the play symbols located in the "Winning Symbols" area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Lots of \$50s game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Lots of \$50s game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the

self-service terminal a dollar amount equal to the total purchase price of a Lots of \$50s game ticket and select the Lots of \$50s option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Lots of \$50s ticket characteristics:*

(a) A Lots of \$50s ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols:* Each Lots of \$50s ticket play area will contain a "Winning Symbols Area" and a "Play Grid." The play symbols located in the "Winning Symbols Area" and the "Play Grid" are: Stack of Cash symbol, Coin symbol, Stack of Coins symbol, Money Roll symbol, Money Truck symbol, Purse symbol, Piggy Bank symbol, Handful symbol, Check symbol, Diamond symbol, Wallet symbol, Safe symbol, Gold Bar symbol and a Bank symbol.

(c) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20 and \$50. A player can win up to 2 times on a ticket.

(d) *Approximate Number of Tickets Available for the Game:* Approximately 4,800,000 tickets will be available for sale for the Lots of \$50s lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Lots of \$50s prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Lots of \$50s ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which the three symbols in the "Play Grid" appearing in a diagonal line, beginning in the lower left-hand corner of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$50 appears directly above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets upon which the three symbols in the "Play Grid" appearing in a diagonal line, beginning in the upper left-hand corner of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and

a prize amount of \$50 appears directly below the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which the three symbols appearing in the bottom row of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$20 appears directly above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets upon which the three symbols appearing in the right column of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$15 appears directly to the left of the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$15.

(g) Holders of tickets upon which the three symbols appearing in the middle row of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$10 appears directly above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which the three symbols appearing in the middle column of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$5 appears directly to the left of the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets upon which the three symbols appearing in the top row of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$4 appears directly above the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets upon which the three symbols appearing in the left column of the "Play Grid," match any combination of the "Winning Symbols" play symbols, and a prize amount of \$2 appears directly to the left of the arrow pointing to that win, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

*Match Any Three Of The Winning Symbols In A Row, Column, Or Diagonal, Win Prize By The Arrow Pointing To That Match. Win With:*

\$2 LEFT COLUMN
\$4 TOP ROW
\$5 MIDDLE COLUMN
(\$4 TOP ROW) + (\$2 LEFT COLUMN)
(\$5 MIDDLE COLUMN) + (\$2 LEFT COLUMN)
\$10 MIDDLE ROW
(\$10 MIDDLE ROW) + (\$5 MIDDLE COLUMN)
\$15 RIGHT COLUMN
(\$15 RIGHT COLUMN) + (\$5 MIDDLE COLUMN)
\$20 BOTTOM ROW
(\$15 RIGHT COLUMN) + (\$10 MIDDLE ROW)
(\$20 BOTTOM ROW) + (\$5 MIDDLE COLUMN)
(\$20 BOTTOM ROW) + (\$10 MIDDLE ROW)
\$50 DOWN DIAGONAL
\$50 UP DIAGONAL

<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$2	9.52	504,000
\$4	16.67	288,000
\$5	33.33	144,000
\$6	250	19,200
\$7	1,000	4,800
\$10	71.43	67,200
\$15	500	9,600
\$15	500	9,600
\$20	1,000	4,800
\$20	1,000	4,800
\$25	2,000	2,400
\$25	2,000	2,400
\$30	4,800	1,000
\$50	240	20,000
\$50	240	20,000

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Lots of \$50s lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Lots of \$50s lottery game tickets.

17. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast



Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Lots of \$50s or through normal communications methods.

19. *Applicability:* This notice applies only to the Lots of \$50s lottery game announced in this notice.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-341. Filed for public inspection February 24, 2017, 9:00 a.m.]

## Pennsylvania Piggy Bank Bucks Fast Play Game 5003

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Piggy Bank Bucks (hereinafter “Piggy Bank Bucks”). The game number is PA-5003.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery

Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Winning Numbers Area:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “Your Numbers Area,” determine whether a player wins a prize.

(k) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(l) *Your Numbers Area:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “Winning Numbers Area,” determine whether a player wins a prize.

3. *Price:* The price of a Piggy Bank Bucks ticket is \$1.

4. *Description of the Piggy Bank Bucks lottery game:*

(a) The Piggy Bank Bucks lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Piggy Bank Bucks tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Piggy Bank Bucks is played by matching the play symbols in the “Your Numbers Area” to the play symbols located in the “Winning Numbers Area.” A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Piggy Bank Bucks game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Piggy Bank Bucks game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Piggy Bank Bucks game ticket and select the Piggy Bank Bucks option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Piggy Bank Bucks ticket characteristics:*

(a) A Piggy Bank Bucks ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols:* Each Piggy Bank Bucks ticket play area will contain a "Winning Numbers Area" and a "Your Numbers Area." The play symbols located in the "Winning Numbers Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols located in the "Your Numbers Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT).

(c) *Prize Symbols:* The prize symbols and their captions located in the "Your Numbers Area" are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$5,000 (FIV THO).

(d) *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$500, \$1,000 and \$5,000. A player can win up to 5 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 4,800,000 tickets will be available for sale for the Piggy Bank Bucks lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Piggy Bank Bucks prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Piggy Bank Bucks ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize symbol of FREE (TICKET) appears in the "prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of one Piggy Bank Bucks game ticket.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
FREE	FREE \$1 TICKET	10	480,000
\$1	\$1	100	48,000

When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$1 × 2	\$2	20	240,000
\$2	\$2	28.57	168,000
\$1 × 4	\$4	166.67	28,800
\$2 × 2	\$4	200	24,000
\$4	\$4	333.33	14,400
\$1 × 5	\$5	100	48,000
\$5	\$5	100	48,000
\$2 × 5	\$10	333.33	14,400
\$5 × 2	\$10	333.33	14,400
\$10	\$10	500	9,600
\$4 × 5	\$20	2,500	1,920
\$5 × 4	\$20	2,500	1,920
\$10 × 2	\$20	2,500	1,920
\$20	\$20	2,500	1,920
\$20 × 2	\$40	3,429	1,400
(\$10 × 3) + (\$5 × 2)	\$40	3,692	1,300
\$40	\$40	4,000	1,200
\$20 × 5	\$100	24,000	200
(\$40 × 2) + (\$10 × 2)	\$100	24,000	200
\$100	\$100	24,000	200
\$100 × 5	\$500	24,000	200
\$500	\$500	24,000	200
\$500 × 2	\$1,000	480,000	10
\$1,000	\$1,000	480,000	10
\$5,000	\$5,000	480,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

#### 8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

#### 9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

#### 10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).



(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Piggy Bank Bucks lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Piggy Bank Bucks lottery game tickets.

17. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000

shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Piggy Bank Bucks or through normal communications methods.

19. *Applicability:* This notice applies only to the Piggy Bank Bucks lottery game announced in this notice.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-342. Filed for public inspection February 24, 2017, 9:00 a.m.]

## DEPARTMENT OF STATE

### Bureau of Corporations and Charitable Organizations; Official Forms

The Department of State (Department), Bureau of Corporations and Charitable Organizations (Bureau) proposes to amend 19 Pa. Code Appendix C (relating to official forms) to read as set forth in Annex A.

A. *Effective Date*

The proposed form will be effective on March 1, 2017.

B. *Statutory Authority*

The Department has the authority to promulgate Bureau sample forms and instructions under 15 Pa.C.S. § 133 (relating to powers of Department of State). Section 133(a)(1) of 15 Pa.C.S. specifies that sample filing forms shall not be agency regulations and are therefore explicitly excluded from the requirements of section 612 of The Administrative Code of 1929 (71 P.S. § 232) and review under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506) and the Regulatory Review Act (71 P.S. §§ 745.1—745.14). Section 133(a)(1) of 15 Pa.C.S. does, however, require that the forms and instructions be subject to the opportunity for public comment under section 201 of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law (CDL).

C. *Description of Proposed Revisions*

This proposal revises one of the existing forms and instructions promulgated by the Department and currently published in the *Pennsylvania Code*.

*Form DSCB: 15-153(a)(17) (Special Processing)*

This form is updated to clarify the procedures for special processing, wherein multiple documents delivered to the Department on the same day are requested to be filed in a certain order. The form was also modified to make clear that more than five documents may be submitted for special processing in a specific sequence at one time, by means of additional attached sheets.

The previously-referenced form and instructions, which are currently published in 19 Pa. Code Appendix C, are being deleted and replaced with the revised form set forth in Annex A. Even though Rule 2.12(a) of the *Pennsylvania Code and Bulletin Style Manual* recommends that forms be referenced in regulations rather than adopted in regulations, 15 Pa.C.S. § 133 requires that the forms and instructions be published in the *Pennsylvania Code*.

*D. Fiscal Impact*

Although this proposal would have no measurable fiscal impact upon the Commonwealth, its political subdivisions or the private sector, a formal fiscal analysis was not conducted because these forms are exempt from section 612 of The Administrative Code of 1929.

*E. Paperwork Requirements*

This proposal would not create new paperwork.

*F. Regulatory Review*


Under section 15 Pa.C.S. § 133(a), sample forms are exempt from the requirements of the Regulatory Review Act but shall be subject to the opportunity of public comment requirement under section 201 of the CDL.

*G. Public Comment*

Under 15 Pa.C.S. § 133(a)(1), which requires that publication of Bureau forms be subject to the opportunity for public comment, the Department invites interested persons to submit written comments, suggestions or objections regarding this proposal to Martha H. Brown, Assistant Counsel, Department of State, Office of Chief Counsel, 306 North Office Building, Harrisburg, PA 17120 within 30 days following publication of this notice in the *Pennsylvania Bulletin*. Reference "Bureau of Corporations and Charitable Organizations—Official Forms" when submitting comments.

PEDRO A. CORTÉS,  
*Secretary*

**PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

Special Processing DSCB:15-153(a)(17) (3/1/2017)	 15317
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Special processing is the method by which multiple documents delivered to the Department of State on the same day will be filed in a certain order (e.g. file first, file second). Without this form and fee, documents submitted on the same day will be separated and are not guaranteed to be filed in the order desired.

The fee for special processing fee is \$70 (in addition to all other document filing fees and/or expedited service fees).

This form must be completed and submitted with each group of documents.

<b>Entity Name:</b> _____	<b>Entity Number:</b> _____
Requestor's Name: _____ Requestor's Address: _____ _____ _____	Return Document Via: (CHECK ONLY ONE) <input type="checkbox"/> COUNTER PICKUP <input type="checkbox"/> MAIL <input type="checkbox"/> EMAIL _____
<b>Specify the order in which documents are to be filed:</b>	
File 1 <sup>st</sup> _____	(name of entity and type of document)
File 2 <sup>nd</sup> _____	(name of entity and type of document)
File 3 <sup>rd</sup> _____	(name of entity and type of document)
File 4 <sup>th</sup> _____	(name of entity and type of document)
File 5 <sup>th</sup> _____	(name of entity and type of document)
(attach additional sheets as necessary)	
<b>Special Processing fee is \$70 and is in addition to filing fees and expedited service fees.</b>	
<b>Payment Method:</b> <input type="checkbox"/> Deposit Account number _____ <input type="checkbox"/> Check	

By checking this box, I verify that I have read and understand the policies and procedures for Special Processing. To the best of my knowledge, the attached documents are in the proper order and are acceptable for filing as presented to the Bureau. I understand that if one of these documents is not accepted for filing, the documents to be filed after the rejected document will also be rejected. I also understand that the Special Processing fee is nonrefundable.



## 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.

Somerset Township, Somerset County. The parcel contains 7,081 square feet of unimproved property located between Glades Pike and Westridge Road. The estimated fair market value is \$6,000.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Thomas A. Prestash, PE, District Executive, Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080.

Questions regarding this property may be directed to Joseph Tagliati, Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080, (814) 696-7215.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-344. Filed for public inspection February 24, 2017, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Food & Water Watch v. Department of Environmental Protection and Papettis Hygrade Egg Prod- ucts, Inc., Permittee; EHB Doc. No. 2017-008-M

Food & Water Watch has appealed the issuance by the Department of Environmental Protection of an NPDES permit (PA0009911) to Papettis Hygrade Egg Products, Inc. for a facility known as Michael Foods Egg Products located in Upper Mahantango Township, Schuylkill County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code

§ 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 17-345. Filed for public inspection February 24, 2017, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, March 1, 2017—Executive Committee meeting at 1:30 p.m. and Thursday, March 2, 2017—Council meeting at 10 a.m.

The meetings will be accessible at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend should contact Renee Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 17-346. Filed for public inspection February 24, 2017, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Aetna Health Insurance Company; Rate Filing

Aetna Health Insurance Company submitted a Student Health Insurance Plan rate filing to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (click on the "Consumers" tab, under "Resources" select "Product Notices").

The filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-347. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Agency Contract Termination of Rebecca Vasinda under Act 143; State Farm; Doc. No. AT17-02-002

Rebecca Vasinda has requested review of an agency contract termination by State Farm under sections 1—6 of The Insurance Department Act of 1921 (40 P.S. §§ 241—246).

A pre-review telephone conference initiated by this office is scheduled for March 30, 2017, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 28, 2017. A date for a review shall be determined, if necessary, at the pre-review conference.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before March 14, 2017, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before March 28, 2017.

Persons with a disability who wish to attend the previously-referenced administrative review and require an auxiliary aid, service or other accommodation to participate in the review should contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-348. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Application for Approval to Acquire Control of HM Casualty Insurance Company and NorthStone Insurance Company

Motorists Mutual Insurance Company has filed an application for approval to acquire control of HM Casualty Insurance Company, a domestic stock casualty insurance company, and NorthStone Insurance Company, a domestic stock casualty insurance company. The filing was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-349. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Highmark Blue Cross Blue Shield; Rate Filing

Highmark Blue Cross Blue Shield has submitted a Student Health Insurance Plan rate filing to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (click on the "Consumers" tab, under "Resources" select "Product Notices").

The filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [mgurgiolo@pa.gov](mailto:mgurgiolo@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-350. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Independence Blue Cross Family of Companies (Keystone Health Plan East, QCC Insurance Company and AmeriHealth HMO, Inc.); Rate Filing

Independence Blue Cross Family of Companies (Keystone Health Plan East, QCC Insurance Company and AmeriHealth HMO, Inc.) submitted Student Health Insurance Plan rate filings to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (click on the "Consumers" tab, under "Resources" select "Product Notices").

The filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@pa.gov](mailto:rmathur@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-351. Filed for public inspection February 24, 2017, 9:00 a.m.]

### List of Approved Guide Source Method Vendors; Notice 2017-03

Under the authority of the Motor Vehicle Physical Damage Appraiser Act (63 P.S. §§ 851—863), the Insurance Commissioner lists guide source providers approved to calculate the replacement value of total loss or

unrecovered vehicles under 31 Pa. Code § 62.3(e)(1)(i) (relating to applicable standards for appraisal).

A listing of approved guide source method providers will be published annually in the *Pennsylvania Bulletin*. In the interim, an updated listing will be available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Requests for this information may also be submitted to the Insurance Department, Bureau of Consumer Services, (877) 881-6388, fax (717) 787-8585, [ra-insresponse@pa.gov](mailto:ra-insresponse@pa.gov).

#### Approved Guide Source Vendors

Accurate ACV, LLC  
221 East 11th Street  
Kansas City, MO 64106  
(816) 291-4818  
[www.accuacv.com](http://www.accuacv.com)

Audatex (formerly ADP Claims Solution Group, Inc.)  
15030 Avenue of Science, Suite 100  
San Diego, CA 92128  
(800) 237-4968  
[www.audatex.com](http://www.audatex.com)

Autobid, Inc.  
10965 Lowell, Suite 1007  
Overland Park, KS 66210  
(913)-825-4800  
[www.autobid.com](http://www.autobid.com)

Automobile Red Book (including the Older Used Car Publication)  
Price Digests  
9800 Metcalf Avenue  
Overland Park, KS 66212  
(800) 654-6776  
[www.pricedigests.com](http://www.pricedigests.com)

CCC Information Services, Inc.  
222 Merchandise Mart Plaza, Suite 900  
Chicago, IL 60654-1105  
(800) 621-8070  
[www.cccis.com](http://www.cccis.com)

Mitchell International, Inc.  
6220 Greenwich Drive  
San Diego, CA 92122  
(900) 238-9111  
[www.mitchell.com](http://www.mitchell.com)

NADA Official Used Car Guide (including the Older Used Car Publication)  
8400 Westpark Drive  
McLean, VA 22102  
(800) 544-6232  
[www.nada.com/b2b](http://www.nada.com/b2b)

Vehicle Valuation Services  
1 South 450 Summit Avenue  
Suite 185  
Oakbrook Terrace, IL 60181  
(888) 475-9975  
[www.vvsi.com](http://www.vvsi.com)

This document supersedes the notice published at 46 Pa.B. 6734 (October 22, 2016) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-352. Filed for public inspection February 24, 2017, 9:00 a.m.]

#### National Guardian Life Insurance Company; Rate Filing

National Guardian Life Insurance Company submitted a Student Health Insurance Plan rate filing to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (click on the "Consumers" tab, under "Resources" select "Product Notices").

The filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@pa.gov](mailto:rmathur@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-353. Filed for public inspection February 24, 2017, 9:00 a.m.]

#### Notice to Workers' Compensation Insurance Carriers; Special Schedule "W" Data Call

The Insurance Department (Department) is conducting its annual workers' compensation Special Schedule "W" data call. Authority for this data call is section 655 of The Insurance Company Law of 1921 (40 P.S. § 815).

Insurance companies that write workers' compensation insurance in this Commonwealth are required to complete the data call on or before April 15, 2017.

Consistent with prior Special Schedule "W" data calls, the cover letter, general instructions and instructions for limitations affecting unpaid claims estimates are available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (select "Companies," then "Industry Activity," then "Data Calls").

An e-mail announcing the data call was sent to all Pennsylvania workers' compensation insurance carriers.

The Pennsylvania Compensation Rating Bureau's (Bureau) Financial Data Reporting Application (FDRA) will again be used to report all Special Schedule "W" information (including Coal Mine experience) instead of submitting directly to the Department. Refer to the Bureau's web site, [www.pcrb.com](http://www.pcrb.com), for further information on reporting workers' compensation experience for Special Schedule "W" by the FDRA.

Questions regarding this data call should be directed to Bojan Zorkic, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-6968, [bzorkic@pa.gov](mailto:bzorkic@pa.gov).

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-354. Filed for public inspection February 24, 2017, 9:00 a.m.]



### Qualified Jurisdictions for Certified Reinsurers

Under 31 Pa. Code § 161.3a(a)(1)(i) (relating to requirements for certified reinsurers), the Insurance Commissioner lists those jurisdictions deemed qualified jurisdictions for purposes of certified reinsurer status. The qualified jurisdiction status is as of January 1, 2017.

#### Qualified Jurisdictions

- Bermuda: Bermuda Monetary Authority (BMA)
- Ireland: Central Bank of Ireland (Central Bank)
- Japan: Financial Services Agency of Japan (FSA)
- France: Autorité Contrôle Prudentiel et de Résolution (ACPR)
- Germany: Federal Financial Supervisory Authority (BaFin)
- Switzerland: Financial Market Supervisory Authority (FINMA)
- United Kingdom: Prudential Regulation Authority of the Bank of England (PRA)

All United States jurisdictions that meet the requirement for accreditation under the National Association of Insurance Commissioners (NAIC) financial standards and accreditation program. See the most recent Accredited United States Jurisdictions list maintained by the NAIC.

Questions should be directed to Kimberly A. Rankin, Director, Company Licensing and Financial Analysis Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-6409, [krankin@pa.gov](mailto:krankin@pa.gov).

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-355. Filed for public inspection February 24, 2017, 9:00 a.m.]

### United Healthcare Insurance Company (UHLC-130725989); Rate Filing

United Healthcare Insurance Company submitted a Student Health Insurance Plan rate filing to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (click on the "Consumers" tab, under "Resources" select "Product Notices").

The filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-356. Filed for public inspection February 24, 2017, 9:00 a.m.]

### UPMC Health Options; Rate Filing

UPMC Health Options submitted a Student Health Insurance Plan rate filing to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (click on the "Consumers" tab, under "Resources" select "Product Notices").

The filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-357. Filed for public inspection February 24, 2017, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Assessment Approval for PENNVEST Funding Consideration

*Scope:* Clean Water and Drinking Water State Revolving Fund Projects for April 19, 2017, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board meeting consideration

*Description:* PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by March 27, 2017. Electronic comments should be submitted using the Department's eComment site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Depart-

ment of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For further information about the approval of the following Environmental Assessments or the Clean Water State Revolving Loan Program and Drinking Water State Revolving Loan Program contact Richard Wright at [riwright@pa.gov](mailto:riwright@pa.gov), the Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059 or visit the Department's web site at <http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx>.

*CWSRF Projects Being Considered:*

*Applicant:* Greene Township  
*County:* Erie  
*Applicant Address:* 9333 Tate Road, Erie, PA 16509

*Project Description:* The proposed project includes the construction of approximately 32,225 lineal feet of 6-inch through 8-inch diameter PVC gravity sewers, 83 man-holes, 14,293 lineal feet of force main sewers, 40,756 lineal feet of low-pressure sewers, 3 pump stations and 121 grinder pumps to provide wastewater service to the 277 equivalent dwelling units. The wastewater will be collected from Greene Township and conveyed through the Millcreek Township Sewer Authority system into the City of Erie system for treatment.

*Problem Description:* This is the fourth and final phase of a project whereby the most densely populated areas of Greene Township are proposed to receive public wastewater service. This phase will serve 277 equivalent dwelling units (269 residential and 8 commercial). The residents reside along the following roads: Dewey, Dutch, Gonda Drive, Hartman, Jordan, Kane Hill, Knoyle, Kuhl, Lake Pleasant, Mark, Morehouse and portions of Route 8. A sanitary survey of this project area revealed a 34.4% confirmed onlot malfunction rate. These systems leach untreated and partially treated wastewater onto the ground surface and into the waters of the Commonwealth. This project will eliminate the malfunctioning sewage systems thereby improving the area's water quality.

*DWSRF Projects Being Considered:*

*Applicant:* Aqua Pennsylvania—Sun Valley Community Water System  
*County:* Monroe  
*Applicant Address:* 1 Aqua Way, White Haven, PA 18661

*Project Description:* Aqua Pennsylvania, Inc. is proposing significant rehabilitation of the existing Sun Valley water system. Proposed improvements consist of: replacing the two existing storage tanks with a 10,000-gallon tank; replacing the well pump with no increase in capacity; constructing a new well house; replacing the chemical feed system for disinfection purposes; replacing corrosion control treatment facilities (pH adjustment and blended potassium phosphate addition); installing new discharge piping with necessary appurtenances; installing 36 lineal feet of 30-inch diameter contact main; and replacing approximately 10,300 lineal feet of distribution system main with all necessary appurtenances.

*Problem Description:* All system facilities are significantly deteriorated resulting in numerous leaks and periodic water outages. Additionally, basic operational functions are not being performed such as required monitoring, maintenance and operation of necessary treatment facilities for disinfection and corrosion control, and the system lacks a certified operator. These deficiencies resulted in a Field Order issued by the Department. Violations included failure to respond to an emergency to correct water outages and provide an alternate source of potable water to affected customers, failure to provide an adequate supply of water, failure to provide key water treatment processes (lack of continuous disinfection), failure to provide level of treatment as permitted, failure to have an Operation and Maintenance Plan and Emergency Response Plan, and failure to have a certified operator. To address the problems, complete rehabilitation of the public water supply system is proposed. The modification will improve the ability to operate and maintain the system and will increase the reliability of service.

PATRICK McDONNELL,  
*Acting Secretary*  
 Department of Environmental Protection

PAUL K. MARCHETTI,  
*Executive Director*  
 Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 17-358. Filed for public inspection February 24, 2017, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security

Public Meeting held  
 February 9, 2017

*Commissioners Present:* Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

*Electric Generation Supplier License Cancellations of  
 Companies with an Expired Financial Security;*  
 M-2017-2584781

#### Tentative Order

*By the Commission:*

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a

“raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website

and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of January 31, 2017, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2013-2348990	ATLAS COMMODITIES, LLC	1/22/17
A-2015-2468192	LAVA ENERGY, INC.	1/13/17
A-2014-2433775*	MARATHON POWER, LLC	1/16/17
A-2011-2224748	RESOURCES ENERGY SYSTEMS, LLC	1/19/17
A-110072	RICHARDS ENRGY GROUP, INC.	1/23/17
A-2015-2507378	UTMOST, INC.	1/22/17

\*Taking title to electricity

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity’s security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.
2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.
3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.
4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission’s Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission’s website, and notifications be sent to all electric distribu-

tion companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-359. Filed for public inspection February 24, 2017, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 13, 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-2016-2580001 (Amended). Pampering Plus, Inc.** (1522 Old York Road, Abington, Montgomery County, PA 19001) group and party service, in vehicles seating between 11 and 15 passengers including the driver, between points in the Counties of Montgomery, Bucks and Delaware, and the City and County of Philadelphia (previously advertised as paratransit service).



**A-2017-2587791. Elaine Kimmel-Durlin** (406 Bush Road, Danville, Montour County, PA 17821) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Columbia, Montour and Northumberland, to points in Pennsylvania, and return.

**A-2017-2568416. Pace Healthcare Transportation, Inc., t/a Pace Healthcare Transportation** (401 Broad Street, Johnstown, Cambria County, PA 15906) persons in paratransit service, limited to persons requiring wheelchair and stretcher van transportation from skilled nursing facilities, from points in the Counties of Blair and Cambria, to points in Pennsylvania, and return. *Attorney:* Teresa Creagh, 209 Sigma Drive, Pittsburgh, PA 15238.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-360. Filed for public inspection February 24, 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 March 13, 2017, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Curbside Transportation, LLC; Docket No. C-2017-2582747

#### 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 Curbside Transportation, LLC, (respondent) is under suspension effective November 30, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1117 Glenview St., Philadelphia, PA 19111.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 11, 2016, at A-6417968.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6417968 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: 1/10/17

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Keith A. Kulp, t/a Kulps Trucking; Docket No. C-2017-2582870**

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 Keith A. Kulp, t/a Kulps Trucking, (respondent) is under suspension effective November 24, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 103 Toby Road, Coatesville, PA 19320.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 24, 2009, at A-8911510.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8911510 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: 1/10/17

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Strine, D.E., Trucking, Inc.; Docket No. C-2017-2582939**

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 Strine, D.E., Trucking, Inc., (respondent) is under suspension effective December 13, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1595 Detters Mill Road, Dover, PA 17315.
3. That respondent was issued a Certificate of Public Convenience by this Commission on February 19, 2003, at A-00119396/A-705981.
4. That respondent has failed to maintain evidence of Cargo and Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00119396/A-705981 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: 1/10/17

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Craig Alan Zacherl, t/a Rolling Hills Hauling;  
Docket No. C-2017-2583409**

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 Craig Alan Zacherl, t/a Rolling Hills Hauling, (respondent) is under suspension effective December 22, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1153 Rt 157, Venus, PA 16364.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 01, 2005, at A-00122058/A-707501.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00122058/A-707501 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: 1/11/17

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

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. 17-361. Filed for public inspection February 24, 2017, 9:00 a.m.]

### **Transmission Line Project; Prehearing Conference**

**A-2017-2586434. West Penn Power Company and American Transmission Systems Inc.** Joint application of West Penn Power Company and American Trans-

mission Systems Inc. for approval to locate and construct the Campbell-Keister Transmission Line Project in Slippery Rock and Mercer Townships, Butler County, and Liberty and Pine Townships, Mercer County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 3, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicants:* West Penn Power Company and American Transmission Systems Inc.

*Through and By Counsel:* John L. Munsch, Esquire, First Energy Corporation, 800 Cabin Hill Drive, Greensburg, PA 15601; and Anthony C. Decusatis, Esquire, Morgan Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

**Prehearing Conference**

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Tuesday, May 9, 2017  
*Time:* 10 a.m.  
*Location:* 2nd Floor Hearing Room  
 Piatt Place  
 Suite 220  
 301 Fifth Avenue  
 Pittsburgh, PA 15222

*Presiding:* Administrative Law Judge Jeffrey A. Watson  
 Piatt Place  
 Suite 220  
 301 5th Avenue  
 Pittsburgh, PA 15222  
 (412) 565-3550  
 Fax: (412) 565-5692

Individuals representing themselves are not required to be represented by an attorney. All others (corporation, partnership, association, trust, or governmental agency or subdivision) must be represented by an attorney. Representing attorneys should file a Notice of Appearance before the scheduled hearing date.

Persons with a disability who wish to attend the hearing should contact the Pennsylvania Public Utility Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-362. Filed for public inspection February 24, 2017, 9:00 a.m.]

**PHILADELPHIA REGIONAL PORT AUTHORITY**  
**Condensed Statement of Revenues, Expenses and Changes in Fund Net Position**

**June 30, 2016 and 2015**

**AUDITED**

	<i>Year to Date June 30, 2016</i>	<i>Year to Date June 30, 2015</i>
Total Revenues	\$ 12,241,665	\$ 11,078,058
Total Operating Expenses	\$ 36,780,905	\$ 36,551,316
Operating Gain (Loss)	\$ (24,539,240)	\$ (25,473,258)
Net Non-Operating Revenues (Expenses)	\$ (8,706,561)	\$ (6,090,805)
(Loss) Gain Before Capital Grants	\$ (33,245,801)	\$ (31,564,063)
Capital Grants and Appropriations	\$ 58,015,495	\$ 52,593,616
Change in Fund Net Position	<u>\$ 24,769,694</u>	<u>\$ 21,029,553</u>
Net Position, Beginning of Year	\$ 425,105,409	\$ 404,075,856
Net Position, End of Year	<u>\$ 449,875,103</u>	<u>\$ 425,105,409</u>

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-363. Filed for public inspection February 24, 2017, 9:00 a.m.]



**Request for Bids**

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 17-016.1, Construction of Parking Lot 77L at the Philadelphia Navy Yard, until 2 p.m. on Thursday, March 23, 2017. Information (including mandatory prebid information) can be obtained from [www.philaport.com](http://www.philaport.com) under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-364. Filed for public inspection February 24, 2017, 9:00 a.m.]

**Request for Bids**

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 17-017.1, Roof Replacement and Concrete Repairs at the Sea Plane Hangar at Southport, until 2 p.m. on Friday, March 24, 2017. Information (including mandatory prebid information) can be obtained from [www.philaport.com](http://www.philaport.com) under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-365. Filed for public inspection February 24, 2017, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

**Hearing Scheduled**

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

July 12, 2017	Colleen Saba (Disability Retirement)	1 p.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with

1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

GLEN R. GRELL,  
*Executive Director*

[Pa.B. Doc. No. 17-366. Filed for public inspection February 24, 2017, 9:00 a.m.]

## STATE BOARD OF NURSING

### Automatic Suspension of the License to Practice of Christina T. DeLouis, RN; Doc. No. 0793-51- 13; File No. 13-51-03575

On October 27, 2016, Christina T. DeLouis, RN, license No. RN529930L, last known of Pittsburgh, Allegheny County, was suspended for no less than 3 years retroactive to May 17, 2013, based on violating the terms of a previous State Board of Nursing order.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-367. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Automatic Suspension of the License to Practice of Michelle Elizabeth Hendrickson, LPN; Doc. No. 1592-51-15; File No. 14-51-10648

On December 16, 2016, Michelle Elizabeth Hendrickson, LPN, license No. PN294624, last known of Palmyra, Lebanon County, was indefinitely suspended, based on being unable to practice with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination so long as the dependence shall continue.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-368. Filed for public inspection February 24, 2017, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Stacie Wiegand Sullivan, LPN; File No. 14-51- 10450; Doc. No. 1932-51-14

On December 12, 2016, Stacie Wiegand Sullivan, LPN, license No. PN265463, last known of Upland, Delaware County, had her practical nursing license indefinitely suspended based upon her conviction of a crime of moral turpitude.

Individuals may obtain a copy of the adjudication by writing to Ariel E. O'Malley, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-369. Filed for public inspection February 24, 2017, 9:00 a.m.]

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Adebayo Omotayd Onigbinde, RN, Respondent; File No. 14-51-02485; Doc. No. 1901-51-16**

*Notice to Adebayo Omotayd Onigbinde, RN:*

On October 14, 2016, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law, Act of March 2, 1956, P.L. (1955) 1211, ("Act"). You are being served pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

**Notice**

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may

be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary  
Department of State  
2601 North Third Street  
P.O. Box 2649  
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-370. Filed for public inspection February 24, 2017, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

## Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Collett Farms, LLC 1118 Luxemburg Road Lykens, PA 17048	Dauphin County/ Lykens Township	1,209.6	Layers	Amended	Approved
Tanner Bence 544 Shankle Road Schellsburg, PA 15559	Bedford County/ Napier Township	135.28	Ducks	New	Approved
Pleasant View Farms, Inc.— Mowry Farm 121 Appleberry Lane Roaring Spring, PA 16673	Bedford County/ Bloomfield Township	75	Cattle	New	Approved
John K. Stoltzfus, Jr. 126 South Groffdale Road Leola, PA 17540	Lancaster County/ Upper Leacock Township	61.59	Layers	Existing	Rescind
John Zimmerman 1014 Silver Hill Road Narvon, PA 17555	Lancaster County/ Brecknock Township	59.49	Turkey	New	Approved
John R. Lefever 1045 Holtwood Road Quarryville, PA 17566	Lancaster County/ Drumore Township	342	Layer	New	Approved
Pappy's Orchard, LLC 2474 Urffer Road Coopersburg, PA 18036	Lehigh County/ Lower Milford Township	155.23	Turkey	New	Approved
Daniel K. Kauffman 212 Pear Lane Spring Glen, PA 17978	Dauphin County/ Lykens Township	54.59	Layer	Existing	Rescind
Brian J. Hummer 501 Columbia Hill Road Danville, PA 17821	Montour County/ Valley Township	250.2	Turkey	New	Approved

PATRICK McDONNELL,  
*Acting Chairperson*

[Pa.B. Doc. No. 17-371. Filed for public inspection February 24, 2017, 9:00 a.m.]







