

PENNSYLVANIA BULLETIN

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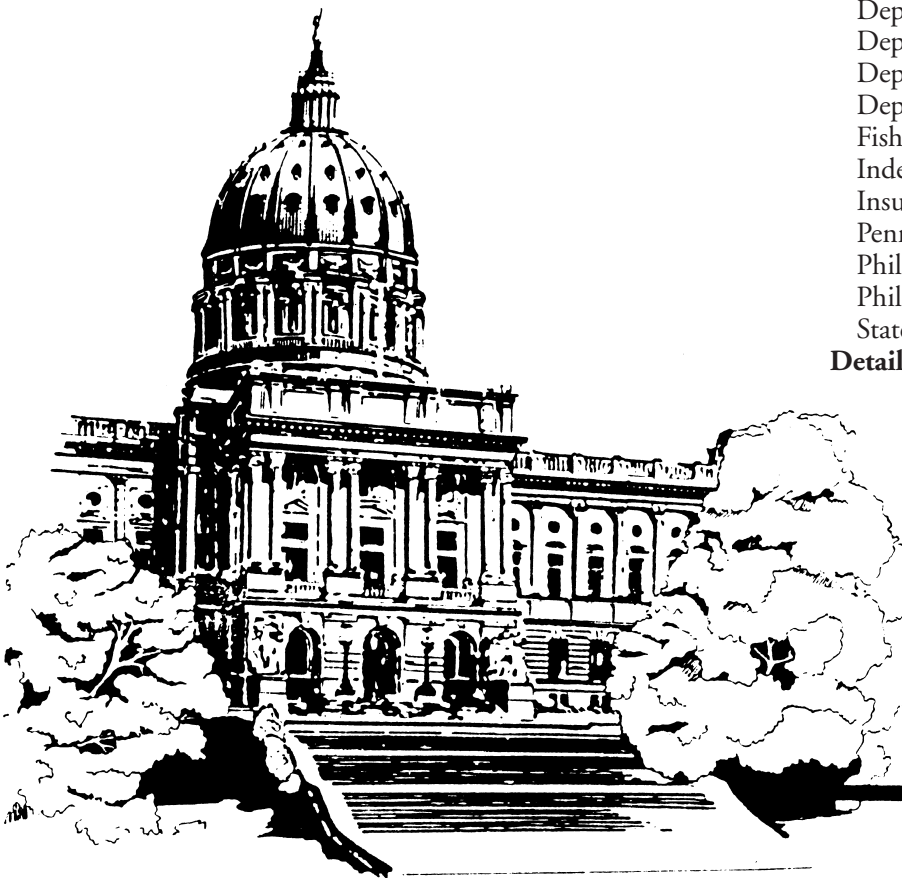
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Philadelphia Parking Authority

Philadelphia Regional Port Authority

State Real Estate Commission

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

No. 486, May 2015

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2015.

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THE COURTS

Title 25—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 20th day of April 2015, Dauphin County Local Rules of Civil Procedure 1920.51(2) and 1920.51(3)(c) are amended as follows and Dauphin County Local Rules of Civil Procedure 1920.74(a) and 1920.74(b) are promulgated as follows:

1920.51. Equitable Distribution, Divorce, Annulment, Alimony Pendente Lite, Alimony, Counsel Fees, Costs and Expenses.

(2) An original and a copy of the Motion for Appointment of Master shall be filed with the Prothonotary, together with the administrative fee of \$150.00 unless this fee has already been paid. The Motion for Appointment of Master shall be in form prescribed by [Pa.R.C.P. 1920.74] Dauphin County Local Rule 1920.74(a).

(3)(c) A proposed Order **appointing the Master and scheduling a Preliminary Conference [with the Divorce Master] in the form prescribed by Dauphin County Local Rule 1920.74(b).**

1920.74(a). Form—Motion for Appointment of Master.

[CAPTION]

(ATTORNEY FOR MOVING PARTY) (SELF-REPRESENTED MOVING PARTY):

Name: _____

Address: _____

Phone: _____

FAX: _____

E-Mail: _____

(ATTORNEY FOR NON-MOVING PARTY) (SELF-REPRESENTED NON-MOVING PARTY):

Name: _____

Address: _____

Phone: _____

FAX: _____

E-Mail: _____

MOTION FOR APPOINTMENT OF MASTER

_____, PLAINTIFF/DEFENDANT, moves the court to appoint the master with respect to all claims raised of record and in support of the motion states:

1. The plaintiff's current mailing address is

2. The defendant's current mailing address is

3. The respondent (has) (has not) appeared in the action (personally) (by his/her attorney _____, Esquire).

4. The statutory ground(s) for divorce (is) (are):

5. Discovery (is) (is not) complete.

Submitted By:

Date: _____

1920.74(b). Form—Order Appointing Master and Scheduling Preliminary Conference.

[CAPTION]

ORDER

AND NOW, this _____ day of _____, 20____, the Motion of Appointment of Master is GRANTED and Cindy S. Conley, Esquire is appointed as Master.

A Preliminary Conference is scheduled for both parties and their attorneys on _____, 20____ at _____ M. in Conference Room 2 on the 7th Floor of the Juvenile Justice Center, 25 S. Front Street, Harrisburg, Pennsylvania 17101.

If economic claims have been raised of record in this case, to the extent not already filed, the non-moving party shall have ten (10) days from the date of this Order to file the documents required by Pa.R.C.P. 1920.31(a) and Pa.R.C.P. 1920.33(a). Failure to file the required documents may subject the offending party to sanctions as provided in those rules.

BY THE COURT:

PER CURIAM.

DISTRIBUTION:

These amendments shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 15-854. Filed for public inspection May 8, 2015, 9:00 a.m.]

LEHIGH COUNTY

Firearm and Tool Mark Laboratory Fees; 39-AD-1-2015

Administrative Order

And Now this 20th day of April, 2015, it is *Hereby Ordered*, pursuant to 16 P.S. § 1403 and 42 Pa.C.S.A. § 1725.3, any person who pleads guilty or nolo contendere, who is convicted, or who is placed in any diversionary program (i.e. ARD) for any criminal offense shall, in addition to any fines, penalties or costs, in every case where the Lehigh County Firearms & Tool Mark Laboratory services were utilized to prosecute the offense, be sentenced to pay a laboratory fee as listed. The fees so collected shall be paid into the General Fund of the County of Lehigh, but separately identified in the County's records so that the amounts collected during any given period can be readily ascertained.

1. Administrative handling—\$45
2. Bullet Comparison—\$200
3. Cartridge Case Comparison—\$176
4. Discharged Bullets with List of Possible Makes of Discharged Arms—\$126
5. Determination of Distance: Shot Pattern—\$301
6. Determination of Distance: Gunpowder/Primer Residue—\$401
7. Firearm Functionality—\$100
8. Glass Analysis: Bullet Direction/Sequence—\$602
9. Serial Number Restoration—\$200
10. Identification: Shot Pellet Size—\$151
11. Shotshell Wads: Manufacturer and Gauge—\$148
12. Toolmarks—\$669
13. Cartridge Case Ejection Patterns—\$200

It Is Ordered that this Administrative Order shall be effective thirty (30) days after publication thereof in the *Pennsylvania Bulletin*, and shall govern all matters then pending.

It Is Further Ordered that in accordance with Pa.R.Crim.P. 105, the Court Administrator of Lehigh County shall:

- (a) File one (1) certified copy hereof with the Administrative Office of the Pennsylvania Courts;
- (b) Distribute two (2) certified copies hereof and one (1) CD-Rom copy that complies with the requirements of Pa. Code § 13.11(b), with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (c) File one (1) certified copy hereof with the Criminal Procedural Rules Committee;
- (d) Publish one (1) copy of this Order on the United Judicial System's website at: <http://ujportal.pacourts.us/localrules/ruleselection.aspx>;
- (e) Supervise the distribution hereof to all Judges of this Court.

By the Court

CAROL K. MCGINLEY,
President Judge

[Pa.B. Doc. No. 15-855. Filed for public inspection May 8, 2015, 9:00 a.m.]

SCHUYLKILL COUNTY

Amend Criminal Rule of Procedure 571 Arraignment; AD 40-15

Order of Court

And Now, this 23rd day of April, 2015 at 1:15 p.m., Schuylkill County Criminal Rule of Procedure, Rule 571, Arraignment, is amended for use in the Court of Common Pleas of Schuylkill County, Pennsylvania, Twenty-First Judicial District, Commonwealth of Pennsylvania, effective thirty days after publication in the *Pennsylvania Bulletin*.

The Clerk of Courts of Schuylkill County is Ordered and Directed to do the following:

- 1) File seven (7) certified copies of this Order and Rules with the Administrative Office of the Pennsylvania Courts.
- 2) Forward two (2) certified copies of this Order and Rule and a CD-ROM containing the text of the local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3) Forward one (1) certified copy of this Order and Rules with the Pennsylvania Criminal Procedural Rules Committee.
- 4) Forward one (1) copy to the Schuylkill County Law Library for publication in the *Schuylkill Legal Record*.
- 5) Copies shall be kept continuously available for public inspection in the Office of the Schuylkill County Clerk of Courts and the Schuylkill County Law Library.

It is further *Ordered* that said rule as it existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

By the Court

WILLIAM E. BALDWIN,
President Judge

Rule 571. Arraignment.

The Court will notify the District Attorney of the dates and times when it will be available for the arraignment of defendants. The District Attorney shall provide the Court and the Public Defender with the defendants' names and docket numbers for the cases to be called for arraignment on a specific date. At the same time, the District Attorney shall serve a copy of the Information on the defendant in accordance with Pa.R.Crim.P. 576(B). The District Attorney shall file the Information within ten (10) days preceding the date of arraignment. The Court will issue to each defendant a Notice of the date and time of arraignment.

If a defendant who is represented by counsel desires to waive appearance at arraignment, the defendant and the defendant's attorney shall execute and file a waiver of arraignment. The waiver of arraignment can be completed at the preliminary hearing by the defendant and the defendant's attorney executing the form provided for that purpose by the Magisterial District Judge, and said form shall be returned to Court with the transcript of the case. The date of arraignment will begin the running of the time for the exercise of the defendant's pre-trial rights. Presentation by counsel of a waiver of arraignment to the Magisterial District Judge shall constitute an entry of appearance pursuant to Pa.R.Crim.P. 120(A)(3).

If the defendant does not waive arraignment, the defendant and the defendant's attorney must attend the arraignment at the date and time set forth in the Notice from the Court.

The Public Defender shall assign an Assistant Public Defender to represent those defendants who are not represented by counsel. Such representation shall be solely for the purpose of arraignment and shall not constitute an entry of appearance.

If a defendant fails to appear for arraignment and has not waived arraignment, the Court may issue a bench warrant for the defendant.

[Pa.B. Doc. No. 15-856. Filed for public inspection May 8, 2015, 9:00 a.m.]

WYOMING COUNTY

Central Booking Fee; No. 2015-467

Administrative Order No. 40

And Now, the 24th day of April, 2015, pursuant to the adoption and approval of a countywide booking center plan as required by 42 Pa.C.S.A. § 1725.5,

It Is Ordered that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, every adult person shall be assessed a central booking fee of two hundred (\$200.00) dollars as follows:

1. Any person who is placed on probation without verdict pursuant to Section 17 of the Act of April 14, 1972 (P. L. 233, No. 64) known as The Controlled Substance, Drug, Device and Cosmetic Act.

2. Any person who receives Accelerated Rehabilitative Disposition for, pleads guilty to or nolo contendere to or is convicted of a crime under 18 Pa.C.S.A. § 106(a) (relating to classes of offenses), 75 Pa.C.S.A. § 3802 (relating to

driving under influence of alcohol or controlled substance), and a violation of The Controlled Substance, Drug, Device and Cosmetic Act.

It Is Further Ordered that all juvenile delinquent offenders shall be assessed a cost of twenty-five (\$25.00) dollars for said electronic fingerprints and photos and private citizens shall be assessed a cost of ten (\$10.00) dollars for all non-criminal electronic fingerprints taken. All Megan law registrants shall not be assessed any electronic fingerprint or photo fee.

The Wyoming County District Court Administrator is ordered and directed to do the following:

1. File one (1) certified copy of the Administrative Order with the Administrative Office of Pennsylvania Courts.

2. Distribute two (2) certified copies and one CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Criminal Procedure Rules Committee.

4. File one (1) certified copy with the Juvenile Court Procedural Rules Committee.

5. File one (1) copy with the Prothonotary/Clerk of Court of the 44th Judicial District. Said Administrative Order shall be posted on the Court website of the 44th Judicial District and shall be available for public inspection and copying in the office of the Prothonotary/Clerk of Courts upon request and payment of reasonable costs or reproduction and mailings.

6. Forward one (1) copy to the Wyoming County Law Library.

By the Court

RUSSELL D. SHURTLEFF,
President Judge

[Pa.B. Doc. No. 15-857. Filed for public inspection May 8, 2015, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 59]

[L-2014-2404361]

Implementation of the Alternative Energy Portfolio Standards Act of 2004; Advance Notice of Final Rulemaking

Public Meeting held
April 23, 2015

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley, statement follows; Pamela A. Witmer; Gladys M. Brown

Implementation of the Alternative Energy Portfolio Standards Act of 2004; Doc. No. L-2014-2404361

Advance Notice of Final Rulemaking Order

The Commission is charged with carrying out the provisions of the Alternative Energy Portfolio Standards Act of 2004 (the “AEPS Act”), 73 P. S. § 1648.1, et seq. This obligation includes the adoption of any regulations necessary for its implementation and enforcement. The Commission has promulgated regulations pertaining to the net metering, interconnection and portfolio standard provisions of the AEPS Act.

Based on our experience to date in implementing the current regulations, the Commission finds that it is necessary to update and revise these regulations to comply with Act 129 of 2008, and Act 35 of 2007, and to clarify certain issues of law, administrative procedure and policy. These proposed revisions are being issued for public comment. After receipt and review of public comment, the Commission will issue a final rule for approval consistent with the regulatory review process.

Background

The AEPS Act, which became effective February 28, 2005, establishes an alternative energy portfolio standard for Pennsylvania. The Pennsylvania General Assembly charged the Commission with implementing and enforcing this mandate in cooperation with the Pennsylvania Department of Environmental Protection (DEP). 73 P. S. §§ 1648.7(a) and (b). The Commission determined that the Act is in pari materia with the Public Utility Code, and that it would develop the necessary regulations to be codified at Title 52 of the *Pennsylvania Code*. 1 Pa.C.S. § 1932.

The AEPS Act has been amended on two occasions. Act 35 of 2007, which took effect July 19, 2007, amended certain definitions and provisions for net metering and interconnection. Act 129 of 2008, which became effective on November 14, 2008, amended the AEPS Act by modifying the scope of eligible Tier I alternative energy sources and the Tier I compliance obligation. See 66 Pa.C.S. § 2814.

The Commission has previously issued the following rulemakings to implement the AEPS Act and its subsequent amendments:

- The Commission issued final, uniform net metering regulations for customer-generators. Final Rulemaking Re

Net Metering for Customer-generators pursuant to Section 5 of the Alternative Energy Portfolio Standards Act, 73 P. S. § 1648.5, L-00050174 (Final Rulemaking Order entered June 23, 2006). These regulations were approved by the Independent Regulatory Review Commission (IRRC) and became effective on December 16, 2006.

- The Commission issued final, uniform interconnection regulations for customer-generators. Final Rulemaking Re Interconnection Standards for Customer-generators pursuant to Section 5 of the Alternative Energy Portfolio Standards Act, 73 P. S. § 1648.5, L-00050175 (Final Rulemaking Order entered August 22, 2006, as modified on Reconsideration September 19, 2006). These regulations were approved by the IRRC and became effective on December 16, 2006.

- The Commission revised the net metering regulations and certain definitions to be consistent with the Act 35 of 2007 amendments through a final omitted rulemaking. Implementation of Act 35 of 2007; Net Metering and Interconnection, Docket No. L-00050174 (Final Omitted Rulemaking Order entered July 2, 2008). These revisions were approved by IRRC and became effective November 29, 2008.

- The Commission issued final regulations governing the portfolio standard obligation. Implementation of the Alternative Energy Portfolio Standards Act of 2004, L-00060180 (Final Rulemaking Order entered September 29, 2008). These regulations were approved by IRRC and became legally effective December 20, 2008.

The previously-referenced regulations are codified in the Commission’s regulations in Chapter 75 of the *Pennsylvania Code*, 52 Pa. Code §§ 75.1, et seq.

The Commission issued an Order to implement the AEPS related provisions of Act 129 in 2009. Implementation of Act 129 of 2008 Phase 4—Relating to the Alternative Energy Portfolio Standards Act, Docket M-2009-2093383 (Order entered May 28, 2009). This rulemaking will also codify the processes and standards identified in that Order.

The Commission issued a Notice of Proposed Rulemaking for comment on February 20, 2014. See Implementation of the Alternative Energy Portfolio Standards Act of 2004, Proposed Rulemaking Order, Docket No. L-2014-2404361 (Order entered February 20, 2014). The Proposed Rulemaking Order and proposed rules were published in the *Pennsylvania Bulletin* on July 5, 2014, at 44 Pa.B. 4179. Comments were due within 30 days of the publication of the proposed rules in the *Pennsylvania Bulletin* or August, 4, 2014. On August 1, 2014, the Commission, at the request of the Pennsylvania Department of Agriculture, issued a Secretarial Letter extending the comment period to September 3, 2014. Comments were received from the Independent Regulatory Review Commission and many other interested parties.

Other parties filing comments included Acuity Advisors and CPAs; the Ad Hoc Coalition of Customer Generators; Robin Alexander; the American Biogas Council; Karen Berry; Brubaker Farms; Vincent Cahill & Claire Hunter; the Center for Dairy Excellence; Chesapeake Bay Commission; Chesapeake Bay Foundation; Citizen Power; Citizens for Pennsylvania’s Future (PennFuture) and the PennFuture Energy Center; Crayola, Inc.; Dauphin County Board of Commissioners; the Dauphin County Industrial Development Authority (DCIDA); Pennsylvania

Department of Agriculture (PDA); Duquesne Light; the Distributed Wind Energy Association and United Wind et al.; the Energy Association of Pennsylvania; Enviro-Organic Technologies, Inc.; the Estate Security Formula / Gary L. James; State Representative Garth Everett; State Representative Robert L. Freeman; State Representatives Mindy Fee & David Hickernell; Granger Energy of Honey Brook LLC and Granger Energy of Morgantown LLC; Keith Hodge; the House Committee on Agriculture and Rural Affairs; Ideal Family Farms, LLC; Kish View Farm; L&S Sweetners; Lancaster County Agriculture Council; Lancaster County Conservation District; Lancaster Veterinary Associates; Lancaster County Solid Waste Management Authority (LCSWMA); Lehigh County Authority; Elsa Limbach; Kurt Limbach; Lycoming County Commissioners; the Mid-Atlantic Renewable Energy Association; the FirstEnergy Pennsylvania-certificated electric public utilities; the Pennsylvania Milk Marketing Board; Larry Moyer; the Neighbors of Yippee Farms; the Office of Consumer Advocate (OCA); Oregon Dairy, Inc.; the Office of Small Business Advocate (OSBA); Paradise Energy Solutions; Professional Dairy Managers of Pennsylvania; PECO Energy Company; PennAg Industries Association; Pa Biomass Energy Association; Pennsylvania Department of Environmental Protection (DEP); Pennsylvania Farm Bureau; Pennsylvania Municipal Authorities Association; Pennsylvania State University; Pennsylvania Waste Industries Association; PJM Interconnection, LLC; PPL Electric Utilities Corporation; RCM International LLC; Reinford Farms; the Retail Energy Supply Association (RESA); the Sustainable Energy Education & Development Support of Northeast Pennsylvania; Sensenig Dairy; Sierra Club and Sierra Club Members & Supporters; Solare America; SRECTrade, Inc.; Sunrise Energy, LLC; the Sustainable Energy Fund; Tetra Tech, Inc.; the United States Department of Justice, Federal Bureau of Prisons; State Representative Greg Vitali; Wanner's Pride-N-Joy Farm, LLC; John R. Williamson; State Senator Gene Yaw; and Yippee Farms.

Summary of Changes

For reasons of efficiency, the Commission will propose revisions to the portfolio standard, interconnection and net metering rules through a single rulemaking proceeding. The proposed changes to the existing regulations include, but are not limited to, the following:

- The addition of definitions for aggregator, default service provider, grid emergencies, microgrids and moving water impoundments.
- Revisions to the interconnection rules to reflect the increase in limits on customer-generator capacity contained in the Act 35 of 2007 amendments.
- Revisions to net metering rules and inclusion of a process for obtaining Commission approval to net meter alternative energy systems with a nameplate capacity of 500 kilowatts or greater.
- Clarification of the virtual meter aggregation language.
- Clarification of net metering compensation for customer-generators receiving generation service from electric distribution companies (EDCs), default service providers (DSPs) and electric generation suppliers (EGSs).
- Revisions to the definitions for low-impact hydro-power and biomass to conform to the Act 129 of 2008 amendment.

- Addition of provisions for adjusting Tier I compliance obligations on a quarterly basis to comply with the Act 129 of 2008 amendments.
- Addition of provisions for reporting requirements for new low-impact hydropower and biomass facilities in Pennsylvania to comply with the Act 129 of 2008 amendments.
- Clarification of Commission procedures and standards regarding generator certification and the use of estimated readings for solar photovoltaic facilities.
- Clarification of the authority given to the Program Administrator to suspend or revoke the qualification of an alternative energy system and to withhold or retire past, current or future alternative energy credits for violations.
- Clarification of the process for verification of compliance with the AEPS Act.
- Standards for the qualification of large distributed generation systems as customer-generators.

Discussion

The Independent Regulatory Review Commission (IRRC), in its comments suggested that the Commission issue an advanced notice of final rulemaking “to engage the regulated community in meaningful dialogue as it develops the final-form rulemaking.” IRRC Comments at 4. In review of all the comments presented to date, the Commission has revised the proposed AEPS regulations and issues this advanced notice of final rulemaking to receive additional comments on the revisions. The following sections identify proposed revisions to the rules and the Commission’s rationale.

A. General Provisions: § 75.1 Definitions

We have revised and clarified several definitions to conform to the amendments to and the intent of the AEPS Act. Furthermore, we have added definitions to provide clarity and guidance in accordance with the intent of the AEPS Act as amended. See Annex A.

1. Alternative Energy Sources

The definition of alternative energy sources is revised to reflect the amendments to the definition for low-impact hydropower and biomass facilities from Act 129. For the definition of incremental hydroelectric development, language was added to clarify that only changes made to an existing hydroelectric power plant after the effective date of the AEPS Act will be considered incremental.

2. Grid Emergencies

The AEPS Act permits facilities with a nameplate capacity of between three megawatts and up to five megawatts to qualify as customer-generator facilities provided that they make their systems available to operate in parallel with the electric utility during grid emergencies as defined by the regional transmission organization (RTO) or where a microgrid is in place for the primary or secondary purpose of maintaining critical infrastructure. We have added definitions for grid emergencies and microgrid to provide guidance on when facilities with a nameplate capacity of between three megawatts and up to five megawatts meet the conditions to qualify as a customer-generator.

In the proposed rulemaking, the definition for grid emergencies came from PJM Manual 13 Emergency Operations.¹ As PJM is currently the only RTO serving

¹ See PJM Manual 13, PJM Manual for Emergency Operations at 3, which is available at the following link: <http://www.pjm.com/-/media/documents/manuals/m13.ashx>.

Pennsylvania, we believed this definition was appropriate. PECO Energy Company (PECO) pointed out that PJM Manual 13 provides guidance, instructions and rules for operating during an emergency condition, whereas the PJM Open Access Transmission Tariff (OATT) defines what an emergency condition is and suggested that we reference this PJM document. Since the APES Act specifically references the RTO definition for a grid emergency, we agree with PECO and have proposed a revision to the definition of “grid emergency” to reference the PJM OATT. See Annex A.

3. Utility

We also revised the definition of customer-generator and added a definition for utility to make it clear that the definition applies to retail electric customers and not electric utilities, such as EDCs and merchant generators that are in the business of providing electric services. In addition, the changes make it clear that non-electric utilities, such as water and wastewater utilities are not included in the definition’s prohibition against utilities qualifying as a customer-generator.

As we stated in the proposed rulemaking, the definition of customer-generator specifically identifies a customer-generator as a “nonutility owner or operator” of the distributed generation system. While the AEPS Act does not define what a utility or nonutility is, common usage of the term utility, in the context of the purchase of electricity or electric service, is defined as “a service (as light, power, or water) provided by a public utility.”² Thus, a nonutility would be one who does not provide a service, such as electric service in the context of the AEPS Act. A customer-generator is one who is not in the business of providing electric power to the grid or other electric users. As such, we proposed defining a utility in this context as a person or entity whose primary business is electric generation, transmission, or distribution services, at wholesale or retail, to other persons or entities. See Annex A.

As IRRC notes in its comments, several commentators suggested that this definition is overly broad such that it could be interpreted as including persons or entities not intended by the Commission, such as landlords or third-party owned and operated systems permitted to net meter under the Commission’s policy statement. IRRC Comments at 5. The Commission agrees and has proposed language intended to exclude persons or entities that own or operate alternative energy systems that are clearly not merchant generators.

B. Net Metering: § 75.13. General Provisions

Currently, Section 75.13(a) requires EDCs to offer net metering to customer-generators and provides that EGSs may offer net metering to customer-generators under the terms and conditions set forth in agreements between the EGS and the customer-generator taking service from the EGS. The current regulation is silent as to which customer-generators can net meter, other than that they must be using Tier I or Tier II alternative energy sources. In the proposed rulemaking, we proposed language in section (a), that EDCs and DSPs may offer net metering to customer-generators that generate electricity on the customer-generator’s side of the meter using Tier I or Tier II alternative energy sources, on a first come, first served basis, provided they meet certain conditions.

In the proposed rulemaking, we proposed a third condition that required the alternative energy system to

be sized to generate no more than 110 percent of the customer-generator’s annual electric consumption at the interconnection meter and all qualifying virtual meter aggregation locations. As we stated in the proposed rulemaking, the AEPS Act sets maximum nameplate capacity limits for customer-generators by customer class, with 50 kilowatts for residential service and three megawatts at other service locations and up to five megawatts under certain circumstances. To this point, the Commission had not set more restrictive size limitations on customer-generators, except in a policy statement permitting net metering of third-party owned and operated systems. See Net Metering—Use of Third Party Operators, Final Order at Docket No. M-2011-2249441 (entered March 29, 2012). In that order, the Commission set the 110 percent size limit as a reasonable way to limit the possibility of merchant generators posing as customer-generators.³ The Commission further noted that the majority of comments supported the limit as a reasonable and balanced approach to support the intent of the AEPS Act and limiting the potential for merchant generators to use net metering to circumvent the wholesale electric market and gain excessive retail rate subsidies at retail customer expense. See Net Metering—Use of Third Party Operators, Final Order at 8.

In the proposed rulemaking, we stated that this same reasonable and balanced approach should apply to all new customer-generators as it more appropriately supports the intent of the AEPS Act. Again, we pointed out that the AEPS Act defines net metering as a means for a customer-generator to offset part or all of the customer-generator’s requirements for electricity. In addition, it ensured that the customer-generator is not acting like a utility or merchant generator, receiving excessive retail rate subsidies from other retail rate customers.

We further stated that the 110 percent limit is a design limit to be based on historical or estimated annual system output and customer usage, both of which are affected by weather that is beyond the control of the customer. We stressed that it was not to be used as a hard kilowatt-hour cap on the customer-generator’s system output. We stated that this approach appropriately captures the intent of the AEPS Act regarding net metering and was consistent with how net metering is treated in other states.⁴

As IRRC notes in its comments, the Pennsylvania Department of Environmental Protection (DEP), the Pennsylvania Department of Agriculture (PDA) and other commentators raised concerns with the effect the rulemaking will have on the environment and waterways in the Commonwealth. IRRC Comments at 3. IRRC also notes that some commentators express concern whether the proposed rule would affect existing customer-generators and those currently under development. IRRC Comments at 4. IRRC further notes that some commentators express concerns about how the percentage is calculated for new construction and whether those with fluctuating electric usage face the potential for loss of customer-generator status. IRRC Comments at 6.

³ The Commission intends to review whether to maintain the 110 percent limit on third-party owned and operated systems contained in the Net Metering—Use of Third Party Operators, policy statement at Docket No. M-2011-2249441 after the completion of this rulemaking.

⁴ See, 26 Del. Admin. Code 3001-8.6.2: “The customer-Generator Facility is designed to produce no more than 110% of the Customer’s aggregate electrical consumption. . . .” See also, N.J.A.C. 14:8-4.3(a): EDCs “shall offer net metering . . . provided that the generating capacity of the customer-generator’s facility does not exceed the amount of electricity supplied . . . to the customer over an historical 12-month period. . . .” And, N.J.A.C. 14:8-7.3(a)(2): “The generating capacity of the eligible customer’s system does not exceed the combined metered annual energy usage of the customer’s qualified facilities.”

² See Webster’s Ninth New Collegiate Dictionary 1300 (1983).

In this Advance Notice of Final Rulemaking, we propose language to address each of these concerns raised by IRRRC and various commentators. See Annex A. To begin with, we propose increasing the alternative energy size limit from 110 percent to 200 percent. This proposal will increase the number of systems that can qualify for net metering, while at the same time meeting the intent of the AEPS Act to exclude generation utilities and merchant generators from obtaining customer-generator status. The intent to exclude generation utilities and merchant generators from net metering is found in the definition of “customer-generator” contained in the AEPS Act. This definition specifically references customers in its title and states that a customer-generator is “a nonutility owner or operator of a net metered distributed generation system. . . .” 73 P. S. § 1648.2. There would be no reason to reference net metered systems as “customer”-generators or to further define a customer-generator as a nonutility if the intent was to permit generation utilities and merchant generators to net meter.

This limit is also consistent with how net metering is treated in other states.⁵ In addition, we added language limiting the assessment as to whether the alternative energy system is sized to generate no more than 200 percent of the customer-generator’s annual electric consumption to the date of the interconnection application. We reiterate that this is a design limit that is determined at the system installation stage. Customer-generators that meet this requirement and receive net metering will not lose net metering status if the generation from their alternative energy system exceeds 200 percent of the customer-generator’s annual electric consumption in any subsequent year, provided that the alternative energy system’s capacity was not increased subsequent to its initial approval.

In this proposal, we also added language directing how the customer-generator’s annual electric consumption is to be determined for both existing and new service locations. Specifically, for existing service locations, the customer can use electric usage data from any 12 consecutive month period occurring within 60 months prior to submission of the interconnection request. For new service locations, the customer can use an annual electric consumption estimate based on the building type, size and anticipated usage or electric equipment and fixtures planned for the new service location. See Annex A.

Regarding concerns about the impact of this provision on existing customer-generators or those in development, we added language to clearly indicate the Commission’s intent that it not be applied to existing customer-generators. In addition, the language provides an avenue for systems currently in development to be excluded from this provision, provided the customer-generator submits an interconnection application within 180 days of the date this provision becomes effective. See Annex A.

Finally, to address the concerns raised by DEP, PDA and the Chesapeake Bay Commission, we propose language excluding from this 200 percent limit those alternative energy systems where the DEP provides confirmation that the alternative energy system is used to comply with the DEP’s Chesapeake Watershed Implementation Plan or is an integral element for compliance with the Nutrient Management Act. We recognize that these systems are only sized to handle the waste products that are the subject of the Chesapeake Watershed Implementation Plan and Nutrient Management Act.

⁵ The Maryland Public Service Commission also limits customer-generators to 200 percent of the customer-generator’s baseline annual usage. COMAR 20.50.10.01(D)(1)(b).

C. Net Metering: §§ 75.12 and 75.14. Meters and Metering

We are proposing to clarify the definition of virtual meter aggregation in Section 75.12 and the application of virtual meter aggregation in Section 75.14(e). In addition, we are proposing to revise the definition of year and yearly in Section 75.12.

1. Virtual Meter Aggregation

In the proposed rulemaking, we proposed several changes to the provisions regarding virtual meter aggregation to clarify when it is available. We noted the history of the development of virtual meter aggregation to provide context and explain the intent of that provision. As further noted, since the Commission’s regulations became effective, various parties have presented scenarios to the Commission for virtual metering that did not comport with our intent to permit a limited amount of virtual meter aggregation. This includes fact patterns where distributed generation is proposed to be installed at a location with no load, but then virtually aggregated with another location that has no distributed generation. Another example includes a retail customer hosting distributed generation that it neither owns nor operates and then aggregating it with the distributed generation owned and operated by an entirely different customer at another location within the two mile limit. We, therefore, propose revisions to Sections 75.12 and 75.14 clarify the acceptable scope of virtual metering.

The Commission is proposing language to clarify that the meter accounts to be aggregated must be held by the same person or entity. This clarifying language is to ensure consistency with the AEPS Act requirement that the meters to be virtually aggregated must be on properties owned or leased and operated by one customer-generator and must be located within a single EDC service territory. See Annex A.

2. Year and Yearly

In the proposed rulemaking, we noted that in the existing regulations, the term year and yearly, as it applies to net metering, is defined as the planning year as determined by the PJM Interconnection, LLC regional transmission organization. The Commission selected this definition initially to avoid confusion, as it is the same as the AEPS Act compliance year of June 1 through May 31.⁶ The Commission noted that in implementing these regulations over the last seven years, it had become clear that the vast majority of net metered customer-generator systems were solar photovoltaic systems. We recognized that these solar photovoltaic systems produce their peak outputs during the months of May through September. Accordingly, we suggested that with a year ending in May, many of these systems may have excess generation that receives a payment at the price-to-compare rate as opposed to receiving a fully bundled credit toward their subsequent billing periods. Therefore, we proposed to revise the definition for year and yearly as it applies to net metering to the period of time from May 1 through April 30. See Annex A.

As IRRRC notes in its comments, some commentators point out that the proposed change would impose added costs on EDCs and may confuse some customers. After considering these comments, the Commission is now proposing to retain the current yearly period of June 1 through May 31.

⁶ See Implementation of Act 35 of 2007 Net Metering and Interconnection, Final Omitted Rulemaking Order at Docket No. L-00050174, entered on July 22, 2008 at 11 and 12.

D. Net Metering: § 75.17. Process for Obtaining Commission Approval of Customer-Generator Status.

In the proposed rulemaking, we stated that since the inception of the AEPS Act and these regulations, the EDCs have been solely responsible for interconnecting and approving net metering for all customer-generators. While this has worked well for EDCs and customer-generators, the Commission has received some reports of inconsistent application of the net metering rules. In addition, as the Commission is imposing a 200 percent of annual load limit on the size of customer-generators, with some exceptions, we continue to propose a process for seeking Commission approval of all customer-generators with a nameplate capacity of 500 kilowatts or greater.

Under the process, as proposed in the proposed rulemaking, EDCs were to submit completed net metering applications to the Commission's Bureau of Technical Utility Services, within 20 days of receiving them, along with a recommendation on whether the proposed alternative energy system complies with these rules and the EDC's net metering tariff. The EDC was to serve its recommendation on the applicant, who had 20 days to submit a response to the Bureau of Technical Utility Services. The Bureau of Technical Utility Services was required to review the application, EDC recommendation and applicant response and, pursuant to delegated Commission authority, approve or disapprove the application within 30 days of its submission. The Bureau was to describe in detail its reasons for disapproval of an application. The applicant or the EDC was permitted to appeal the Bureau's determination to the Commission within 20 days after service of notice in accordance with rule 5.44 (relating to petitions for appeal from actions of staff).

As IRRC notes in its comments, some commentators raise concerns whether this process will delay the development of an alternative energy system and whether this process will run concurrent with the review procedures related to interconnection standards. The Commission recognizes these concerns and is proposing changes that will shorten the review process, while maintaining the due process rights of the parties involved. Initially, we note that it was our intent that this process is to run concurrently with the interconnection review process in Subchapter C. Specifically, we shortened the time EDCs have to submit an application with its recommendation to the Bureau of Technical Utility Services (TUS) from 20 to 15 days. In addition, TUS now has 10 days, as opposed to 30 days, to review an EDC recommendation to approve a net metering application. Finally, for review of an EDC recommendation to deny a net metering application, TUS is to issue its determination within 30 days of receipt of the EDC's recommendation or within five days of receipt of an applicant's reply, whichever is earlier. See Annex A.

We note that under the original proposal, an applicant would have had to wait 70 days to receive the determination from TUS. Whereas, under the new proposal, an applicant will only have to wait 25 days for an application that an EDC recommends approving or no more than 40 days for an application that an EDC recommends denying. These time frames appropriately balance the rights of all interested parties while providing little or no delay in the development of new alternative energy systems by persons or entities seeking customer-generator status.

Conclusion

The Commission issues this advance notice of final rulemaking proposing revisions to its regulations pertain-

ing to the alternative energy portfolio standard obligation, and its provisions for net metering and interconnection, as noted and set forth in Annex A for comment; *Therefore, It Is Ordered That:*

1. The Proposed Rulemaking at Docket L-2014-2404361 will consider the regulations set forth in Annex A.

2. The Secretary shall deposit this order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. A copy of this order and Annex be served on the Pennsylvania Department of Environmental Protection, all jurisdictional electric distribution companies, the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the Energy Association of Pennsylvania, the Retail Energy Supply Association, the parties in the matter of *Larry Moyer v. PPL Electric Utilities Corp.*, at Docket No. C-2011-2273645, and all parties that filed comments at this Docket.

4. An original of written comments referencing the docket number of the proposed rulemaking shall be submitted within 20 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

5. The contact person for technical issues related to this rulemaking is Scott Gebhardt, Bureau of Technical Utility Services, (717) 425-2860. That the contact person for legal issues related to this rulemaking is Kriss Brown, Assistant Counsel, Law Bureau, (717) 787-4518. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri Delbiondo, Regulatory Coordinator, Law Bureau, (717) 772-4597.

ROSEMARY CHIAVETTA,
Secretary

Statement of Commissioner James H. Cawley

Before us are updates and revisions to regulations to comply with Act 129 of 2008 and Act 35 of 2007, and certain clarifications regarding issues of law, administrative procedure, and policy. These proposed revisions are being issued for public comment. After receipt and review of public comment, the Commission will issue a final rule for approval consistent with the regulatory review process.

I wish to draw particular attention to the revisions related to the provision that would require all new alternative energy systems to be sized to generate no more than 200 percent of the customer-generator's annual electric consumption at the interconnection meter and all qualifying virtual meter aggregation locations.⁷ Before now, the Commission did not set more restrictive size limitations on customer-generators, except in a policy statement permitting net metering of third-party owned and operated systems.⁸ In our previous proposed rulemaking, we proposed 110 percent, consistent with that policy statement.

⁷ Existing net metered installations are grandfathered. For existing service locations, the customer can use electric usage data from any 12 consecutive month period occurring within 60 months prior to submission of the interconnection request. For new service locations, the customer can use an annual electric consumption estimate based on the building type, size, and anticipated usage or electric equipment and fixtures planned for the new service location. The design limit is determined at the system installation stage. Customer-generators that meet this requirement and receive net metering will not lose net metering status if the generation from their alternative energy system exceeds 200 percent of the customer-generator's annual electric consumption in any subsequent year, provided that the alternative energy system's capacity was not increased subsequent to its initial approval.

⁸ See Net Metering—Use of Third Party Operators, Final Order, Docket No. M-2011-2249441 (entered March 29, 2012).

Choosing between 110 and 200 percent appears to be largely driven by a review of the output of existing customer-generator systems. On the one hand, a higher percentage provides greater flexibility to early adopters of these distributed generation (DG) systems. Economies of scale, for example, could play a role in encouraging installation of such systems. Conversely, when and if DG systems become more commonplace, these early higher volume DG systems may crowd out future DG systems if local distribution system constraints either make future net-meter interconnect applications impossible or more costly to accommodate. In that instance, a high opportunity cost could be imposed on future DG customers. I welcome further comments on what the optimal solution is regarding this issue.

Secondly, many of these DG customer-generator systems are solar photovoltaic (PV) systems. PV and wind systems require an inverter to convert direct current (DC) from the generating resource to the voltage and frequency of the alternating current (AC) distribution system. Today's "smart inverters" have many capabilities, including:

- The delivery of DC power into an AC system, such as photovoltaic power to the AC grid; and the delivery of AC power to a DC load, as in charging a battery from the grid.
- The generation or absorption of reactive power so as to raise or lower the voltage at its terminals.
- Delivery of power in four quadrants, that is, positive real power and positive reactive power; positive real power and negative reactive power; negative real power and negative reactive power; and negative real power and positive reactive power.
- The detection of voltage and frequency at its terminals and the ability to react autonomously to mitigate abnormal conditions: to provide reactive power if the voltage is low; to increase real power output if the frequency is low.
- In combination with a communication link, to deliver real and reactive power and to charge and discharge storage facilities in accordance with signals from the utility.

Smart inverters can improve the performance of the distribution grid and the network as a whole, or, conversely, if improperly applied, can present serious problems in terms of voltage control, the clearing of short circuits, and the creation of dangerous "islanding" conditions. As greater numbers of renewable generating resources interconnect with the grid, the influence of the smart inverter will grow.

While the rulemaking before us does not address interconnect requirements related to smart inverters, I would encourage comment on the benefits and necessity of adopting further updates to our interconnect regulations that incorporate the capabilities of these new smart inverters. A discussion of benefits should address whether adopting new regulations related to smart meters inverters can enable more market penetration of DG systems, and what safety and operational benefits to the distribution grid can result from adoption of new future regulations.

JAMES H. CAWLEY,
Commissioner

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 75. ALTERNATIVE ENERGY PORTFOLIO STANDARDS

Subchapter A. GENERAL PROVISIONS

§ 75.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings unless the context clearly indicates otherwise:

Act—The Alternative Energy Portfolio Standards Act (73 P. S. §§ 1648.1—1648.8 as amended by 66 Pa.C.S. § 2814).

Aggregator—A person or entity that maintains a contract with multiple individual alternative energy system owners to facilitate the sale of alternative energy credits on behalf of multiple alternative energy system owners.

Alternative energy credit—A tradable instrument that is used to establish, verify and monitor compliance with the act. A unit of credit must equal 1 megawatt hour of electricity from an alternative energy source. An alternative energy credit shall remain the property of the alternative energy system until the alternative energy credit is voluntarily transferred by the alternative energy system.

Alternative energy sources—The term includes the following existing and new sources for the production of electricity:

* * * * *

(v) Low-impact hydropower consisting of any technology that produces electric power and that harnesses the hydroelectric potential of moving water impoundments[, provided the incremental hydroelectric development] if one of the following applies:

(A) The hydropower source has a Federal Energy Regulatory Commission (FERC) licensed capacity of 21 MW or less and was issued its license by January 1, 1984, and was held on July 1, 2007, in whole or in part, by a municipality located wholly within this Commonwealth or by an electric cooperative incorporated in this Commonwealth.

(B) The incremental hydroelectric development:

[(A)] (I) Does not adversely change existing impacts to aquatic systems.

[(B)] (II) Meets the certification standards established by the low impact hydropower institute and American Rivers, Inc., or their successors.

[(C)] (III) Provides an adequate water flow for protection of aquatic life and for safe and effective fish passage.

[(D)] (IV) Protects against erosion.

[(E)] (V) Protects cultural and historic resources.

(VI) Was completed after the effective date of the Alternative Energy Portfolio Standards Act.

(vi) Geothermal energy, which means electricity produced by extracting hot water or steam from geothermal

reserves in the earth's crust and supplied to steam turbines that drive generators to produce electricity.

(vii) Biomass energy, which means the generation of electricity utilizing the following:

(A) Organic material from a plant that is grown for the purpose of being used to produce electricity or is protected by the Federal Conservation Reserve Program (CRP) and provided further that crop production on CRP lands does not prevent the achievement of the water quality protection, soil erosion prevention or wildlife enhancement purposes for which the land was primarily set aside.

(B) Solid nonhazardous, cellulose waste material that is segregated from other waste materials, such as waste pallets, crates and landscape or right-of-way tree trimmings or agricultural sources, including orchard tree crops, vineyards, grain, legumes, sugar and other byproducts or residues.

(C) Generation of electricity utilizing by-products of the pulping process and wood manufacturing process, including bark, wood chips, sawdust and lignin in spent pulping liquors from alternative energy systems located in this Commonwealth.

(viii) Biologically derived methane gas, which includes methane from the anaerobic digestion of organic materials from yard waste, such as grass clippings and leaves, food waste, animal waste and sewage sludge. The term also includes landfill methane gas.

* * * * *

(xiii) Distributed generation systems, which means the small-scale power generation of electricity and useful thermal energy **from systems with a nameplate capacity not greater than 5 MW.**

* * * * *

Customer-generator—A retail electric customer that is a nonutility owner or operator of a net metered distributed generation system with a nameplate capacity of not greater than 50 kilowatts if installed at a residential service or not larger than 3,000 kilowatts at other customer service locations, except for customers whose systems are above 3 megawatts and up to 5 megawatts who make their systems available to operate in parallel with the electric utility during grid emergencies as defined by the regional transmission organization or where a microgrid is in place for the primary or secondary purpose of maintaining critical infrastructure, such as homeland security assignments, emergency services facilities, hospitals, traffic signals, wastewater treatment plants or telecommunications facilities, provided that technical rules for operating generators interconnected with facilities of an EDC, electric cooperative or municipal electric system have been promulgated by the institute of electrical and electronic engineers and the Commission.

DSP—Default service provider—An EDC within its certified service territory or an alternative supplier approved by the Commission that provides generation service when one of the following conditions occurs:

(i) **A contract for electric power, including energy and capacity, and the chosen EGS does not supply the service to a retail electric customer.**

(ii) **A retail electric customer does not choose an alternative EGS.**

Department—The Department of Environmental Protection of the Commonwealth.

* * * * *

Force majeure—

* * * * *

(iv) If the Commission modifies the EDC or EGS obligations under the act, the Commission may require the EDC or EGS to acquire additional alternative energy credits in subsequent years equivalent to the obligation reduced by a force majeure declaration when the Commission determines that sufficient alternative energy credits exist in the marketplace.

Grid emergencies—An emergency condition as defined in the PJM Interconnection, LLC, open access transmission tariff or successor document.

kW—Kilowatt—A unit of power representing 1,000 watts. A kW equals 1/1000 of a MW.

MW—Megawatt—A unit of power representing 1,000,000 watts. An MW equals 1,000 kW.

Microgrid—A system analogous to the term distributed resources (DR) island system, when parts of the electric grid that have DR and load have the ability to intentionally disconnect from and operate in parallel with electric power systems.

Moving water impoundment—A physical feature that confines, restricts, diverts or channels the flow of surface water, including in-stream hydroelectric generating technology and equipment.

Municipal solid waste—The term includes energy from existing waste to energy facilities which the Department has determined are in compliance with current environmental standards, including the applicable requirements of the Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and associated permit restrictions and the applicable requirements of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

RTO—Regional transmission organization—An entity approved by the [**Federal Energy Regulatory Commission (FERC)**] FERC that is created to operate and manage the electrical transmission grids of the member electric transmission utilities as required under FERC Order 2000, Docket No. RM99-2-000, FERC Chapter 31.089 (1999) or any successor organization approved by the FERC.

* * * * *

Tier II alternative energy source—Energy derived from:

* * * * *

(vi) Generation of electricity utilizing by-products of the pulping process and wood manufacturing process, including bark, wood chips, sawdust and lignin in spent pulping liquors **from alternative energy systems located outside this Commonwealth.**

(vii) Integrated combined coal gasification technology.

True-up period—The period each year from the end of the reporting year until September 1.

Useful thermal energy—

(i) **Thermal energy created from the production of electricity which would otherwise be wasted if not used for other nonelectric generation, beneficial purposes.**

(ii) The term does not apply to the use of thermal energy used in combined-cycle electric generation facilities.

Utility—A person or entity that provides electric generation, transmission or distribution services, at wholesale or retail, to other persons or entities. An owner or operator of an alternative energy system that is designed to produce no more than 200% of a customer-generator’s annual electric consumption shall be exempt from the definition of a utility in this chapter.

Subchapter B. NET METERING

§ 75.12. Definitions.

The following words and terms, when used in this subchapter, have the following meanings unless the context clearly indicates otherwise:

* * * * *

Virtual meter aggregation—The combination of readings and billing for all meters regardless of rate class on properties owned or leased and operated by a customer-generator by means of the EDC’s billing process, rather than through physical rewiring of the customer-generator’s property for a physical, single point of contact. Virtual meter aggregation on properties owned or leased and operated by [a] the same customer-generator and located within 2 miles of the boundaries of the customer-generator’s property and within a single [**electric distribution company’s**] EDC’s service territory shall be eligible for net metering. **Service locations to be aggregated must be EDC service location accounts, held by the same individual or legal entity, receiving retail electric service from the same EDC and have measureable electric load independent of the alternative energy system. To be independent of the alternative energy system, the electric load must have a purpose other than to support the operation, maintenance or administration of the alternative energy system.**

Year and yearly—[**Planning year as determined by the PJM Interconnection, LLC regional transmission organization.**] The period of time from June 1 through May 31.

§ 75.13. General provisions.

(a) EDCs and DSPs shall offer net metering to customer-generators that generate electricity on the customer-generator’s side of the meter using Tier I or Tier II alternative energy sources, on a first come, first served basis. **To qualify for net metering, the customer-generator shall meet the following conditions:**

(1) **Have electric load, independent of the alternative energy system, behind the meter and point of interconnection of the alternative energy system. To be independent of the alternative energy system, the electric load must have a purpose other than to support the operation, maintenance or administration of the alternative energy system.**

(2) **The owner or operator of the alternative energy system may not be a utility.**

(3) **The alternative energy system must be sized to generate no more than 200% of the customer-generator’s annual electric consumption at the interconnection meter location when combined with all qualifying virtual meter aggregation locations as of the date of the interconnection application.**

(i) For existing service location accounts, annual electric consumption shall be based on electric usage data from any 12 consecutive month period occurring within 60 months prior to submission of the customer-generator’s interconnection request.

(ii) For new service location accounts, annual electric consumption shall be based on the building type, size and anticipated usage of electric equipment and fixtures planned for the new service location.

(iii) The 200% of the customer-generator’s annual electric consumption limitation applies to any interconnection application for a new alternative energy system or expansion of an existing alternative energy system submitted on or after _____. (*Editor’s Note: The blank refers to 180 days after the effective date of adoption of this proposed rulemaking.*)

(iv) The 200% of the customer-generator’s annual electric consumption limitation may not apply to alternative energy systems when the Department provides confirmation to the Commission that a customer-generator’s alternative energy system is used to comply with the Department’s Pennsylvania Chesapeake Watershed Implementation Plan in compliance with section 303 of the Federal Clean Water Act at 33 USC § 1313 or is an integral element for compliance with the Nutrient Management Act at 3 Pa.C.S. §§ 501, et seq.

(4) **The alternative energy system must have a nameplate capacity of not greater than 50 kW if installed at a residential service location.**

(5) **The alternative energy system must have a nameplate capacity not larger than 3 MW at other customer service locations, except when the alternative energy system has a nameplate capacity not larger than 5 MW and meets the conditions in § 75.16 (relating to large customer-generators).**

(6) **An alternative energy system with a nameplate capacity of 500 kW or more must have Commission approval to net meter in accordance with § 75.17 (relating to process for obtaining Commission approval of customer-generator status).**

(b) EGSs may offer net metering to customer-generators, on a first come, first served basis, under the terms and conditions as are set forth in agreements between EGSs and customer-generators taking service from EGSs, **or as directed by the Commission.**

[(b)] (c) An EDC shall file a tariff with the Commission that provides for net metering consistent with this chapter. An EDC shall file a tariff providing net metering protocols that enable EGSs to offer net metering to customer-generators taking service from EGSs. To the extent that an EGS offers net metering service, the EGS shall prepare information about net metering consistent with this chapter and provide that information with the disclosure information required in § 54.5 (relating to disclosure statement for residential and small business customers).

[(c) The EDC] (d) **An EDC and DSP shall credit a customer-generator at the full retail rate, which shall include generation, transmission and distribution charges, for each kilowatt-hour produced by a Tier I or Tier II resource installed on the customer-generator’s side of the electric revenue meter, up to the total amount of electricity used by that customer during the billing**

period. If a **[customer generator] customer-generator** supplies more electricity to the electric distribution system than the EDC **[delivers] and DSP deliver** to the customer-generator in a given billing period, the excess kilowatt hours shall be carried forward and credited against the customer-generator's usage in subsequent billing periods at the full retail rate. Any excess kilowatt hours **that are not offset by electricity used by the customer in subsequent billing periods** shall continue to accumulate until the end of the year. For customer-generators involved in virtual meter aggregation programs, a credit shall be applied first to the meter through which the generating facility supplies electricity to the distribution system, then through the remaining meters for the customer-generator's account equally at each meter's designated rate.

[(d)] (e) At the end of each year, the **[EDC] DSP** shall compensate the customer-generator for any **remaining** excess kilowatt-hours generated by the customer-generator **[over the amount of kilowatt hours delivered by the EDC during the same year] that were not previously credited against the customer-generator's usage in prior billing periods at the DSP's price to compare rate. In computing the compensation, the DSP shall use a weighted average of the price to compare rate with the weighting based on the rate in effect when the excess generation was actually delivered by the customer-generator to the DSP.**

[(e)] (f) The credit or compensation terms for excess electricity produced by customer-generators who are customers of EGSs shall be stated in the service agreement between the customer-generator and the EGS. **EDCs shall credit customer-generators who are EGS customers for each kilowatt-hour of electricity produced at the EDC's unbundled distribution kilowatt-hour rate. The distribution credit shall be applied monthly. If the customer-generator supplies more electricity to the electric distribution system than the EDC delivers to the customer-generator in any billing period, the excess kilowatt hours shall be carried forward and credited against the customer-generator's unbundled distribution usage in subsequent billing periods until the end of the year when all remaining unused distribution credits shall be zeroed-out. Distribution credits are not carried forward into the next year.**

[(f)] (g) If a customer-generator switches electricity suppliers, the EDC shall treat the end of the service period as if it were the end of the year.

[(g)] (h) An EDC and EGS which offer net metering shall submit an annual net metering report to the Commission. The report shall be submitted by July 30 of each year, and include the following information for the reporting period ending May 31 of that year:

- (1) The total number of customer-generator facilities.
- (2) The total estimated rated generating capacity of its net metering customer-generators.

[(h)] (i) A customer-generator that is eligible for net metering owns the alternative energy credits of the electricity it generates, unless there is a contract with an express provision that assigns ownership of the alternative energy credits to another entity or the customer-generator expressly rejects any ownership interest in alternative energy credits under § 75.14(d) (relating to meters and metering).

[(i)] (j) An EDC and DSP shall provide net metering at nondiscriminatory rates identical with respect to rate structure, retail rate components and any monthly charges to the rates charged to other customers that are not customer-generators **on the same default service rate.** An EDC and DSP may use a special load profile for the customer-generator which incorporates the customer-generator's real time generation if the special load profile is approved by the Commission.

[(j)] (k) An EDC or DSP may not charge a customer-generator a fee or other type of charge unless the fee or charge would apply to other customers that are not customer-generators, **or is specifically authorized under this chapter or by order of the Commission.** The EDC and DSP may not require additional equipment or insurance or impose any other requirement unless the additional equipment, insurance or other requirement is specifically authorized under this chapter or by order of the Commission.

[(k)] (l) Nothing in this subchapter abrogates a person's obligation to comply with other applicable law.

§ 75.14. Meters and metering.

* * * * *

(e) Virtual meter aggregation on properties owned or leased and operated by **[a] the same** customer-generator shall be allowed for purposes of net metering. Virtual meter aggregation shall be limited to meters located on properties owned or leased and operated **by the same customer-generator** within 2 miles of the boundaries of the customer-generator's property and within a single EDC's service territory. **All service locations to be aggregated must be EDC service location accounts held by the same individual or legal entity receiving retail electric service from the same EDC and have measureable load independent of any alternative energy system.** Physical meter aggregation shall be at the customer-generator's expense. The EDC shall provide the necessary equipment to complete physical aggregation. If the customer-generator requests virtual meter aggregation, it shall be provided by the EDC at the customer-generator's expense. The customer-generator shall be responsible only for any incremental expense entailed in processing his account on a virtual meter aggregation basis.

* * * * *

§ 75.16. Large customer-generators.

(a) This section applies to distributed generation systems with a nameplate capacity above 3 MW and up to 5 MW. The section identifies the standards that distributed generation systems must satisfy to qualify for customer-generator status.

(b) A retail electric customer may qualify its alternative energy system for customer-generator status if it makes its system available to operate in parallel with the grid during grid emergencies by satisfying the following requirements:

(1) The alternative energy system is able to provide the emergency support consistent with the RTO tariff or agreement.

(2) The alternative energy system is able to increase and decrease generation delivered to the distribution system in parallel with the EDC's operation of the distribution system during the grid emergency.

(c) A retail electric customer may qualify its alternative energy system located within a microgrid for customer-generator status if it satisfies the following requirements:

(1) The alternative energy system complies with IEEE Standard 1547.4.

(2) The customer documents that the alternative energy system exists for the primary or secondary purpose of maintaining critical infrastructure.

§ 75.17. Process for obtaining Commission approval of customer-generator status.

(a) This section establishes the process through which EDCs obtain Commission approval to net meter alternative energy systems with a nameplate capacity of 500 kW or greater.

(b) An EDC shall submit a completed net metering application to the Commission's Bureau of Technical Utility Services with a recommendation on whether the alternative energy system complies with the applicable provisions of this chapter and the EDC's net metering tariff provisions within 15 days of receiving a completed application. The EDC shall serve its recommendation on the applicant.

(c) The net metering applicant has 20 days to submit a response to the EDC's recommendation to reject an application to the Bureau of Technical Utility Services.

(d) The Bureau of Technical Utility Services will review the net metering application, the EDC recommendation and applicant response, and make a determination as to whether the alternative energy system complies with this chapter and the EDC's net metering tariff.

(e) The Bureau of Technical Utility Services will approve or disapprove the net metering application within 10 days of a submission recommending approval and describe in detail the reasons for disapproval. The Bureau of Technical Utility Services will approve or disapprove a net metering application within 5 days of an applicant's response to an EDC's recommendation to deny approval, but no more than 30 days after an EDC submits an application with a recommendation to deny approval, whichever is earlier. The Bureau of Technical Utility Services will serve its determination on the EDC and the applicant.

(f) The applicant and the EDC may appeal the determination of the Bureau of Technical Utility Services in accordance with § 5.44 (relating to petitions for reconsideration from actions of the staff).

Subchapter C. INTERCONNECTION STANDARDS

GENERAL

§ 75.22. Definitions.

The following words and terms, when used in this subchapter, have the following meanings unless the context clearly indicates otherwise:

* * * * *

Electric nameplate capacity—The net maximum or net instantaneous peak electric output [**capability**] **capacity** measured in volt-amps of a small generator facility, **the inverter or the aggregated capacity of multiple inverters at an alternative energy systems location** as designated by the manufacturer.

* * * * *

INTERCONNECTION PROVISIONS

§ 75.31. Applicability.

The interconnection procedures apply to customer-generators with small generator facilities that satisfy the following criteria:

(1) The electric nameplate capacity of the small generator facility is equal to or less than [2] 5 MW.

* * * * *

§ 75.34. Review procedures.

An EDC shall review interconnection requests using one or more of the following four review procedures:

* * * * *

(2) An EDC shall use Level 2 procedures for evaluating interconnection requests to connect small generation facilities when:

(i) The small generator facility uses an inverter for interconnection.

(ii) The electric nameplate capacity rating is [2] 5 MW or less.

(iii) The customer interconnection equipment proposed for the small generator facility is certified.

(iv) The proposed interconnection is to a radial distribution circuit, or a spot network limited to serving one customer.

(v) The small generator facility was reviewed under Level 1 review procedures but not approved.

(3) An EDC shall use Level 3 review procedures for evaluating interconnection requests to connect small generation facilities with an electric nameplate capacity of [2] 5 MW or less which do not qualify under Level 1 or Level 2 interconnection review procedures or which have been reviewed under Level 1 or Level 2 review procedures, but have not been approved for interconnection.

* * * * *

§ 75.39. Level 3 interconnection review.

(a) Each EDC shall adopt the Level 3 interconnection review procedure in this section. An EDC shall use the Level 3 review procedure to evaluate interconnection requests that meet the following criteria and for interconnection requests considered but not approved under a Level 2 or a Level 4 review if the interconnection customer submits a new interconnection request for consideration under Level 3:

(1) The small generator facility has an electric nameplate capacity that is [2] 5 MW or less.

(2) The small generator facility is less than [2] 5 MW and not certified.

(3) The small generator facility is less than [2] 5 MW and noninverter based.

* * * * *

§ 75.40. Level 4 interconnection review.

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(d) When interconnection to circuits that are not networked is requested, upon the mutual agreement of the EDC and the interconnection customer, the EDC may use the Level 4 review procedure for an interconnection request to interconnect a small generator facility that meets the following criteria:

(1) The small generator facility has an electric nameplate capacity of [2] 5 MW or less.

(2) The aggregated total of the electric nameplate capacity of all of the generators on the circuit, including the proposed small generator facility, is [2] 5 MW or less.

* * * * *

DISPUTE RESOLUTION

§ 75.51. Disputes.

* * * * *

[(c) When disputes relate to the technical application of this chapter, the Commission may designate a technical master to resolve the dispute. The Commission may designate a Department of Energy National laboratory, PJM Interconnection L.L.C., or a college or university with distribution system engineering expertise as the technical master. When the Federal Energy Regulatory Commission identifies a National technical dispute resolution team, the Commission may designate the team as its technical master. Upon Commission designation, the parties shall use the technical master to resolve disputes related to interconnection. Costs for dispute resolution conducted by the technical master shall be determined by the technical master subject to review by the Commission.

(d) [(c) Pursuit of dispute resolution may not affect an interconnection applicant with regard to consideration of an interconnection request or an interconnection applicant's position in the EDC's interconnection queue.

Subchapter D. ALTERNATIVE ENERGY PORTFOLIO REQUIREMENT

§ 75.61. EDC and EGS obligations.

* * * * *

(b) For each reporting period, EDCs and EGSs shall acquire alternative energy credits in quantities equal to a percentage of their total retail sales of electricity to all retail electric customers for that reporting period, as measured in MWh. The credit obligation for a reporting period shall be rounded to the nearest whole number. The required quantities of alternative energy credits for each reporting period are identified in the following schedule, **subject to the quarterly adjustment of the nonsolar Tier I obligation under § 75.71 (relating to quarterly adjustment of nonsolar Tier I obligation):**

* * * * *

§ 75.62. Alternative energy system qualification.

* * * * *

(f) A facility may not be qualified unless the Department has verified compliance with applicable environmental regulations, and the standards set forth in section 2 of the act (73 P. S. § 1648.2).

(g) A facility's alternative energy system status may be suspended or revoked for noncompliance with this chapter, including the following circumstances:

(1) Providing false information to the Commission, credit registry or program administrator.

(2) Department notification to the Commission of violations of standards in section 2 of the act.

§ 75.63. Alternative energy credit certification.

* * * * *

(g) For solar photovoltaic alternative energy systems with a nameplate capacity of 15 [kilowatts] kW or less that are installed or that increase nameplate capacity on or after _____ (Editor's Note: The blank refers to 180 days after the effective date of adoption of this proposed rulemaking.), alternative energy credit certification shall be verified by the administrator designated under § 75.64 using metered data. For solar photovoltaic alternative energy systems with a nameplate capacity of 15 kW or less that are installed before _____, (Editor's Note: The blank refers to 180 days after the effective date of adoption of this proposed rulemaking.) alternative energy credit certification shall be verified by the administrator using either metered data or estimates. The use of estimates is subject to the following conditions:

(1) A revenue grade meter has not been installed to measure the output of the alternative energy system.

(2) The alternative energy system has not used actual meter or other monitoring system readings for determining system output in the past.

(3) The solar photovoltaic alternative energy system has either a fixed solar orientation or a one-axis or two-axis automated solar tracking system.

(4) The solar photovoltaic alternative energy system is comprised of crystalline silicon modules or a type of module that meets the criteria of the program used by the program administrator to calculate the estimates.

(5) The program administrator has deemed the solar photovoltaic alternative energy system eligible to utilize estimates based on the verified output of the alternative energy system.

(h) An alternative energy credit represents the attributes of 1 MWh of electric generation that may be used to satisfy the requirements of § 75.61 (relating to EDC and EGS obligations). The alternative energy credit shall remain the property of the alternative energy system until voluntarily transferred. A certified alternative energy credit does not automatically include environmental, emissions or other attributes associated with 1 MWh of electric generation. Parties may bundle the attributes unrelated to compliance with § 75.61 with an alternative energy credit, or, alternatively, sell, assign, or trade them separately.

(i) An alternative energy system may begin to earn alternative energy credits on the date a complete application is filed with the administrator, provided that a meter or inverter reading is included with the application.

(j) An alternative energy system application may be rejected if the applicant does not respond to a program administrator request for information or data within 90 days. An application that is not approved within 180 days of its submission due to the applicant's failure to provide information or data to the program administrator will be deemed rejected unless affirmatively held open by the program administrator.

(k) Alternative energy system generation or conservation data entered into the credit registry will

be allocated to the compliance year in which the generation or conservation occurred to ensure that alternative energy credits are certified with the correct vintage year.

§ 75.64. Alternative energy credit program administrator.

* * * * *

(b) The program administrator will have the following powers and duties in regard to alternative energy system qualification:

* * * * *

(5) The program administrator will provide written notice to applicants of its qualification decision within 30 days of receipt of a complete application form.

(6) The program administrator may suspend or revoke the qualification of an alternative energy system and withhold or retire past, current or future alternative energy credits attributed to an alternative energy system for noncompliance with this chapter, including the following circumstances:

(i) It no longer satisfies the alternative energy system qualification standards in § 75.62.

(ii) The owner or aggregator of the alternative energy system provides false or incorrect information in an application.

(iii) The owner or aggregator of the alternative energy system fails to notify the program administrator of changes to the alternative energy system that effect the alternative energy system's generation output.

(iv) The owner or aggregator of the alternative energy system fails to notify the program administrator of a change in ownership or aggregator of the alternative energy system.

(v) The owner or aggregator provides false or inaccurate information to the credit registry.

(vi) The owner or aggregator fails to respond to data and information requests from the Commission, Department or program administrator.

(c) The program administrator shall have the following powers and duties regarding the verification of compliance with this chapter:

(1) At the end of each reporting period, the program administrator shall verify the EDC and EGS [compliance with § 75.61 (relating to EDC and EGS obligations)] reported load, and provide written notice to each EDC and EGS [of an initial assessment of their] of its compliance [status] obligations within 45 days of the end of the reporting period.

(2) At the end of each true-up period, the administrator shall verify compliance with § 75.61 (relating to EDC and EGS obligations) for all EDCs and EGSs [who were in violation of § 75.61 at the end of the reporting period]. The administrator will provide written notice to each EDC and EGS of a final assessment of [their] its compliance status within [15] 45 days of the end of the true-up period.

(3) EDCs and EGSs shall provide all information to the program administrator necessary to verify compliance with § 75.61 including the prices paid for the alternative energy credits used for compliance. The pricing information must include a per credit price

for any credits used for compliance that were not self-generated or bundled with energy.

(4) The program administrator shall provide a report to the [Commission] Commission's Bureau of Technical Utility Services within 45 days of the end of [each reporting period and] the true-up period that identifies the compliance status of all EDCs and EGSs. The report provided after the end of the true-up period shall propose alternative compliance payment amounts for each EDC and EGS that is noncompliant with § 75.61 for that reporting period. As part of this report, the administrator shall identify the average market value of alternative energy credits derived from solar photovoltaic energy sold in the reporting period for each RTO that manages a portion of this Commonwealth's transmission system.

(d) The program administrator shall have the following powers and duties relating to alternative energy credit certification:

(1) The program administrator may not certify an alternative energy credit already purchased by individuals, businesses or government bodies that do not have a compliance obligation under the act unless the individual, business or government body sells those credits to the EDC or EGS.

(2) The program administrator may not certify an alternative energy credit for a MWh of electricity generation or electricity conservation that has already been used to satisfy another state's renewable energy portfolio standard, alternative energy portfolio standard or other comparable standard.

(3) The program administrator may not certify an alternative energy credit that does not meet the requirements of § 75.63 (relating to alternative energy credit certification).

(e) A decision of the program administrator may be appealed consistent with § 5.44 (relating to petitions for [appeal] reconsideration from actions of the staff).

* * * * *

§ 75.65. Alternative compliance payments.

(a) Within 15 days of receipt of the report identified in § 75.64(c)(4) (relating to alternative energy credit program administrator), the [Commission] Commission's Bureau of Technical Utility Services will provide written notice to each EDC and EGS that was noncompliant with § 75.61 (relating to EDC and EGS obligations) of their alternative compliance payment for that reporting period.

* * * * *

(c) EDCs and EGSs shall advise the [Commission] Bureau of Technical Utility Services in writing within 15 days of the issuance of this notice of their acceptance of the alternative compliance payment determination or, if they wish to contest the determination, file a petition to modify the level of the alternative compliance payment. The petition must include documentation supporting the proposed modification. The [Commission] Bureau of Technical Utility Services will refer the petition to the [Office of Administrative Law Judge] Commission's Bureau of Investigation and Enforcement for further [proceedings] actions as may be [necessary] warranted. Failure of an EDC or EGS to respond to the [Commission] Bureau of Technical Utility Services within 15 days of the issuance of this notice

shall be deemed an acceptance of the alternative compliance payment determination.

* * * * *

§ 75.71. Quarterly adjustment of nonsolar Tier I obligation.

(a) The Tier I nonsolar photovoltaic obligation of EDCs and EGSs shall be adjusted quarterly during the reporting period to comply with section 2814(c) of the act (relating to additional alternative energy sources).

(b) The quarterly requirement will be determined as follows:

(1) The nonsolar photovoltaic Tier I quarterly percentage increase equals the ratio of the available new Tier I MWh generation to total quarterly EDC and EGS MWh retail sales (new Tier I MWh generation/EDC and EGS MWh retail sales = nonsolar pv Tier I % increase).

(2) The new quarterly nonsolar photovoltaic Tier I requirement equals the sum of the new nonsolar photovoltaic Tier I percentage increase and the annual nonsolar photovoltaic Tier I percentage requirement in § 75.61(b) (relating to EDC and EGS obligations) (nonsolar photovoltaic Tier I % increase + annual non-solar photovoltaic Tier I % = new quarterly nonsolar photovoltaic Tier I % requirement).

(3) An EDC's or EGS's quarterly MWh retail sales multiplied by the new quarterly nonsolar photovoltaic Tier I requirement (EDC and EGS quarterly MWh x new quarterly nonsolar photovoltaic Tier I % = EDCs' and EGSs' quarterly nonsolar photovoltaic Tier I requirement) yields the quantity of alternative energy credits required by that EDC or EGS for compliance. The EDC and EGS final total annual compliance obligations shall be determined by the program administrator at the end of the compliance year in accordance with § 75.64(c) (relating to alternative energy credit program administrator).

(c) Alternative energy systems qualified consistent with section 2814(a) and (b) of the act shall grant the program administrator access to their credit registry account information as a condition of certification of any alternative energy credits created under these sections.

§ 75.72. Reporting requirements for quarterly adjustment of nonsolar Tier I obligation.

(a) For purposes of implementing § 75.71 (relating to quarterly adjustment of nonsolar Tier I obligation) EDCs and EGSs shall report their monthly retail sales on a quarterly basis during the reporting period. An EDC shall submit its monthly sales data and the monthly sales data for each EGS

serving in its service territory to the program administrator each quarter as follows:

(1) First quarter (June, July and August) due by October 30.

(2) Second quarter (September, October and November) due by January 30.

(3) Third quarter (December, January and February) due by April 30.

(4) Fourth quarter (March, April and May) due by June 30.

(b) Each EGS shall verify its monthly sales data each quarter as follows:

(1) First quarter (June, July and August) due by the second business day after October 30.

(2) Second quarter (September, October and November) due by the second business day after January 30.

(3) Third quarter (December, January and February) due by the second business day after April 30.

(4) Fourth quarter (March, April and May) due by the second business day after June 30.

(c) For purposes of implementing the § 75.71, all Tier I alternative energy systems qualified under section 2814(a) and (b) of the act (relating to additional alternative energy sources) shall provide the following information on a monthly basis:

(1) The facility's total generation from qualifying alternative energy sources for the month in MWh, broken down by source.

(2) The amount of alternative energy credits sold in the month to each EDC and EGS with a compliance obligation under the act.

(3) The amount of alternative energy credits sold in the month to any other entity, including EDCs, EGSs and other users for compliance with another state's alternative/renewable energy portfolio standard or sold on the voluntary market. Each alternative energy credit and the entity they were transferred to must be listed.

(4) The amount of alternative energy credits created and eligible for sale during the month but not yet sold.

(5) The sale or other disposition of alternative energy credits created in prior months and transferred in the month, itemized by compliance status (Pennsylvania portfolio standard, other state compliance, voluntary market, and the like).

[Pa.B. Doc. No. 15-858. Filed for public inspection May 8, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 83]

Physical and Mental Criteria, Including Vision Standards, Relating to the Licensing of Drivers

The Department of Transportation (Department), under the authority in 75 Pa.C.S. §§ 1504, 1508, 1508.1, 1517, 1518 and 6103, proposes to amend Chapter 83 (relating to physical and mental criteria, including vision standards relating to the licensing of drivers) to read as set forth in Annex A.

Purpose

The purpose of Chapter 83 is to set forth physical and mental criteria, including vision standards, for the licensing of drivers formulated by the Medical Advisory Board under 75 Pa.C.S. §§ 1517 and 1518 (relating to Medical Advisory Board; and reports on mental or physical disabilities or disorders). In addition to their use by the Department in connection with its responsibilities under 75 Pa.C.S. (relating to Vehicle Code), these physical and mental criteria are to be used by medical providers in conducting physical examinations of applicants for learner permits and driver licenses, and by physicians and other persons authorized to diagnose and treat disorders and disabilities covered in Chapter 83 to determine whether a person should be reported to the Department as having a disorder affecting the ability of the person to drive safely.

Purpose of the Proposed Rulemaking

The purpose of this proposed rulemaking is to update the medical requirements and standards for license holders that have brain disease, cognitive impairment, or a mental or emotional disorder. Since medical testing and treatment methods continue to evolve, the Department is updating its minimum standards to ensure that only drivers that are in stable condition are licensed to operate a motor vehicle.

These regulations reflect consultation with the Department's Medical Advisory Board as required under 75 Pa.C.S. §§ 1517 and 1518. The Medical Advisory Board, after conducting in-depth reviews and discussions, has determined that these regulations require amendment to make them consistent with existing medical practice and improved technology.

Summary of Significant Amendments

Proposed amendments to § 83.2 (relating to definitions) add the terms "brain disease," "cognitive functions," "dementia," "mental or emotional disorder," "neurologist," "psychiatrist" and "psychologist."

Section 83.5(a)(5) (relating to other physical and medical standards) is proposed to be added to disqualify individuals that have a moderately severe cognitive impairment.

Proposed amendments to § 83.5(b)(5) authorize the disqualification by a health care provider of anyone that has brain disease, cognitive impairment, or a mental or emotional disorder that may impair his ability to drive safely and that is manifested by one or more of the following symptoms: inattentiveness to driving; inclina-

tion toward suicide beyond mere contemplation; excessive aggressiveness, impulsivity or disregard for the safety of self or others, or both, presenting a clear and present danger, regardless of cause; and signs of Alzheimer's disease or dementia in Stage 3 or greater.

Proposed § 83.5(b)(5)(ii) authorizes a waiver from disqualification providing that in the health care provider's opinion the individual's condition has stabilized and symptoms are not likely to recur.

Proposed amendments to § 83.5(c) include every condition listed in § 83.5(b) and the provision to require a knowledge test when appropriate. In addition, proposed amendments to § 83.5(c) add the requirement for an individual who has any of the conditions described in § 83.5(b) to submit results of a satisfactory assessment of cognitive or emotional functioning, or both, conducted by a psychiatrist, neurologist or licensed psychologist. In addition to the assessment, the individual shall successfully complete the knowledge test and on-road driving evaluation initially and every 12 months thereafter.

Persons and Entities Affected

This proposed rulemaking affects persons qualified or intending to be qualified to drive and health care providers.

Fiscal Impact

Implementation of this proposed rulemaking will not require the expenditure of additional funds by the Commonwealth or local municipalities. This proposed rulemaking will not impose additional costs on the medical community and may reduce costs by providing clearer medical criteria and thus reduce unnecessary reporting by physicians and the need for follow-up medical examinations for drivers.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 29, 2015, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Transportation Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* following the appropriate evaluation of comments, suggestions or objections received during the public comment period.

Sunset Date

The Department is not establishing a sunset date for these regulations, as the regulations are needed to administer provisions required under 75 Pa.C.S. The Depart-

ment will continue to closely monitor these regulations for their effectiveness, in coordination with the Medical Advisory Board.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Kara N. Templeton, Director, Bureau of Driver Licensing, P. O. Box 68676, Harrisburg, PA 17106-8676, ktempleton@pa.gov within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions about the proposed rulemaking is Laura Krol, Acting Manager, Driver Safety Division, Department of Transportation, Bureau of Driver Licensing, P. O. Box 68676, Harrisburg, PA 17106-8676, (717) 787-2977, lkrol@pa.gov.

LESLIE S. RICHARDS,
Acting Secretary

Fiscal Note: 18-465. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE IV. LICENSING

CHAPTER 83. PHYSICAL AND MENTAL CRITERIA, INCLUDING VISION STANDARDS RELATING TO THE LICENSING OF DRIVERS

§ 83.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act—75 Pa.C.S. [§] §§ 101—9910 (relating to Vehicle Code).

Aura—An epileptic episode, sometimes experienced before or in lieu of a seizure, which does not alter an individual's ability to think clearly or interfere with an individual's mechanical or sensory ability to operate a motor vehicle.

Brain disease—A condition of the brain that may impair important functions such as memory, speech, vision, spatial perception, strength or coordination of movement, and cognitive functions.

CRNP—*Certified registered nurse practitioner*—A registered nurse licensed in this Commonwealth who is certified by the State Board of Nursing in a particular clinical specialty area and who, while functioning in the expanded role as a professional nurse, performs acts of medical diagnosis or prescription of medical therapeutic or corrective measures in collaboration with and under the direction of a physician licensed to practice medicine in this Commonwealth.

Chiropractor—A practitioner of chiropractic as defined in 75 Pa.C.S. § 1508.1(b) (relating to physical examinations) and 75 Pa.C.S. § 1518(g) (relating to reports on mental or physical disabilities or disorders).

Cognitive functions—Human abilities such as speech and language, complex levels of perception, attention, reasoning, judgment, reading and writing, and several types of memory.

Daylight—Hours between sunrise and sunset.

Dementia—Brain diseases, including, but not limited to, Alzheimer's disease and vascular dementia, that are characterized by deficits in multiple cognitive functions. In the early stages, it can manifest as absentmindedness or forgetfulness. As the condition progresses, symptoms become more numerous and more severe. The stages of dementia, as defined by the Alzheimer Association, are as follows:

Stage 1—No impairment

Stage 2—Very mild cognitive decline

Stage 3—Mild cognitive decline

Stage 4—Moderate cognitive decline

Stage 5—Moderately severe cognitive decline

Stage 6—Severe cognitive decline

Stage 7—Very severe cognitive decline

Department—The Department of Transportation of the Commonwealth.

* * * * *

Licensed physician—A doctor of medicine licensed by the State Board of Medicine or a doctor of osteopathy licensed by the State Board of Osteopathic Medical Examiners.

Mental or emotional disorder—A condition, whether organic or without known organic cause—as described and defined in the current *Diagnostic and Statistical Manual of Mental Disorders*, including its Introduction or International Classification of Diseases—manifested by important symptoms and functional changes such as psychosis (often with hallucinations or delusions), excessive anxiety or severe mood swings (mania and severe depression). Some mental disorders cause poor judgment, excessive aggressiveness, suicidal thinking or other behaviors that might affect driving performance.

Neurologist—A licensed physician who is Board-eligible or Board-certified in neurology.

Nocturnal—As used in relation to seizures, the term means occurring during sleep.

Psychiatrist—A licensed physician who is Board-eligible or Board-certified in psychiatry.

Psychologist—A person licensed as a psychologist.

Seizure—A paroxysmal disruption of cerebral function characterized by altered consciousness, altered motor activity or behavior identified by a licensed physician as inappropriate for the individual.

* * * * *

§ 83.5. Other physical and medical standards.

(a) *General disqualifications*. [**A person**] **An individual** who has any of the following conditions will not be qualified to drive:

* * * * *

(4) Periodic episodes of loss of consciousness which are of unknown etiology or not otherwise categorized, unless the person has been free from episode for the year immediately preceding.

(5) **Brain disease resulting in a moderately severe cognitive impairment, including, but not limited to, individuals diagnosed with Stage 5, 6 or 7 Alzheimer's disease or dementia.**

(b) *Disqualification on provider's recommendation.* [**A person**] **An individual** who has any of the following conditions will not be qualified to drive if, in the opinion of the provider, the condition is likely to impair the ability to control and safely operate a motor vehicle:

* * * * *

(5) [**Mental disorder, whether organic or without known organic cause, as described in the current *Diagnostic and Statistical Manual of Mental Disorders* (DSM) published by the American Psychiatric Association, 1700 18th Street NW, Washington, DC 20009, especially as**] **Brain disease, cognitive impairment, or a mental or emotional disorder that is manifested by the symptoms set forth in [subparagraphs (i)—(iii)] subparagraph (i).** While signs or symptoms of mental disorder may not appear during examination by the **health care** provider, evidence may be derived from the [**person's**] **individual's** history as provided by [**self**] **the individual** or others familiar with the [**person's**] **individual's** behavior.

[(i) **Inattentiveness to the task of driving because of, for example, preoccupation, hallucination or delusion.**

(ii) **Contemplation of suicide, as may be present in acute or chronic depression or in other disorders.**

(iii) **Excessive aggressiveness or disregard for the safety of self or others or both, presenting a clear and present danger, regardless of cause.]**

(i) **An individual will be disqualified if the individual has:**

(A) **An inattentiveness to the task of driving because of, for example, preoccupation, hallucination or delusion.**

(B) **An inclination towards suicide that goes beyond mere contemplation of suicide.**

(C) **Excessive aggressiveness, impulsivity or disregard for the safety of self or others, or both, presenting a clear and present danger, regardless of cause.**

(D) **Signs of Alzheimer's disease or dementia in Stage 3 or greater.**

(ii) **An individual diagnosed with a mental or emotional disorder who has manifested one or more of the symptoms in subparagraph (i) may receive a waiver from disqualification provided that in the treating health care provider's opinion, the individual's condition has stabilized and the symptoms are unlikely to recur.**

(A) **Additional examinations are not required provided the treating health care provider determines that the individual's condition remains under good control.**

(B) **The treating health care provider may recommend further testing and even disqualification if the symptoms described in subparagraph (i) recur.**

(6) **Periodic episodes of loss of attention or awareness which are of unknown etiology or not otherwise categorized, unless the person has been free from episode for the year immediately preceding, as reported by a licensed physician.**

(7) **Use of any drug or substance, including alcohol, known to impair skill or functions, regardless whether the drug or substance is medically prescribed.**

(8) **Other conditions which, in the opinion of a provider, is likely to impair the ability to control and safely operate a motor vehicle.**

(c) *Driving examination and submission of medical information.* A person who has any of the conditions enumerated in subsection [(b)(1), (2), (3) or (8)] (b) may be required to undergo a **knowledge test or a driving examination, or both,** to determine driving competency[,] if the Department has reason to believe that the person's ability to safely operate a motor vehicle is impaired. The person may be restricted to driving only when utilizing appropriate adaptive equipment. **A person who has any of the conditions described in subsection (b)(5) shall submit results of a satisfactory assessment of cognitive or emotional functioning, or both, conducted by a psychiatrist, neurologist or licensed psychologist. In addition to the assessment, the knowledge test and on-road driving evaluation shall be successfully completed initially and then every 12 months thereafter.**

[Pa.B. Doc. No. 15-859. Filed for public inspection May 8, 2015, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 28, 2015.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 4-20-2015 | Indiana First Savings Bank Indiana Indiana County | 1420 Scalp Avenue Johnstown Cambria County | Opened |
| 4-20-2015 | Jonestown Bank and Trust Company Jonestown Lebanon County | 1 Boyd Street Cornwall Lebanon County | Opened |

Branch Consolidations

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 4-23-2015 | PeoplesBank, A Codorus Valley Company York York County | <i>Into:</i> 126 North Main Street Bel Air Harford County, MD <i>From:</i> 124 North Main Street Bel Air Harford County, MD | Approved |

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Acting Secretary

[Pa.B. Doc. No. 15-860. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Consolidated Plan; 2014 Annual Performance and Evaluation Report

The Department of Community and Economic Development is preparing its 2014 Consolidated Annual Performance and Evaluation Report (CAPER) on the progress and accomplishments made during the 2014 program year in implementing the Commonwealth's Consolidated Plan for Federal Fiscal Years 2014-2018. This document must be submitted to, and approved by, the United States

Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth has allocated funds under several programs, namely the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant Program and Housing Opportunities for People with AIDS Program. Additionally, this CAPER will detail funding from 2014 under the Neighborhood Stabilization Program and the Community Development Block Grant—Disaster Recovery Program. The

CAPER discusses accomplishments in relation to goals and objectives identified in the 2014 Action Plan of the Consolidated Plan.

The CAPER assesses the goals and objectives of this strategic plan; discusses how the Commonwealth is affirmatively furthering fair and affordable housing; reviews the activities of the Continuums of Care; and appraises how well resources in community development and housing are being leveraged.

Public Comments

Individuals or organizations may provide written comments regarding this draft version of the CAPER. This report will be available on May 9, 2015, at <http://www.newpa.com/community/federal-program-resource-library/consolidated-plan-and-related-documents> or by calling (717) 720-7404. Written comments will be accepted about funding activities, community development, housing, CAPER content and the process by which public input is gathered. The Commonwealth encourages public participation in this process.

Written comments will be accepted until 4 p.m. on May 25, 2015, and should be sent to Megan L. Snyder, Department of Community and Economic Development, Center for Community Financing, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, RA-DCEDcdbg&homequestions@pa.gov.

DENNIS M. DAVIN,
Acting Secretary

[Pa.B. Doc. No. 15-861. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Christina A. Reeves-Darden for Reinstatement of Teaching Certificates; Doc. No. RE 15-01

Notice of Hearing

Under the Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18c), the Professional Standards and

Practices Commission (Commission) has initiated hearing procedures to consider the application of Christina A. Reeves-Darden for reinstatement of her teaching certificates.

On or about April 13, 2015, Christina A. Reeves-Darden filed an application for reinstatement of her teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who wish to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Shane F. Crosby, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

SHANE F. CROSBY,
Executive Director

[Pa.B. Doc. No. 15-862. Filed for public inspection May 8, 2015, 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 POLLUTION 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

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 & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--------------------------------------|---|----------------------------|
| PA0036102 (Sewage) | Heidelberg Heights 5132 Heidelberg Heights Road Germansville, PA 18053 | Lehigh County Heidelberg Township | Unnamed Tributary to Mill Creek (2-C) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--------------------------------------|--------------------------------------|----------------------------|
| PA0084026— Sew | Northwestern Lancaster County Authority 97 North Penryn Road Manheim, PA 17545 | Lancaster County/ Penn Township | Chickies Creek (7G) | Y |

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--------------------------------------|--|----------------------------|
| PA0042722 (Sewage) | Dushore Sewer Authority 224 Center Street Dushore, PA 18614-0248 | Sullivan County Dushore Borough | Little Loyalsock Creek (10-B) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--|--|----------------------------|
| PA0001473 (Sewage) | Mon River Sewage Corporation STP 1428 Delberts Drive Monongahela, PA 15063 | Allegheny County Forward Township | Monongahela River 19C | Y |
| PA0219142 (Sewage) | Sewickley Township Municipal Sewage Authority STP PO Box 46, 312 Sewickley Avenue Herminie, PA 15637 | Westmoreland County Sewickley Township | Little Sewickley Creek (19-D) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed#)</i> | <i>EPA Waived Y/N?</i> |
|------------------------------------|--|--------------------------------------|---|----------------------------|
| PA0263559 (Sewage) | Richard D. Pack SFTF 12486 Lake Road North East, PA 16428 | Erie County North East Township | Lake Erie (15) | Y |
| PA0037923 (Industrial Waste) | North East Borough WTP 8152 Filter Plant Road North East, PA 16428 | Erie County North East Township | Unnamed Tributary to Sixteenmile Creek (15-A) | Y |

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

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

PA0056294, Sewage, SIC Code 7997, **Hickory Valley Golf Course**, 1921 Ludwig Road, Gilbertsville, PA 19525. Facility Name: Hickory Valley Golf Course. This existing facility is located in New Hanover Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Hickory Valley Golf Course.

The receiving stream(s), Swamp Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0015 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | | |
|-----------------------------|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----|
| | <i>Average Monthly</i> | <i>Instant. Minimum</i> | <i>Average Monthly</i> | <i>Instant. Maximum</i> | |
| Flow (GPD) | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX |
| CBOD ₅ | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 10 | XXX |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 20 | XXX |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX |
| | | | | Geo Mean | |
| Ammonia-Nitrogen | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 3.0 | XXX |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 9.0 | XXX |

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

- Submit AMR
- Submit DMR
- Solids Removal Requirements
- TRC Requirements
- No Stormwater
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Connect to Public Sewers if Required

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

The EPA Waiver is in effect.

PA0051951, Sewage, SIC Code 4952, **Messenger Marc C**, 51 Grays Lane, Elverson, PA 19520-9715. Facility Name: Messenger SRSTP. This existing facility is located in Warwick Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from a single residence.

The receiving stream(s), unnamed tributary to French Creek, is located in State Water Plan watershed 3-D and is classified for Exceptional Value Waters 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.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|-----|---------|----------------------|-----|------------------|
| | Average Monthly | | Minimum | Average Monthly | | |
| Flow (GPD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | Report | XXX | Report |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 10 | XXX | 20 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 20 | XXX | 40 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |
| | | | | Geo Mean | | |

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

- Submit AMR
- Submit DMR
- Solids Removal Requirements
- TRC Requirements
- No Stormwater
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Connect to Public Sewers if Required

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

The EPA Waiver is in effect.

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

PA0065587, IW Stormwater, SIC Code 5093, **JFR Salvage, Inc.**, P. O. Box 17, Wind Gap, PA 18091. Facility Name: JFR Salvage, Inc. This facility is located in Plainfield Township, **Northampton County**.

Description of Proposed Activity: This application is for a new Individual NPDES permit for an existing discharge of IW stormwater.

The receiving stream, Unnamed Tributary to Little Bushkill Creek, is located in State Water Plan watershed 01F and is classified for high quality—cold water fishes, migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 002 are based on a design flow of n/a MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| pH | XXX | XXX | XXX | XXX | Report | XXX |
| Chemical Oxygen Demand | XXX | XXX | XXX | XXX | Report | XXX |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Oil and Grease | XXX | XXX | XXX | XXX | Report | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report | XXX |

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

- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

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

Application No. PA0266078, Concentrated Animal Feeding Operation (CAFO), **Dickinson Danyell L & Dickinson Robbie L (Robbie & Danyell Dickinson Farm CAFO)**, 199 West McKinleyville Road, Hustontown, PA 17229.

Robbie & Danyell Dickinson have submitted an application for an Individual NPDES permit for a new CAFO known as Robbie & Danyell Dickinson Farm CAFO, located in Taylor Township, **Fulton County**.

The CAFO is situated near Unnamed Stream and Unnamed Tributary to Sideling Hill Creek in Watershed 12-C, which is classified for High Quality Waters—Cold Water Fishes and. The CAFO will be designed to maintain an animal population of approximately 341.42 animal equivalent units (AEUs) consisting of 2,400 Finishing Swine. Manure will be store in an underbarn, deep pit storage. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA0246964, Concentrated Animal Feeding Operation (CAFO), **Martin Kenneth R (Ken Martin Farm CAFO)**, 1397 Robert Fulton Highway, Quarryville, PA 17566.

Martin Kenneth R has submitted an application for an Individual NPDES permit for an existing CAFO known as Ken Martin Farm CAFO, located in East Drumore Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to Conowingo Creek and Unnamed Tributary to West Branch Octoraro Creek in Watershed 7-K, which is classified for High Quality Waters—Cold Water Fishes, and High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 1678.04 animal equivalent units (AEUs) consisting of 170,000 Pullets, 10,400 Swine, and 92 Dairy Cows. Dairy Manure is handled as liquid stored in a circular tank and as solid bedpack the swine is all liquid and stored underbarn aside from barn 4 which utilizes an earthen lagoon all pullet manure is stored as dry litter. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

PA0262137, Sewage, SIC Code 6515, **Log Cabin Court Mobile Home Park**, 123 Gilpin Drive, West Chester, PA 19382. Facility Name: Log Cabin Court MHP. This proposed facility is located in Earl Township, **Lancaster County**.

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

The receiving stream, Unnamed Tributary to Conestoga River, is located in State Water Plan watershed 7-J and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.014 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------|-----------------|---------------|---------|----------------------|-----|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------------------|--------------------|------------------|---------|----------------------|-----|---------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | Geo Mean 2,000 | XXX | 10,000 |
| UV Intensity (mW/cm ²) | XXX | XXX | Report | Geo Mean Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 4.0 | XXX | 8.0 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 12 | XXX | 24 |
| Total Phosphorus | XXX | XXX | XXX | 0.8 | XXX | 1.6 |

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

| Parameters | Mass (lbs) | | | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | Minimum | Monthly Average | Maximum |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 0 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 0 | XXX | XXX | XXX |

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

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

The EPA Waiver is in effect.

PA0087637, Sewage, SIC Code 6515, Thomas S Rodas, 1190 Wyndsong Drive, York, PA 17403-4492. Facility Name: Mountain View Terrace MHP. This existing facility is located in Upper Frankford Township, **Cumberland 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), UNT of Conodoguinet Creek, is located in State Water Plan watershed 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 0.025 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|--------------------|---------------------|---------|----------------------|-----|---------------------|
| | Average Monthly | Total Monthly | Minimum | Average Monthly | | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.18 | XXX | 0.57 |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 10 | XXX | 20 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 20 | XXX | 40 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| Jan 1 - Dec 31 | XXX | XXX | XXX | 200 | XXX | XXX |
| | | | | Geo Mean | | |
| Nitrate-Nitrite as N | Report | Report | XXX | Report | XXX | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | 3.0 | XXX | 6.0 |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 9.0 | XXX | 18.0 |
| Total Kjeldahl Nitrogen | Report | Report | XXX | Report | XXX | XXX |
| Total Phosphorus | Report | Report | XXX | 1.0 | XXX | 2.0 |

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.

PA0266043, Sewage, SIC Code 4952, **Albert C Kuhn**, P O Box 121, Carlisle, PA 17013-0121. Facility Name: Kendor Summit Lot 10h. This proposed facility is located in North Middleton Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |
| | | | | Geo Mean | | |

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.

PA0088307, Sewage, SIC Code 7992, **Snyders LLP**, 501 Conodoguinet Avenue, Carlisle, PA 17015-8972. Facility Name: Eagles Crossing Golf Course. This existing facility is located in North Middleton Township, **Cumberland 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), Conodoguinet Creek, is located in State Water Plan watershed 7-B 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 0.0035 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | 1.6 | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | 1,000 | XXX |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | 10,000 | XXX |
| | | | | Geo Mean | | |
| Nitrate-Nitrite as N | XXX | XXX | XXX | Report | XXX | XXX |
| Nitrate-Nitrite as N | Report | Report | XXX | XXX | XXX | XXX |
| | | Total Mo | | | | |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | Report | Report | XXX | XXX | XXX | XXX |
| | | Total Mo | | | | |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Kjeldahl Nitrogen | Report | Report | XXX | XXX | XXX | XXX |
| | | Total Mo | | | | |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | Report | Report | XXX | XXX | XXX | XXX |
| | | Total Mo | | | | |

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.

PA0036269, Sewage, SIC Code 4952, **Stewartstown Borough Authority**, 6 North Main Street, Stewartstown, PA 17363-4132. Facility Name: Stewartstown Borough Authority WWTP. This existing facility is located in Stewartstown Borough, **York County**.

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

The receiving stream(s), Ebaughs Creek, is located in State Water Plan watershed 7-I and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.625 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|---------------------------------|------------------------|-----------------------|----------------|-----------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| UV Transmittance (%) | XXX | XXX | Report | XXX | XXX | XXX |
| Specific Conductance (µmhos/cm) | | | | | | |
| May 1 - Oct 31 | XXX | XXX | XXX | XXX | Report | XXX |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | 78 | 115 | XXX | 15 | 22 | 30 |
| Nov 1 - Apr 30 | 130 | 209 | XXX | 25 | 40 | 50 |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | 156 | 235 | XXX | 30 | 45 | 60 |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 17 | XXX | XXX | 3.5 | XXX | 7.0 |
| Nov 1 - Apr 30 | 44 | XXX | XXX | 8.5 | XXX | 17 |
| Total Phosphorus | 10.4 | XXX | XXX | 2.0 | XXX | 4.0 |
| Total Zinc | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Bis(2-Ethylhexyl)Phthalate | 0.063 | XXX | XXX | 0.012 | XXX | 0.03 |

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

| <i>Parameters</i> | <i>Mass (lbs)</i> | | | <i>Concentration (mg/l)</i> | |
|----------------------|-------------------|---------------|----------------|-----------------------------|----------------|
| | <i>Monthly</i> | <i>Annual</i> | <i>Minimum</i> | <i>Monthly Average</i> | <i>Maximum</i> |
| Ammonia—N | Report | Report | XXX | Report | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX |
| Total Nitrogen | Report | Report | XXX | Report | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX |
| Net Total Nitrogen | Report | 11,415 | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 1,522 | XXX | XXX | XXX |

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

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

- Chesapeake Bay Nutrient Requirements

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

The EPA Waiver is not in effect.

PA0261394, Sewage, SIC Code 6514, **Randy S Macko**, 3315a Back Road, Halifax, PA 17032. Facility Name: Macko Res. This existing facility is located in Jefferson Township, **Dauphin County**.

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

The receiving stream(s), South Fork Powell Creek, is located in State Water Plan watershed 6-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------|---------|----------------------|----------|------------------|
| | Average Monthly | Minimum | Minimum | Average Monthly | Geo Mean | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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.

PA0261408, Sewage, SIC Code 6514, **Ross F Garner**, 343 East Louthier Street, Carlisle, PA 17013. Facility Name: Garner Residence. This existing facility is located in North Middleton Township, **Cumberland 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), Wertz Run, is located in State Water Plan watershed 7-B 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 0.0005 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|----------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Geo Mean | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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.

PA0261190, Sewage, SIC Code 6514, **Tiger Properties**, 4 East High Street, Carlisle, PA 17013. Facility Name: Tiger Properties. This existing facility is located in North Middleton Township, **Cumberland 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), Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|----------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Geo Mean | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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.

PA0247502, Sewage, SIC Code 6514, **John Kauffman & Kathleen Kauffman**, 312 Steelstown Road, Newville, PA 17241-9699. Facility Name: Kauffman Res. This existing facility is located in North Newton Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|----------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Geo Mean | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 10 | XXX | 20 |
| Total Suspended Solids | XXX | XXX | XXX | 10 | XXX | 20 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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.

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

PA0023531, Sewage, SIC Code 4952, **Danville Borough Municipal Authority**, 12 West Market Street, Danville, PA 17821. Facility Name: Danville WWTP. This existing facility is located in Danville Borough, **Montour 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), Mahoning Creek and Susquehanna River, is located in State Water Plan watershed 5-E 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 and 002 are based on a design flow of 3.63 MGDs.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Report | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| CBOD ₅ | 755 | 1,210 | XXX | 25 | 40 | 50 |
| BOD ₅ | | 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 | 905 | 1,360 | XXX | 30 | 45 | 60 |
| Fecal Coliform (CFU/100 ml) | | Wkly Avg | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| Ammonia-Nitrogen | XXX | XXX | XXX | Report | XXX | Report |

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfalls 001 and 002.

| Parameters | Mass (lbs) | | Minimum | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | | Monthly Average | Maximum |
| Ammonia—N | Report | Report | | Report | |
| Kjeldahl—N | Report | | | Report | |
| Nitrate-Nitrite as N | Report | | | Report | |
| Total Nitrogen | Report | Report | | Report | |
| Total Phosphorus | Report | Report | | Report | |
| Net Total Nitrogen | Report | 66,118 | | | |
| Net Total Phosphorus | Report | 8,816 | | | |

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

The EPA Waiver is not in effect.

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

PA0093475 A-1, Sewage, Findlay Township Municipal Authority, 1271 Route 30, P O Box 409, Clinton, PA 15026-1536. Facility Name: Potato Garden Run STP. This existing facility is located in Findlay Township, **Allegheny County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit to reflect both an existing and proposed expanded discharge of treated sewage.

The receiving stream(s), Potato Garden Run, is located in State Water Plan Watershed 20-D, and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The following effluent limits for Outfall 001 are effective for the existing design flow of 0.15 MGD, until either permit expiration or STP expansion for a proposed design flow of 0.5 MGD is completed:

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|-----------------------------|-----------------|---------------------|---------|----------------------|---------------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | Instant. Maximum |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.35 | XXX | 0.61 |
| CBOD ₅ | 31.3 | 47.6 | XXX | 25 | 38 | 50 |
| BOD ₅ | | | | | | |
| 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 | 37.6 | 56.3 | XXX | 30 | 45 | 60 |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Total Nitrogen | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 4.4 | 6.6 | XXX | 3.5 | 5.3 | 7.0 |
| Nov 1 - Apr 30 | 13.1 | 19.8 | XXX | 10.5 | 15.8 | 21.0 |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Total Aluminum | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Total Manganese | XXX | XXX | XXX | XXX | Report Daily Max | XXX |

The following effluent limits for Outfall 001 are effective after STP expansion for a proposed design flow of 0.5 MGD is completed, until permit expiration:

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|---------------------|-----------------|---------------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | Instant. Maximum |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | 83.40 | 125.10 | XXX | 20 | 30 | 40 |
| Nov 1 - Apr 30 | 104.25 | 158.46 | XXX | 25 | 38 | 50 |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |

| Parameters | Mass (lb/day) | | Minimum | Concentration (mg/l) | | Instant. Maximum |
|---|-----------------|---------------------|---------|----------------------|---------------------|------------------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Total Suspended Solids Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | 125.10 | 187.65 | XXX | 30 | 45 | 60 |
| Fecal Coliform (CFU/100 ml) May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| UV Transmittance (%) | XXX | XXX | Report | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Ammonia-Nitrogen May 1 - Oct 31 | 10.43 | 15.85 | XXX | 2.5 | 3.8 | 5.0 |
| Nov 1 - Apr 30 | 31.28 | 47.12 | XXX | 7.5 | 11.3 | 15.0 |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Total Aluminum | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Total Manganese | XXX | XXX | XXX | XXX | Report Daily Max | XXX |

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

The permittee shall obtain a Water Quality Management (WQM) permit from DEP for construction of treatment facilities for an expanded design flow of 0.5 MGD, and complete construction in accordance with the WQM permit application, prior to commencing the expanded discharge authorized by this NPDES permit.

The EPA Waiver is not in effect.

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

Notice of Re-Drafted Permit for Site-Specific Water Quality Criterion for Zinc

Pursuant to 25 Pa. Code § 16.24(d), the Department proposes to amend the following permit by incorporating the results of a Water-Effect Ratio (WER) into the calculation of the water quality based effluent limit for Zinc. The WER is a biological determination of a site-specific aquatic life criterion, determined by conducting toxicity testing on sensitive aquatic species using site or simulated site water and comparing it to testing performed using lab dilution water. The WER procedure recognizes that the physical and chemical characteristics of site water can influence the toxicity of a chemical on aquatic life. On October 3, 2014, the City of Saint Marys submitted a final report on the confirmatory WER tests for Zinc, which were conducted in November 2013, January 2014 and July 2014. Following review of their sampling protocol and study results, EPA determined that the WER listed below is approvable, and can be used to modify the subject NPDES permit's Zinc limit.

Alternate site specific criteria for zinc have been developed by multiplying the fish and aquatic life zinc criterion contained in Ch. 93, Table 5, by the following WER. The WER acts as a multiplier in the calculation of the NPDES permit limits for Zinc.

| Facility | Permit Number | Receiving Stream | Dissolved WER |
|---------------------|---------------|------------------|---------------|
| City of Saint Marys | PA0026387 | Elk Creek | 1.235 |

A Zinc limit of 0.22 mg/l (monthly average) has been calculated, based on the site-specific criterion developed by means of the above referenced Water Effects Ratio (WER) process.

These changes will affect the Zinc limits of the Saint Marys discharge only.

Persons wishing to comment on this proposal are invited to submit a statement to the Regional Manager, Water Management, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3481.

Comments must be received within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determination regarding this proposal. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Water Management Program Manager will amend and issue the final NPDES permit to reflect the results of the WER for Zinc.

The proposal and related documents are on file and may be inspected and arrangements made for copying at the office indicated above.

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

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

WQM Permit No. 3515402, Sewage, **Scranton City Sewer Authority Lackawanna County**, 312 Adams Ave, Scranton, PA 18503.

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

Description of Proposed Action/Activity: CSO Outfall 81 upgrade to include storage and flow equalization structure with control valve to redirect captured combined sewer overflow back into sewer system.

WQM Permit No. 5414401, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W Lancaster Ave, Bryn Mawr, PA 19010-3402.

This proposed facility is located in North Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: LPS Sewer Extension to service Eagle Rock Hidden Forest Phase IV subdivision.

Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000

WQM Permit No. 0215004, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15222. The facility is located in Pittsburgh City, **Allegheny County**.

Description of Proposed Action/Activity: 12 in. sewer along SR 885 and Mifflin Rd. is impacted by the culvert upgrades at the intersection. A new manhole will be installed & the invert must be lowered to clear the culvert. The new pip will be 16 in diameter.

WQM Permit No. WQG01561501, Sewage, **Travis Fore**, 514 Virginia Terrace, Madison, WI 53726.

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

Description of Proposed Action/Activity: Installation of a 400 gpd Small Flow Treatment Facility to serve an existing residential property.

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

WQM Permit No. 6182201 A-3, Industrial Waste, **Fluid Recovery Service LLC**, P. O. Box 232, Creekside, PA 15732.

This existing facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: Amendment to install proposed evaporation units, storage tanks, treatment tanks, and chemical feed equipment.

WQM Permit No. 6215402, Sewage, **Larry Hollabaugh**, 6275 Route 62, Irvine, PA 16329.

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

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

WQM Permit No. 4286201 A-2, Industrial Waste, **American Refinery Group Inc.**, 77 North Kendall Ave, Bradford, PA 16701-1726.

This existing facility is located in Bradford City, **McKean County**.

Description of Proposed Action/Activity: Amendment to reroute groundwater treatment system discharge to existing NPDES industrial WWTP.

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------------|-------------------------------|
| PAI011515004 | Oxford Crossing Apartments, L.P. 1000 University Avenue Suite 500 Rochester, NY 14607 | Chester | Oxford Borough | Little Elk Creek HQ-TSF-MF |
| PAI011515005 | John P. Stewart 347 N. Pottstown Pike Exton, PA 19341 | Chester | West Caln Township | Birch Run HQ-CWF |
| PAI012315004 | Behrle Construction Company, Inc. 181 Dam View Road Media, PA 19063 | Delaware | Upper Providence Township | Ridley Creek HQ-TSF-MF |

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

Carbon County Conserve District, 5664 Interchange Road, Lehighton, PA 18235-5114

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|--|--|
| PAI021315002 | Tihali Wind Farm 2085 Route 88 Brick, NJ 08724 | Carbon | Nesquehoning Borough, Packer Township | Bear Creek—Basin (EV, MF) Broad Run—Basin (EV, MF) Deep Run—Basin (EV, MF) Dennison Run—Basin (EV, MF) Grassy Meadow Run—Basin (EV, MF) Nesquehoning Creek—Main Stem, Lake Greenwood to Tibbetts Pond Dam (HQ-CWF, MF) Oberson Run—Tributary to Quakake Creek Basin (HQ-CWF, MF) Quakake Creek—Basin, Source to Wetzell Creek (HQ-CWF, MF) Still Creek—Basin, Source to Tamaqua Water Supply Dam (HQ-CWF, MF) Swartz Run (HQ-CWF, MF) |

Lehigh County Conserve District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Road, Allentown, PA 18104

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---|---|
| PAI023912025(1) | Colleen Kester PPL Electric Utilities Corp 2 N Ninth Street GENN4 Allentown, PA 18101 | Lehigh | Upper Macungie Township, Lower Macungie Township, Upper Milford Township, Lower Milford Township | Cedar Creek (HQ-CWF, MF) Little Lehigh Creek (HQ-CWF, MF) Swabia Creek (HQ-CWF, MF) Leibert Creek (HQ-CWF, MF) UNT to Hosensack Creek (CWF, MF) |

Luzerne County Conserve District, 325 Smiths Pond Road, Shavertown, PA 18708

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---|
| PAI024009004(1) | Mericle 112 Armstrong Road, LLC, Lew Sebia 100 Baltimore Drive Wilkes-Barre, PA 18702 | Luzerne | Pittston Township | Mill Creek (CWF, MF) UNT to Mill Creek (CWF, MF) |

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

| <i>Permit #</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------|---|---------------|---------------------|------------------------------|
| PAI034415002 | Shalamar Investments, LP 171 Manhasset Drive Port Matilda, PA 16870 | Mifflin | Armagh Township | UNT to Laurel Run/ HQ-CWF |

| Permit # | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|--------------|---|---------|-------------------------|--|
| PAI030514004 | Lawrence Burkholder 760 Muley Lane New Enterprise, PA 16664 | Bedford | South Woodbury Township | UNT Beaver Creek (HQ-CWF) UNT Three Springs Run (HQ-CWF) EV Wetlands |

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

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

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|------------------|--|--------|-------------------|---------------------------------------|
| PAI041409016R | David Palmer WPSH Assoc 2121 Old Gatesburg Rd State College, PA 16801 | Centre | Ferguson Township | Big Hollow CWF Beaver Creek HQ-CWF |

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

| Permit No. | Applicant & Address | County | Municipality | Stream Name |
|--------------|---|----------|---------------------------|-----------------------------------|
| PAI055613006 | CSX Transportation, Inc. 500 Water Street, J-275 Jacksonville, FL 32202 | Somerset | Lower Turkeyfoot Township | UNT to Laurel Hill Creek (HQ-CWF) |

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

PAG123752, CAFO, Shelmar Acres, LLC, 580 Colebrook Road, Mount Joy, PA 17552.

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

Description of Size and Scope of Proposed Operation/Activity: 966.16 AEUs Swine/Dairy Operation.

The receiving stream, UNT Donegal Creek, is in watershed 7-G, and classified for: TSF.

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.

PAG123804, CAFO, Mike Martin Duck Operation, 2050 West Main Street, Ephrata, PA 17522.

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

Description of Size and Scope of Proposed Operation/Activity: 148.68 AEUs Duck/Beef Operation.

The receiving stream, UNT Middle Creek, is in watershed 7-J, and classified for: WWF.

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.

PAG123803, CAFO, Linford Snyder, Fearnot Road Site, PO Box 870, Jonestown, PA 17038.

This proposed facility is located in Lykens Township, **Dauphin County**.

Description of Size and Scope of Proposed Operation/Activity: 388.23 AEUs Poultry (Pullets).

The receiving stream, Pine Creek, is in watershed 6-C, and classified for: CWF.

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.

PAG123805, CAFO, Star Rock Dairy, Inc., 175 Chestnut Grove Road, Conestoga, PA 17516.

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

Description of Size and Scope of Proposed Operation/Activity: 2,404.6 AEU's Dairy Farm.

The receiving stream, Fisherman Run, Frys Run, UNT Conestoga River, is in watershed 7-J, and classified for: WWF.

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

CAFO NMP PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units (AEUs)</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Now or Renewal</i> |
|--|---------------------------|--------------------|---------------------------------------|---|---|-----------------------|
| GNH Farms, LLC Gregory A Haladay 224 White Church Road Elysburg, PA 17824 | Columbia & Northumberland | 660.7 | 622.37 | Layers- (Poultry) Swine Beef Steers Lambs Horse | Mugser Run— HQ-CWF | 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 Program Manager, 2 East Main Street, Norristown, PA 19401

Permit No. 4615503, Public Water Supply

Applicant **North Penn Water Authority**
 Township Franconia
 County **Montgomery**
 Responsible Official Daniel C. Preston
 Director of Operations & Engineering
 300 Forty Foot Road
 Lansdale, PA 19446

Type of Facility PWS
 Consulting Engineer Ebert Engineering, Inc.
 Frederick E. Ebert, P.E.
 P. O. Box 540
 4092 Skippack Pike
 Skippack, PA 19474

Application Received Date April 8, 2015

Description of Action Re-build of existing well NP-26 to include the installation of a new submersible well pump, a new well house, a hypochlorination system, and a poly-phosphate system.

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

Application No. 5415502, Public Water Supply.

Applicant **Schuylkill County Municipal Authority**
 221 South Centre Street
 Pottsville, PA 17901

[Township or Borough] Reilly and Frailey Townships
Schuylkill County

Responsible Official Patrick M. Caulfield, Executive Director
 Schuylkill County Municipal Authority
 221 South Centre Street
 Pottsville, PA 17901

Type of Facility PWS
 Consulting Engineer Michael J. Peleschak, P.E.
 Alfred Benesch & Company
 400 One Norwegian Plaza
 Pottsville, PA 17901

Application Received Date April 20, 2015

Description of Action This project, known as the Reilly Township Waterline Extension Project, proposes a waterline extension from the Village of Donaldson to the Village of Newtown which will include a booster station and 200,000-gallon water storage tank.

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

Application No. 1915501—Construction Public Water Supply.

Applicant **United Water Pennsylvania—Bloomsburg**

[Township or Borough] Town of Bloomsburg
 County **Columbia**
 Responsible Official John D. Hollenbach
 Vice President & General Manager
 4211 East Park Circle
 Harrisburg, PA 17111

Type of Facility Public Water Supply
 Consulting Engineer CDM Smith, Inc.
 Michael A. Schober, P.E.
 205 Granite Run Drive,
 Suite 350
 Lancaster, PA 17601

Application Received April 24, 2015

Description of Action Construction and modification of the raw water intake and pump station to supply water to the existing water treatment plant.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 3215504MA, Minor Amendment.

Applicant **Green Township Municipal Authority**
 77 Musser Street
 Commodore, PA 15729

[Township or Borough] Green Township

Responsible Official John Robinette, President
 Green Township Municipal Authority
 77 Musser Street
 Commodore, PA 15729

Type of Facility Water system
 Consulting Engineer Keller Engineers, Inc.
 320 Allegheny Street
 P O Box 61
 Hollidaysburg, PA 16648

Application Received Date April 6, 2015

Description of Action Installation of new well pumps.

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

Application No. 4388510-MA3, Minor Amendment.

Applicant **Greenville Water Authority**

Township or Borough West Salem Township

Responsible Official Donald B. Shaw

| | |
|---------------------------|--|
| Type of Facility | Public Water Supply |
| Consulting Engineer | Thomas L. Thompson, P.E. Gannett Fleming, Inc. 554 South Erie Street Mercer, PA 16137 |
| Application Received Date | April 6, 2015 |
| Description of Action | Replacing the piping in the valve vault and adding tank mixing to the three tanks and incidental work. |

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 Approval 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 sub-

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

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

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

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

67-05083D: Calpine Mid-Merit, LLC (500 Delaware Avenue, Suite 600, Wilmington, DE, 19801-7406) for the construction of the Block 2 Electricity Generation Project at the existing electrical generation facility located in Peach Bottom Township, **York County**. The Block 2 Electricity Generation Project will involve the construction of two combined cycle natural gas/ultra low sulfur diesel fuel oil-fired combustion turbines, having a nominal 835 MWs capacity, as well as one NG-fired auxiliary boiler, one cooling tower, NG piping components, circuit breaker upgrades, five (5) NG condensate storage tanks, and additional ULSD fuel oil storage in the existing tank. The company shall be subject to and comply with, among other requirements, 40 CFR 60 Subpart KKKK (Standards of Performance for Stationary Combustion Turbines), 40 CFR 97 (Clean Air Interstate Rule (CAIR), Prevention of Significant Deterioration (PSD) of Air Quality regulations of 40 CFR 52.21, the Nonattainment New Source Review (NNSR) regulations of 25 Pa. Code §§ 127.201—127.218, and the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements, including requirements to equip the combined-cycle units with a Selective Catalytic Reduction (SCR) unit and an oxidation catalyst for control of NO_x and CO/VOC emissions, respectively, to meet BAT and other requirements. The proposed project is estimated to have a potential-to-emit of (in tons per year) as follows:

CO: 1,205.40
 NO_x: 340.3
 VOC: 253.3
 PM: 151.3
 PM₁₀: 151.3
 PM_{2.5}: 149.8
 SO₂: 34.4

H₂SO₄: 26.1
 Pb: 0.02
 CO₂: 2,675,852
 CH₄: 59.2
 N₂O: 6.7
 SF₆: 0.0404
 CO₂e: 2,680,247

In accordance with the Prevention of Significant Deterioration (PSD) rules in 40 CFR 52.21 and 25 Pa. Code § 127.83, Calpine Mid-Merit, LLC (Calpine) has performed an air quality analysis which utilizes dispersion modeling. Calpine's air quality analysis satisfies the requirements of the PSD rules and is consistent with the U.S. Environmental Protection Agency's (EPA) Guideline on Air Quality Models (40 CFR Part 51, Appendix W) and the EPA's air quality modeling policy and guidance.

In accordance with 40 CFR 52.21(k), Calpine's air quality analysis demonstrates that the proposed increase in emissions due to the major modification of the Calpine facility will not cause or contribute to air pollution in violation of the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), nitrogen dioxide (NO₂), particulate matter less than or equal to 2.5 micrometers in diameter (PM_{2.5}), or particulate matter less than or equal to 10 micrometers in diameter (PM₁₀). Calpine's air quality analysis demonstrates that the proposed increase in emissions due to the major modification of the Calpine facility will not cause or contribute to air pollution in violation of the increments for NO₂, PM_{2.5}, or PM₁₀. The degree of Class II and Class I increment consumption expected to result from the operation of the emission sources due to the major modification of the Calpine facility is provided in the following tables:

Table 1—Degree of Class II Increment Consumption from Operation of Emission Sources Due to Major Modification of Calpine Facility

| Pollutant | Averaging Period | Degree of Class II Increment Consumption | | Class II Increment micrograms/cubic meter |
|-------------------|------------------|--|-------------------------|--|
| | | micrograms/cubic meter | % of Class II Increment | |
| NO ₂ | Annual | < 0.3 | < 1.20% | 25 |
| PM _{2.5} | 24-Hour | < 3.8 | < 42.23% | 9 |
| | Annual | < 0.2 | < 5.00% | 4 |
| PM ₁₀ | 24-Hour | < 4.7 | < 15.67% | 30 |
| | Annual | < 0.2 | < 1.18% | 17 |

Table 2—Degree of Class I Increment Consumption from Operation of Emission Sources Due to Major Modification of Calpine Facility

| Pollutant | Averaging Period | Degree of Class I Increment Consumption | | Class I Increment micrograms/cubic meter |
|-------------------|------------------|---|------------------------|---|
| | | micrograms/cubic meter | % of Class I Increment | |
| NO ₂ | Annual | < 0.003 | < 0.12% | 2.5 |
| PM _{2.5} | 24-Hour | < 0.063 | < 3.15% | 2 |
| | Annual | < 0.002 | < 0.20% | 1 |
| PM ₁₀ | 24-Hour | < 0.063 | < 0.79% | 8 |
| | Annual | < 0.002 | < 0.05% | 4 |

In accordance with 40 CFR 52.21(o), Calpine provided a satisfactory analysis of the impairment to visibility, soils, and vegetation that would occur as a result of the proposed major modifications of the Calpine facility and general commercial, residential, industrial, and other growth associated with the proposed major modification of the Calpine facility.

In accordance with 40 CFR 52.21(p), written notice of the proposed major modification of the Calpine facility has been provided to the Federal Land Managers of nearby Class I areas as well as initial screening calculations to demonstrate that the proposed increase in emissions due to the major modification of the Calpine facility will not adversely impact visibility and air quality related values (AQRV) in nearby Class I areas.

In accordance with 40 CFR 52.21(l)(2), where an air quality model specified in the EPA Guideline on Air Quality Models (40 CFR Part 51, Appendix W) is inappropriate, the model may be modified on a case-by-case basis. Written approval of the EPA Regional Administrator must be obtained for the use of a modified model. In addition, the use of a modified model must be subject to notice and opportunity for public comment under procedures developed in accordance with 40 CFR 52.21(q). The air quality analysis for nitrogen dioxide (NO₂) for the proposed major modification of the Calpine Mid-Merit, LLC (Calpine) York Energy Center utilized the Ozone Limiting Method (OLM), which is currently implemented as a non-regulatory-default option within the EPA's recommended near-field dispersion model, the American Meteorological Society/Environmental Protection Agency

Regulatory Model (AERMOD). In accordance with the recommendations under subsection 3.2 of the EPA's Guideline on Air Quality Models, the Department submitted a request to EPA Region III for approval of the use of the OLM in Calpine's air quality analysis for NO₂ on October 8, 2014. The EPA Regional Administrator approved the Department's request on November 21, 2014. Pursuant to 25 Pa. Code §§ 127.44 and 127.83, and 40 CFR 52.21(l)(2) and (q), notice is hereby given that the Department is expressly soliciting written comments on the use of the OLM in Calpine's air quality analysis for NO₂.

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

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

23-0108D: Barry Callebaut USA, LLC (903 Industrial Highway, Eddystone, PA 19022; Attn: Mr. Robert Gist) for the minor modification of the Pre-Roasting Process (Source ID102) at their cocoa processing facility located in Eddystone Borough, **Delaware County**. This facility is a non-Title V facility. Barry Callebaut currently controls emissions from the Pre-Roasting Process by means of a Pre-Roaster Cyclone (Source ID C01). Barry Callebaut proposed to further reduce emissions from the Pre-Roasting Process by sending the emissions from the Pre-Roaster Cyclone to an existing Anguil Regenerative Thermal Oxidizer (Source ID C06). Per this application, Barry Callebaut does not intend to make any changes to the current process operations, only to the controls for the Pre-Roasting Process (Source ID 102). The Pre-Roasting Process has no hourly restrictions on operation. However, the Pre-Roasting Process is restricted to a 12-month total throughput of 64,152 metric tonnes. VOC emissions from the facility will be reduced by approximately 15 tons per year. NO_x emissions will have an insignificant increase (<1 ton per year) due to the nitrogen content of PM being sent to the Anguil Regenerative Thermal Oxidizer. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

32-00200A: PA State System of Higher Education/IUP (525 Pratt Drive, Indiana, PA 15705) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.45 that the Department of Environmental Protection ("Department") intends to issue Air Quality Plan Approval: PA-32-00200A to PA State System of Higher Education/IUP ("IUP") for the installation of oxidation catalysts, as required by 40 CFR Part 63 Subpart ZZZZ, on four existing reciprocating internal combustion engines (RICE) at the S.W. Jack Cogeneration Plant located in Indiana Borough, **Indiana County**. (This is a corrected notice replacing a similar publication on April 25, 2015.)

Oxidation catalysts are being installed to control CO emissions and comply with a CO emission limit of 23 ppmvds at 15% oxygen or a CO reduction of 70%. This requirement, and all other applicable requirements of 40 CFR Part 63 Subpart ZZZZ are being incorporated into this plan approval. Potential emissions of carbon monoxide (CO) are calculated to decrease by 290 tons per year from installation of oxidation catalysts. Secondary emission reductions are expected to include 20.3% of volatile

organic compounds (VOC), 50.6% of formaldehyde, and 20.3% of other hazardous air pollutants (HAP). Potential to emit from the facility remains 613 tons of nitrogen oxides (NO_x) and 234 tons of VOC per year as limited by TV-32-00200 and otherwise unaffected by this project. Potential emissions for other pollutants from the facility after installation of the oxidation catalysts will be 166 tons of CO; 25 tons of particulate matter less than 10 microns in diameter (PM₁₀); 15 tons of sulfur dioxide (SO₂); 42 tons of HAP including 25 tons of formaldehyde, 6 tons of acetaldehyde, and 4 tons of acrolein; and 195,911 tons of carbon dioxide equivalents (CO₂e).

A person may oppose the proposed plan approval by filing a written protest with the Department through Alan Binder via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to abinderpa.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 Plan Approval (PA-32-00200A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

IUP's Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the IUP Plan Approval 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 Plan Approval for this project, a person may contact Phil Bouse at pbousepa.gov or 412.442.4000.

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

10-379B: XTO Energy dba Mountain Gathering LLC, Penn Cryo Facility (810 Houston Street, Fort Worth, TX 76102-6203) for the installation of a 125 MMcf/d natural gas processing plant at 230 Hicks Road, Renfrew, PA 16053. Sources at the site will include a process heater, a backup process heater, process storage tanks, a gas processing plant and facility roadways. This facility is located in Penn Township, **Butler County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 10-374B to XTO Energy dba Mountain Gathering LLC for the installation of a process heater, a backup process heater, process storage tanks, a gas processing plant and facility roadways, for the Penn Cryo Facility located in Penn Township, Butler County. The Plan Approval will subse-

quently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-379B is for the installation of a process heater, a backup process heater, process storage tanks, a gas processing plant and facility roadways. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the potential to emit approximately 1.382 ton per year (tpy) of particulate matter, 16.023 tpy of carbon monoxide (CO), 7.643 tpy of volatile organic compounds, 8.7 tpy of nitrogen oxides, 0.362 tpy of HAPs and 0.11 tpy of sulfur oxides. Site level emissions for criteria pollutants will be as follows: 13.118 tons per year (tpy) of particulate matter, 23.93 tpy of carbon monoxide (CO), 14.804 tpy of volatile organic compounds, 12.1 tpy of nitrogen oxides, 0.56 tpy of HAPs and 0.167 tpy of sulfur oxides.

The Plan Approval will contain emission limits, testing, monitoring recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

This facility will be subject to 40 CFR Part 60 Subpart OOOO (Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution and parts of 40 CFR Part 60 Subpart VVa (Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction or Modification Commenced After November 7, 2006) which are referenced in Subpart OOOO. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the DEP's Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Edward F. Orris, PE, Air Quality Regional Program Manager, may be contacted at 814-332-6632, or PA DEP NWRO, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, for additional information or for the submission of comments or protests.

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

23-00089: FPL Energy Marcus Hook, L.P. (100 Green Street, Marcus Hook, PA 19061) for renewal of a Title V Operating Permit in Marcus Hook Borough,

Delaware County. There have been no source changes at the facility since the operating permit was issued in 2009. Sources at the facility include three (3) combined cycle natural-gas fired combustion turbines with duct burners, one (1) cooling tower with twelve (12) cells, and a parts washing unit. FPL Energy Marcus Hook is a major facility for NO_x, VOC, CO, and PM. The renewal of the permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements

The turbines are subject to Phase II (Title IV) Acid Rain requirements of 40 CFR Part 72. The facility shall hold sufficient SO₂ allowances for each affected unit in accordance with 40 CFR 72.9(c)(1). The applicable requirements are incorporated into a Title IV permit (ORIS No. 55801) issued under separate cover concurrently with the Title V Operating Permit. All monitoring, recordkeeping, and reporting shall be in conformance with 25 Pa. Code § 127.531 and the Acid Rain Permit application.

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

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

14-00005: Pennsylvania Department of Corrections (P. O. Box 598, Camp Hill, PA 17001-0598) for renewal of the Title V operating permit for their Rockview State Correctional Institution located in Benner Township, **Centre County**. The facility is currently operating under Title V Operating Permit 14-00005. The facility's sources include three (3) bituminous coal-fired boilers, one (1) natural gas-fired boiler and two (2) diesel-fired emergency generators, which have the potential to emit major quantities of sulfur oxide (SO_x) emissions.

The facility has potential annual emissions of 56.90 tons of carbon monoxide, less than 100 tons of nitrogen oxides, 150.91 tons of sulfur oxides, 24.67 tons of particulate matter including particulate matter less than 10 microns in size, 3.29 tons of volatile organic compounds and 9,086 tons of greenhouse gases. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Part 60 Subparts Dc and IIII, 40 CFR Part 63 Subparts ZZZZ and JJJJJJ and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

19-00007: Transcontinental Gas Pipe Line Company, LLC (2800 Post Oak Blvd, Houston, TX 77056) to issue a renewal Title V Operating Permit for their Compressor Station 517 located in Jackson Township, **Columbia County**. The facility is currently operating under Title V Operating Permit 19-00007. The facility's main sources include four natural gas-fired combustion turbines, several storage tanks, and two emergency generators.

The facility has potential emissions of 230 tons per year (tpy) nitrogen oxides, 54 tpy carbon monoxide, 19 tpy volatile organic compounds, 3.7 tpy particulate matter, 1.8 tpy sulfur oxides, 6.2 tpy of combined hazardous air pollutants, including formaldehyde, and 64,665 tpy of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Parts 60 and 63 and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131

10-00027: Calumet Penreco (138 Petrolia Street, Karns City, PA 16041-9222) for the re-issuance of a Title V Permit to operate a high quality specialty oils and lubricants manufacturing facility in Karns City Borough, **Butler County**. The facility's major emission sources include three boilers (66 mmbtus/hr, 91 mmbtus/hr, and 91 mmbtus/hr), hydrotreater reactor furnace, hydrotreater reformer furnace, hydrotreater stripper furnace, kerosene unit furnaces, emergency diesel generators and fire pumps, emergency natural gas generator, two retort process heaters with a cyclone control, an Oleum process controlled by two venturi scrubbers, alcohol storage and handling, plant-wide fugitive emissions, wastewater treatment, small gasoline storage tank, naphtha rerun unit furnace, hydrotreater flare, kerosene/naphtha unit flare, and pumps and compressors. The facility is a major facility due to its potential to emit Volatile Organic Compounds, Sulfur Dioxide Compounds, and Oxides of Nitrogen. Potential HAP emissions from the facility are less than 6.5 TPY. Actual reported emissions for 2014 were: CO 2.9 TPY; Lead 0.001 TPY; NO_x 20.77 TPY; PM₁₀ 19.88 TPY; PM_{2.5} 7.65 TPY; SO_x 72.32 TPY; VOC 50.09 TPY; HAP 0.33 TPY, and CO₂ 29,960.6 TPY. The 66 mmbtus/hr boiler is natural gas or oil fired. Boiler #1 is subject to 40 CFR 63 Subpart JJJJJ—NESHAPs for Industrial, Commercial, and Institutional Boilers at Area Sources. Since the other boilers only burn natural gas, they are exempt from Subpart JJJJJ based on § 63.11195(e) which indicates a gas-fired boiler is not subject to this Subpart. The stationary engines for the emergency diesel generators, emergency natural gas generator, and diesel fire pumps are subject to 40 CFR 63 Subpart ZZZZ based on the January 2013 revisions to these regulations. Subpart ZZZZ is for Stationary Reciprocating Internal Combustion Engines (RICE). Source 109 gasoline storage tank is subject to 40 CFR 63 Subpart CCCCC pertaining to NESHAPs for Gasoline Dispensing Facilities. The only requirements applicable to this source which were incorporated into the permit are the work practice requirements of § 63.11116 pertaining to facilities with monthly throughput of less than 10,000 gallons of gasoline.

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

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

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

46-00281: Matheson Tri-Gas, Inc. (1700 Scepter Road, Waverly, TN 37185) for operating an industrial gas manufacturing plant in Upper Hanover Township, **Montgomery County**. This is an initial State-Only Operating Permit that includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility in compliance with all applicable Federal and state air quality regulations.

09-00032: Eureka Stone Quarry, Inc. (PO Box 249, Chalfont, PA 18914) for renewal of the State Only Operating Permit for a facility comprising a stone crushing operation and two asphalt plants located in Warrington Township, **Bucks County**. The renewal includes minor changes in standard conditions in accordance with Department of Environmental Protection (DEP) guidelines. Minor corrections in source representations and conditions are made. No. 2 fuel oil is removed as an approved fuel, since the facility only uses natural gas as fuel for the asphalt plants. Ranges for allowable pressure drops for four baghouses controlling particulate matter emissions are set. A limit of 30% reconstituted asphalt pavement (RAP) by weight of total asphalt produced is set for Asphalt Plant #2. The permit will require stack testing for nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), volatile organic compounds (VOC) and particulate matter (PM) when the RAP content exceeds 20%. RAP use is not allowed in Asphalt Plant #1. The facility is limited to emissions of 24.9 tons/year NO_x and VOC on a 12-month rolling basis. The renewed Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

35-00052: H&K Group, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) for the operation of an asphalt plant in Dunmore Borough, **Lackawanna County**. The source consists of a batch hot mix asphalt plant. The emissions are controlled by a knockout-box and baghouse. This is a renewal of a State-Only operating permit. The State-Only 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.

40-00085: Certech, Inc. (550 Stewart Road, Wilkes-Barre, PA 18706) for the operation of a non-clay refractories operation in Hanover Township, **Luzerne County**. The sources consist of kilns, ovens, spray booths, and die cleaning operations. The emissions are controlled by afterburners and panel filters. This is a renewal of a State-Only operating permit. The State-Only 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.

48-00101: Airlite Plastics Company (2860 Bath Pike, Nazareth, PA 18064) for the operation of a polystyrene foam manufacturing facility in Upper Nazareth Township, **Northampton County**. The sources consist of an expander, aging bags, molding presses, and molded part storage. This is a new State-Only operating permit. The State-Only 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.

52-00005: Springbrook Enterprises, Inc. (504 Well Road, Hawley, PA 18428-6021) for the operation of a sand and gravel plant in Blooming Grove Township, **Pike County**. The sources consist of stone crushers, screens, conveyors, transfer points, and a generator. The emissions from the sources are controlled by water sprays and a dust collector. This is a renewal of a State-Only operating permit. The State-Only 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.

54-00080: Hexcel Corporation (P. O. Box 179, Pottsville, PA 17901-0179) for the operation of an aircraft manufacturing facility in East Norwegian Township, **Schuylkill County**. The operation consists of heat treating, machining, and cleaning of parts. This is a renewal of a State-Only operating permit. The State-Only 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.

54-00083: Trans Western Polymers, Inc. (31 Progress Avenue, Tamaqua, PA 18252) for the operation of a plastic bag and pouch manufacturing facility in Rush Township, **Schuylkill County**. The sources consist of an extrusion operation and ink jet printing. This is a new State-Only operating permit. The State-Only 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.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

21-05042: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105) to issue a State Only Operating Permit for limestone processing and asphalt production at the facility in Silver Spring Township, **Cumberland County**. Potential emissions of particulate matter (PM) from the facility are estimated at around 40 tons per year. Potential nitrogen oxides (NO_x) emissions are estimated at 41 tons per year. Actual emissions of all pollutants are well below estimated maximum levels. The Operating Permit includes emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The limestone processing equipment includes equipment subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The hot mix asphalt plant is subject to 40 CFR Part 60 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

63-00147: International Paper/Eighty Four Container Plant (10 Wilson Road, Eighty Four, PA 15330) for the operation of corrugated box manufacturing located in North Strabane Township, **Washington County**. IP performs flexographic printing on the corrugated boxes utilizing waster base inks. The actual emissions for 2014 were: 926.56 lbs VOC, 135.29 lbs total combined HAPs, and 22.95 lbs PM/PM₁₀. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Lehigh Asphalt Paving and Construction (Andreas Quarry) (PO Box 549, Tamaqua, PA 18252) for their facility located in West Penn Twp., Schuylkill County. This Plan Approval No. 54-00017A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00017A is for the installation and operation of a cone crusher and associated conveyors with water sprays at Andreas Quarry. The new crusher and conveyors shall be subject to and comply with NSPS Subpart OOO requirements emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00017A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments

received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environment Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

54-00075A: DG Yuengling & Sons Inc. (310 Mill Creek Avenue Port Carbon, PA 17901-8692) for their facility located Port Carbon Borough, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to DG Yuengling & Sons Inc. (310 Mill Creek Avenue Port Carbon, PA 17901-8692) for their facility located Port Carbon Borough, Schuylkill County. This Plan Approval No. 54-00075A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00075A is for the installation and operation of the following equipment:

- Brewing Operations
- Unloading grain and malt Operations
- Milling Operations
- Boilers

The source main emissions for the new sources are NO_x, CO, and VOC. The new sources will meet all applicable requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00075A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

54-00087A: DG Yuengling & Sons Inc. (310 Mill Creek Avenue Port Carbon, PA 17901-8692) for their facility located Pottsville City, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to DG Yuengling & Sons Inc. (310 Mill Creek Avenue Port Carbon, PA 17901-8692) for their facility located Pottsville City, Schuylkill County. This Plan Approval No. 54-00087A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00087A is for the installation and operation of the following equipment:

- Brewing Operations
- Material Handling Operations
- Bottle Operations
- Boilers

The source main emissions for the new sources are NO_x, CO, and VOC. The new sources will meet all applicable requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00087A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.10—6018.1003).

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

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

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

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

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

Coal Applications Received

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

17141601 and NPDES No. PA0236314. E.M. Brown, Inc., (PO Box 767, Clearfield, PA 16830). To operate the Winburne AMD Abatement Site in Cooper Township, **Clearfield County** and related NPDES permit. Formerly permitted under Permit No. 17881601. Coal Refuse Disposal Acres Proposed 3.4. Receiving Stream: Sulphur Run, classified for the following uses: CWF-MF. The application was considered administratively complete on April 22, 2015. Application received February 19, 2015.

32951301 and NPDES No. PA0215821. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Toms Run Mine in Burrell Township, **Indiana County** and related NPDES permit to add underground permit and subsidence control plan acres, add the Lower Freeport coal seam, eliminate proposed mine shaft at Portal #2 site, revise the size and location of treatment ponds, and change location of Outfall 005. Underground Acres Proposed: 430.0. Subsidence Control Plan Acres Proposed 1,088.4. No additional discharges. The application was considered administratively complete on April 24, 2015. Application received December 31, 2014.

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

Permit No. 56140104 and NPDES No. PA0279636. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA

15563, commencement, operation and restoration of a bituminous surface & auger mine in Brothersvalley Township, **Somerset County**, affecting 79.5 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek and Buffalo Creek to Casselman River classified for the following uses: cold water fishery and warm water fishery. The first downstream potable water supply intake from the point of discharge is Youghiogheny River. Application received: March 31, 2015.

The application includes a stream encroachment to construct a haul road crossing on an unnamed tributary to Buffalo Creek designated as unnamed tributary "C." The encroachment will affect a 0.6 acre section of the above stream, approximately 450 feet in length.

There are three (3) other stream encroachments to construct ponds for Erosion & Sedimentation controls on unnamed tributaries to Buffalo Creek designated as unnamed tributary "A," unnamed tributary "B" and unnamed tributary "C." The encroachments will affect a total of 0.72 acre within the 100 foot barrier of the above streams

The application also includes a request for a Section 401 Water Quality Certification.

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

61100101. K & A Mining (P. O. Box 288, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Irwin Township, **Venango County**, affecting 68.6 acres. Receiving streams: Unnamed tributary to Williams Run, unnamed tributary to Scrubgrass Creek, and unnamed tributary to East Branch Wolf Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: April 20, 2015.

33090106. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801) Renewal of an existing bituminous surface mine in Knox Township, **Jefferson County**, affecting 54.1 acres. Receiving streams: Unnamed tributaries to Fivemile Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: April 24, 2015.

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

17080116 and NPDES PA0256978. Forcey Coal, Inc. (P. O. Box 225, 475 Banion Road, Madera, PA 16661). Permit renewal for continued operation and restoration of a bituminous surface mine located in Bigler Township, **Clearfield County** affecting 42.0 acres. Receiving stream(s): Unnamed Tributary to Clearfield Creek classified for the following use(s): CWF and Clearfield Creek classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 13, 2015.

18793005 and NPDES PA0596129. Confer Coal Company (P. O. Box 471, Milesburg, PA 16853). Permit renewal for reclamation only of a passive treatment on a bituminous surface mine located in Beech Creek Township, **Clinton County** affecting 329.0 acres. Receiving stream(s): South Fork of the Tangascootack Creek. There are no potable water supply intakes within 10 miles downstream. Application received: April 16, 2015.

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

Permit No. 40110201C2. Mineral Reclamation, LLC, (100 N. Wilkes-Barre Boulevard, Suite 126, Wilkes-Barre, PA 18702), correction to an existing anthracite surface mine and coal refuse reprocessing operation to include blasting activities in Duport and Avoca Boroughs, **Luzerne County** affecting 25.3 acres, receiving stream: Mill Creek, classified for the following use: cold water fishery. Application received: April 10, 2015.

Permit No. 54920202T & C. Dorenzo Coal Co., LLC, (19 Laudemans Lane, Pottsville, PA 17901), transfer from Dorenzo Coal Co. of an existing anthracite coal refuse reprocessing, refuse disposal and preparation plant operation and correction to update the post-mining land use from forestland to residential/commercial development in Branch Township, **Schuylkill County** affecting 18.9

acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: April 21, 2015.

Permit No. 54940202T & C. Dorenzo Coal Co., LLC, (19 Laudemans Lane, Pottsville, PA 17901), transfer from Dorenzo Coal Co. of an existing anthracite coal refuse reprocessing, refuse disposal and preparation plant operation and correction to update the post-mining land use from forestland to residential/commercial development in Branch Township, **Schuylkill County** affecting 30.3 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: April 21, 2015.

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.

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

14920302 and NPDES PA0207098. 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 270.0 acres. Receiving stream(s): Lick Run and Tributary to Bald Eagle Creek. Application received: April 13, 2015.

14050301 and NPDES PA0256161. Glenn O. Hawbaker, Inc. (1952 Waddle Rd, Suite 203, State College, PA 16803). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Spring Township, **Centre County** affecting 39.0 acres. Receiving stream(s): Spring Creek. Application received: April 10, 2015.

59050301 and NPDES PA0256170. Glenn O. Hawbaker, Inc. (1952 Waddle Rd, Suite 203, State College, PA 16803). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Lawrenceville Borough, **Tioga County** affecting 44.49 acres. Receiving stream(s): Mutton Creek. Application received: April 10, 2015.

4775SM10 and NPDES PA0596639. 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 College Township, **Centre County** affecting 331.0 acres. Receiving stream(s): Spring Creek to Bald Eagle Creek. Application received: April 17, 2015.

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

Permit No. 58152501 and NPDES Permit No. PA0225550. Brett Excavation, Inc. (9799 Chestnut Ridge Road, Middleport, NY 14105). Commencement, operation and restoration of a bluestone quarry operation in New Milford Township, **Susquehanna County** affecting 10.0 acres and receiving stream unnamed tributary to Meylert Creek, classified for the following uses: HQ-Cold Water and Migratory fishes. Application received: April 20, 2015.

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 Depart-

ment 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. PA0002780 (Mining Permit No. 10841302), ArcelorMittal Pristine Resources, LLC, (PO Box 36, 129 Bethlehem Road, Revloc, PA 15948). A revision to the NPDES permit for the Fawn Mine #91 in Clinton Township, **Butler County**, this NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of an executed Consent Order and Agreement. Surface Acres Affected 18.53. Receiving stream: Lardintown Run, classified for the following use: TSF. The application was considered administratively complete on August 12, 2014. Application received August 12, 2014.

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.

Note: The following interim limits apply to Outfall 001, not to exceed one year from the issuance of Permit Revision No. 23.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

Outfall 001 discharges to: Lardintown Run

The proposed effluent limits for Outfall 001 (Lat: 40° 41' 39" Long: 79° 48' 37") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd) | | - | - | 0.36 |
| Iron (mg/l) | | 2.6 | 5.2 | 6.5 |
| Manganese (mg/l) | | 1.8 | 3.6 | 4.5 |
| Aluminum (mg/l) | | 0.9 | 1.8 | 2.45 |
| Suspended Solids (mg/l) | | 35 | 70 | 90 |
| Osmotic Pressure* (mos/kg) | | | | REPORT |
| Sulfates (mg/l) | | | | REPORT |
| Total Dissolved Solids (mg/l) | | | | REPORT |
| Chlorides (mg/l) | | | | REPORT |

Note: The following interim limits apply to Outfall 001, in the second and third years after issuance of Permit Revision No. 23, subject to the Compliance Schedule in Part B, Section 7.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

Outfall 001 discharges to: Lardintown Run

The proposed effluent limits for Outfall 001 (Lat: 40° 41' 39" Long: 79° 48' 37") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd) | | - | - | 0.36 |
| Iron (mg/l) | | 2.6 | 5.2 | 6.5 |
| Manganese (mg/l) | | 1.0 | 2.0 | 2.5 |
| Aluminum (mg/l) | | 0.9 | 1.8 | 2.45 |
| Suspended Solids (mg/l) | | 35 | 70 | 90 |
| Osmotic Pressure* (mos/kg) | | | | REPORT |
| Sulfates (mg/l) | | | | REPORT |
| Total Dissolved Solids (mg/l) | | | | REPORT |
| Chlorides (mg/l) | | | | REPORT |

Note: The following final limits apply to Outfall 001, three years after issuance of Permit Revision No. 23, subject to the Compliance Schedule in Part B, Section 7.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

Outfall 001 discharges to: Lardintown Run

The proposed effluent limits for Outfall 001 (Lat: 40° 41' 39" Long: 79° 48' 37") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd) | | - | - | 0.36 |
| Iron (mg/l) | | 2.6 | 5.2 | 6.5 |
| Manganese (mg/l) | | 1.0 | 2.0 | 2.5 |
| Aluminum (mg/l) | | 0.9 | 1.8 | 2.45 |
| Suspended Solids (mg/l) | | 35 | 70 | 90 |
| Osmotic Pressure (mos/kg) | | 50 | 76 | 95 |
| Sulfates (mg/l) | | | | REPORT |
| Total Dissolved Solids (mg/l) | | | | REPORT |
| Chlorides (mg/l) | | | | REPORT |

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, draw-

ings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-514. Mary Carroll King, Ravenscliff—Roundhill Homeowners Association, CAMCO Management Company, 511 West Chester Pike, Havertown, PA 19083, Radnor Township, **Delaware County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway of the Julip Run (CWF, MF) associated with the stream improvements.

1. To remove the remnants of previously stream restoration. To rehabilitate and maintain about 175 feet of stream including five rock step structures. Stream restoration will require minor realignment.

2. To rehabilitate and maintain about 80 foot of bank stabilization.

3. To repair the exposed utility crossing under the stream.

The site is located about 1,000 feet northwest of intersection Church Road and St. David's Road (Valley Forge-PA USGS Quadrangle Latitude 40.024652; Longitude -75.401895).

E46-1119. Pennypack Ecological Restoration Trust, 2955 Edge Hill Road, Huntingdon Valley, PA 19006-5022, Horsham Township, **Montgomery County**, ACOE Philadelphia District.

Stormwater Control Measure, The College Settlement of Philadelphia

The College Settlement of Philadelphia and the Pennypack Ecological Restoration Trust has applied for a Pennsylvania Water Obstruction and Encroachment Small Projects Permit to construct and maintain a stormwater control measure that includes an approximate One-acre infiltration basin, a polishing wetlands and a water discharge control structure within and adjacent to a channel and floodway of unnamed intermittent tributary to the Pennypack Creek (TSF, MF).

The site is located on the property of The College Settlement of Philadelphia, West Welsh Road, Horsham (Amber, PA Quad Lat. 40° 10' 24.26N"; Long. -75° 09' 35.23").

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

E45-592. Arrowhead Lake Community Association, Inc, 961 Arrowhead Drive, Pocono Lake, PA 18347, in Coolbaugh Township, Tobyhanna Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To excavate and maintain navigation channels in two cove areas within Arrowhead Lake for the purpose of improving boat access to the main portions of the lake as follows: (1) Lewis Creek Cove—a trapezoidal channel having a length of approximately 2,600 feet, a bottom width of approximately 10 to 15 feet, a constructed depth of approximately 4 feet and a branch channel of the same cross sectional dimensions having a length of approximately 600 feet which will impact an area of EV wetlands equal to 0.17 acre; and (2) Eastern Cove—a trapezoidal channel having a length of approximately 4,000 feet, a bottom width of approximately 15 feet and a constructed depth of approximately 4 feet. The project also includes: (1) a 170-foot long stream restoration project in Lewis Creek at the southern end of Lewis Creek Cove with work consisting of the construction of two rock cross vanes, random boulder placement, excavated channel area 2-foot in depth, tree revetments, embankment stabilization consisting of boulder toe-in, live branch bundles and live stakes; (2) a fish habitat enhancement area in Lewis Cove approximately 2.4 acres in size consisting of anchored branches and; (3) fill placed in Arrowhead Lake along Eastern Cove Island for the purpose of wetland mitigation. The project will permanently impact a total of 4.4 acres of open water with temporary impacts totaling another 13.3 acres. The project is located in Arrowhead Lake. (Thornhurst, PA Quadrangle, Latitude: 41°09'12"; Longitude: -75°34'13").

E52-248. Pennsylvania Department of Transportation Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, in Shohola Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure; and to construct and maintain a 29-foot wide two-span steel truss bridge immediately upstream of the existing structure. The structure will have a span of 495 feet and an approximate under-clearance of 31.5 feet over the Delaware River (HQ-CWF, MF). The project is located along S.R. 1011, Section 470, Segment 0010, Offset 2769. (Pond Eddy, PA Quadrangle, Latitude: 41°26'22"; Longitude: -74°49'10").

E40-765. Pennsylvania Department of Transportation Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, in Hanover and Newport Townships, City of Nanticoke, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To authorize the following water obstructions and encroachments associated with roadway improvements along SR 3046:

1. To construct and maintain a road crossing across Nanticoke Creek (CWF/MF) consisting of a 6 span prestressed concrete bulb-tee beam bridge that has a 700-foot long span and an approximate 79 foot under-clearance.

2. To fill 85 feet of an unnamed tributary to Nanticoke Creek (CWF/MF) (Channel 9).

3. To fill 192 feet of an unnamed tributary to Nanticoke Creek (CWF/MF) (Channel 11) and to slip line 215 feet of a 42" reinforced concrete pipe stream enclosure.

4. To fill 41 feet of an unnamed tributary to Nanticoke Creek (CWF/MF) (Channel 13).

5. To fill 1,122 feet of an unnamed tributary to Warrior Creek (CWF/MF) (Channel 14).

6. To fill 646 feet of Warrior Creek (CWF/MF) (Channel 15), to remove the existing structure and to construct and maintain a stream enclosure consisting of an 193-foot long 9-foot x 16-foot box culvert depressed 12-inches with a riprap outlet apron and a wildlife crossing.

The overall project will permanently impact 1.06 acre of wetlands and 2,351 feet of stream channel and temporarily impact 0.40 acre of wetland and 406 feet of stream channel. The permittee is required to provide 1.77 acre of replacement wetlands. The permittee is also required to provide compensatory mitigation for the stream impacts by implementation of a stream improvement/dam removal project along 1,300 l.f. of Solomon Creek located in Ashley Borough, Luzerne County.

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

E59-527. Elkland Borough Authority, 105 Parkhurst Street, Elkland, PA 16920-1140. Ellison Road Sanitary Sewer Relocation in Elkland Borough, **Tioga County**, ACOE Baltimore District (Elkland, PA Quadrangle Lat: 41° 59' 32.6"; Long: -77° 18' 10.4").

Elkland Borough Authority has applied for a Joint Permit Application to construct, operate and maintain a new permanent sewer line crossing along Ellison Road in Elkland Borough, Tioga County.

The project is for the removal and relocation of an existing sewer line. The work involves the relocation of approximately 420 feet of new 10-inch PVC sanitary sewer. Approximately 35 feet of the new sewer will be encased in concrete and will be protected by gabion mattresses. The relocation will be approximately 25 feet west of its present location to avoid conflicts with the proposed replacement of an existing bridge. The new sewer line will cross under the stream and installed by open cut. It will be located approximately 6 inches below streambed.

The total estimated stream impacts for the project are approximately 672 ft² of permanent impacts and 3,200 ft² of temporary impacts. The proposed project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Camp Brook Creek is classified with a designated use of Warm Water Fishery (WWF).

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

E04-349. Center Township Water Authority, 224 Center Grange Road, Aliquippa, PA 15001; Center and Potter Townships; **Beaver County**; ACOE Pittsburgh District

The applicant is proposing to do the following:

1. construct and maintain two (2) water intake structures within the Ohio River (WWF, N);

2. construct and maintain a 28' diameter concrete caisson, access drive, parking area, and support facilities, including a control building and an emergency standby power plant, within the floodplain of the Ohio River;

3. construct and maintain several utility line crossings of Rag Run (WWF) and an unnamed tributary (UNT) to the Ohio River (WWF) in association with the construction of an 18" DIP raw water transmission main;

4. construct and maintain an outfall structure in the Ohio River, and several utility line crossings of Rag Run, with a 24" DIP, in association with discharging pretreated backwash water to the Ohio River; and

5. construct and maintain a stormwater outfall structure in a UNT to Rag Run (WWF); and

6. to place and maintain fill within the 100-year floodplain of the Ohio River, for the purpose of constructing a new surface water treatment facility, to replace the Authority's existing groundwater wells and treatment plant, which serves as a community public water supply.

The project will cumulatively impact approximately 558' of watercourse, and is located in and along the Ohio River, approximately 3,420' upstream from where the Beaver Valley Expressway (I-376) crosses over the Ohio River (Beaver, PA USGS 7.5 minute Topographic Quadrangle; Latitude: 40° 40' 51"; Longitude: -80° 19' 7"; Sub-basin: 20G), in Potter Township, Beaver County. (The new treatment plant will be in Center Township, Beaver County.)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335; 814-332-6860

E16-08-002, EQT Production Company, 2400 Zenith Ridge Road, Canonsburg, PA 15317. Huey Pipeline Project in Toby Township, **Clarion County**, Army Corps of Engineers Pittsburgh District (Sligo, PA Quadrangle 41.087278N; -79.497167W).

The applicant proposes to construct and maintain approximately 16,100 feet of 12 inch steel natural gas gathering pipeline located in Toby Township, Clarion County. The proposed pipeline will connect existing natural gas wells to a meter site. The water obstructions and encroachments are described below:

To construct and maintain:

| <i>Impact No.</i> | <i>Description of Impact</i> | <i>Latitude / Longitude</i> |
|-------------------|---|-----------------------------|
| 1 | One (1) 12" diameter natural gas pipeline with associated right-of-way crossing an EV PEM wetland using HDD technique and having 128 square feet of permanent wetland impact. | 41.08368N -79.49007W |
| 2 | One (1) 12" diameter natural gas pipeline with associated right-of-way crossing an EV PSS wetland using HDD technique and having 32 square feet of permanent wetland impact. | 41.08323N -79.48994W |
| 3 | One (1) 12" diameter natural gas pipeline with associated right-of-way crossing UNT to Cherry Creek (CWF) using HDD technique and having 37 square feet of permanent stream impact. | 41.08306N -79.48994W |

| <i>Impact No.</i> | <i>Description of Impact</i> | <i>Latitude / Longitude</i> |
|-------------------|---|-----------------------------|
| 4 | One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of UNT to Cherry Creek (CWF) using open cut technique having 672 square feet of temporary & 108 square feet of permanent stream impacts. | 41.07373N -79.48867W |
| 5 | One (1) 12" diameter natural gas pipeline with associated right-of-way crossing UNT to Cherry Creek (CWF) using HDD technique and having 21 square feet of permanent stream impact. | 41.06982N -79.48477W |
| 6 | One (1) temporary road crossing of a PEM wetland with 200 square feet of temporary impact. | 41.06963N -79.48411W |
| 7 | One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a PEM wetland using open cut technique having 1,088 square feet of temporary & 102 square feet of permanent stream impacts. | 41.06969N -79.48921W |
| 8 | One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of a PEM wetland using open cut technique having 1,088 square feet of temporary & 102 square feet of permanent stream impacts. | 41.06909N -79.48190W |
| 9 | One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of UNT to Cherry Creek (CWF) using open cut technique having 560 square feet of temporary & 48 square feet of permanent stream impacts. | 41.06835N -79.48069W |
| 10 | One (1) 12" diameter natural gas pipeline with associated right-of-way and a temporary road crossing of UNT to Cherry Creek (CWF) using open cut technique having 370 square feet of temporary & 30 square feet of permanent stream impacts. | 41.06146N -79.48157W |

The project will result in a total of 1,602 square feet of temporary and 244 square feet of permanent stream impacts. There will be 2,376 square feet of temporary and 364 square feet of permanent wetland impacts.

ENVIRONMENTAL ASSESSMENTS

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

D62-026EA. Gene Strick, Regional Engineer, Department of Conservation and Natural Resources, Bureau of State Parks, Northcentral Engineering Office, 260 Sizerville Road, Emporium, PA 15834-9799. Pleasant Township, **Warren County**, USACOE Pittsburgh District.

Project proposes to modify Chapman Dam located across West Branch Tionesta Creek (HQ-CWF) in Chapman State Park. Work includes rebuilding portions of the spillway and outlet works, installing overtopping protection, and removing approximately 23 acres of accumulated silt and sediment from the reservoir impounded by the dam (Warren, PA Quadrangle, Latitude: 41.4516, Longitude: -79.1021).

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 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

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|-----------------------|---|--|--|--------------------|
| PA0062448 (Sewage) | Charles A. Prizzi, Sr. SRSTP 104 Florence Drive Shohola, PA 18458 | Pike County Dingman Township | Nitche Pond (01D) | Y |
| PA0063282 (Sewage) | Fairland Farms WWTF Pine Street Schnecksville, PA 18078 | Lehigh County North Whitehall Township | Unnamed Tributary to Fells Creek (02C) | Y |
| PA0063924 (Sewage) | Delaware Canal State Park DCNR—Teddy Roosevelt Comfort Station 11 Lodi Hill Road Upper Black Eddy, PA 18972 | Northampton County Williams Township | Delaware River (2-D) | Y |

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? |
|-----------------------|---|--------------------------------------|---|--------------------|
| PA0222976 (Sewage) | Albert R. Shouey SFTF 9756 Route 36 Sigel, PA 15860 | Jefferson County Barnett Township | Unnamed Tributary To the Cathers Run (17-B) | Y |

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

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

NPDES Permit No. PA0053279, Sewage, **The Mckee Group**, Village of Buckingham Springs, 1490 Durham Road, New Hope, PA 18938.

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

Description of Action/Activity: To discharge from a facility known as Village of Buckingham Springs STP to unnamed Tributary to Mill Creek in Watershed(s) 2-F.

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

NPDES Permit No. PA0029807, Sewage, SIC Code 7032, **New Jersey Federation of YMHA & YWHA**, 21 Plymouth Street, Fairfield, NJ 07004.

This existing facility is located in Dingman Township, **Pike County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

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

NPDES Permit No. PA0028703 A-1, Sewage, **Peters Township Sanitary Authority Washington County**, 111 Bell Drive, McMurray, PA 15317-6403.

This existing facility is located in Peters Township, **Washington County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit amendment for expansion of the STP from 1.2 mgd to 1.75 mgd.

NPDES Permit No. PA0042234, Sewage, **Kittanning Borough Municipal Authority**, 300 South McKean Street, Kittanning, PA 16201.

This existing facility is located in Kittanning Borough, **Armstrong County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

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

NPDES Permit No. PA0272990, SIC Code 8800, **Janet Horstman**, 106 Sunrise Village, Butler, PA 16001.

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

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

NPDES Permit No. PA0272973, SIC Code 8800, **Jeannette Kilner**, 259 Old Route 8, Titusville, PA 16354.

This proposed facility is located in Cherrytree Township, **Venango County**.

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

NPDES Permit No. PA0272981, SIC Code 8811, **Ashley A Gregory**, 332 S Washington Street, Evans City, PA 16033-1159.

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

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

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

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

WQM Permit No. 5414402, Sewage, SIC Code 4939, 4952, **Aqua Pennsylvania Wastewater Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402.

This proposed facility is located in East & North Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: to authorize the construction, operation and maintenance of a pumping station and a low pressure sewage collection and conveyance system in Phase II of the Hidden Forest section of Eagle Rock Resort residential community.

WQM Permit No. 5414404, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in North Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: Construction, operation, and maintenance of a low pressure sewage collection and conveyance system in Phase I of the Hidden Forest section of Eagle Rock Resort residential community.

WQM Permit No. 5414403, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in East Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: To authorize the construction, operation and maintenance of a low pressure sewer system in Phase III of the Hidden Forest section of Eagle Rock Resort residential community.

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

WQM Permit No. 1015401, SIC Code 8800, **Janet Horstman**, 106 Sunrise Village, Butler, PA 16001.

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

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

WQM Permit No. 6115401, SIC Code 8800, **Jeannette Kilner**, 259 Old Route 8, Titusville, PA 16354.

This proposed facility is located in Cherrytree Township, **Venango County**.

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

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

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

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|------------------|---|--------|-------------------------|-------------------------------------|
| PAI023914018 | Jaindl Land Company c/o Mr. David Jaindl 3150 Coffeetown Road Orefield, PA 18069 | Lehigh | Lower Macungie Township | Little Lehigh Creek (HQ-CWF, MF) |

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---|---|
| PAI023907009R | Jaindl Land Company c/o Mr. David Jaindl 3150 Coffeetown Road Orefield, PA 18069 | Lehigh | North Whitehall Township | Hassen Creek (HQ-CWF, MF), Jordan Creek (TSF, MF) |
| PAI023914024 | Liberty Property Trust c/o Bill Bumber 74 West Broad Street Bethlehem, PA 18018 | Lehigh | Upper Macungie Township | UNT to Schaeffer Run (HQ-CWF, MF) |
| PAI025211003(1) | Pennsylvania Department of Transportation | Pike | Delaware, Lehman & Blooming Grove Townships | Tributaries to Toms Creek (EV, MF) Tom's Creek (EV, MF), Tributary to Delaware River (HQ-CWF, MF), Brisco Creek (HQ-CWF, MF), Spackman's Creek (HQ-CWF, MF), Hornbeck Creek (HQ-CWF, MF), Blooming Grove Creek (HQ-CWF, MF) |
| PAI025409004R | H&S Investment Properties LP 1020 Chestnut Road Orwigsburg, PA 17961 | Schuylkill | East Norwegian Township | UNT to Mill Creek (CWF, MF), EV Wetlands |
| PAI021314002 | Big Boulder Corporation P. O. Box 707 Blakeslee, PA 18610 | Carbon | Kidder Township | Tunkhannock 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 & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|------------------------|--|---------------|---------------------|----------------------------|
| PAI032915001 Issued | Pennsylvania Turnpike Commission PO Box 67676 Harrisburg, PA 17106 | Fulton | Taylor Township | UNT Lick Branch (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 & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|--|
| Bensalem Township Bucks County | PAG02000914081 | Paramount Realty Services 1195 Route 70 Suite 2000 Lakewood, NJ 08701 | Poquessing Creek WWF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Warrington Township Bucks County | PAG02000915028 | Warrington Township 852 Easton Road Warrington, PA 18976 | Little Neshaminy Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Solebury Township Bucks County | PAG02000915026 | Solebury Township 3092 Sugan Road Solebury, PA 18963 | Primrose Creek/Tributary to Delaware River TSF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Warrington Township Bucks County | PAG02000915030 | Warrington Township 852 Easton Road Warrington, PA 18976 | Unnamed Tributary Little Neshaminy Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Sadsbury Township Chester County | ESG00029140003 | Transcontinental; Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77056 | Buck Run TSF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Franklin Township Chester County | PAG02001512014 | J. Christopher Lang Frederic A. Lang Trust 1375 South Concord Road West Chester, PA 19382 | Unnamed Tributary to West Branch White Clay Creek TSF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Pennsbury Township Chester County | PAG02001515009 | Wayne C. Megill, Jr., Power of Attorney for Thomas V. Spano P. O. Box 467 Concordville, PA 19331 | Unnamed Tributary to Bennett Run WWF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Downingtown Borough Chester County | PAG02001515001 | Sister Regina Plunkett, President Bishop Shanahan High School Archdiocese of Philadelphia 220 Woodbine Road Downingtown, PA 19335 | Unnamed Tributary to East Branch Brandywine Creek WWF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Concord Township Delaware County | PAG02002315004 | J's MVP Realty LP 50 Applied Bank Boulevard Glen Mills, PA 19342 | Webb Creek Tributary of Chester Creek TSF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Ridley Township Delaware County | PAG02002315003 | Harper Associates 6 East Hinckley Avenue Ridley Park, PA 19078 | Stony Creek WWF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|----------------------------|--|
| Souderton Borough Montgomery County | PAG02004615008 | J. Edmund Millin 375 Morris Road P. O. Box 1479 Lansdale, PA 19446 | Skipack Creek TSF-MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Springfield Township Montgomery County | PAG02004614096 | Blake Development Corporation 10 East Springfield Avenue Philadelphia, PA 19118 | Schuylkill River 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 & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|---|--|--|
| Blakely Borough, Scott Township, Dickson City Borough, City of Scranton Lackawanna County | PAG02003515003 | PPL Electric Utilities Corp 1639 Church Road Allentown, PA 18104-9342 | UNT to Tinklepaugh Creek (CWF, MF) Hull Creek (CWF, MF) UNT to Price Creek (CWF, MF) UNT to Pancoast Creek (CWF, MF) Pancoast Creek (CWF, MF) UNT to Lackawanna River (CWF, MF) UNT to Clover Hill Creek (TSF, MF) Clover Hill Creek (TSF, MF) Leggetts Creek (TSF, MF) Leach Creek (TSF, MF) South Branch Leach Creek (TSF, MF) | Lackawanna County Conservation District 570-392-3086 |
| Hanover Township Luzerne County | PAG02004014040 | Falling Creek Investments, Inc. PO Box 655 Brodheads ville, PA 18322 | Solomons Creek (CWF, MF) | Luzerne Conservation District 570-674-7991 |

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

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|--------------------------|---|----------------------------------|--|
| Berwick Township Adams County | PAG02000115011 Issued | Kinneman Holdings, LLC 130 Carlisle Street Hanover, PA 17331 | Tributary to Pine Run/ WWF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 717-334-0636 |
| Straban Township Adams County | PAG02000115005 Issued | Primax Properties, LLC 1100 East Morehead Drive Charlotte, NC 28204 | UNT to Rock Creek/ WWF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 717-334-0636 |

NOTICES

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| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-----------------------------|---|--|---|
| Mount Pleasant Township Adams County | PAG02000114008(1) Issued | Swan Lake Stables 162 School House Road Littlestown, PA 17340 | Alloway Creek/WWF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 717-334-0636 |
| Hamilton Township Adams County | PAG02000114012 Issued | Cross Keys Community Park 785 Berlin Road New Oxford, PA 17350 | UNT to Pine Run/ WWF-MF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 717-334-0636 |
| Carroll Valley Borough Adams County | PAG02000114027 Issued | Liberty Mountain Resorts PO Box SKI 78 Country Club Trail Fairfield, PA 17320 | Toms Creek/CWF | Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 717-334-0636 |
| Blair Township Blair County | PAG02000714012 Issued | Chimney Rocks Partners, LLC Attn. Michael Barton 509 Chimney Rocks Road Hollidaysburg, PA 16648 | UNT to Frankstown Branch of the Juniata River/WWF, MF | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877, Ext. 5 |
| East Earl Township Lancaster County | PAG02003615025 Issued | Conestoga Wood Specialties Corporation 245 Reading Road East Earl, PA 17519 | Conestoga River/WWF | Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121 |
| West Lampeter Township Lancaster County | PAG02003615028 Issued | David Batchelder/ BVP 2012, LCC 12400 High Bluff Drive, Suite 600 Sand Diego, CA 92130 | UNT Big Spring Run/WWF, MF | Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121 |
| Upper Leacock Township Lancaster County | PAG02003615048 Issued | John S Swarey/Levi Stoltzfus 300 Hess Road Leola, PA 17540 | UNT Mill Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121 |
| Manheim Township Lancaster County | PAG02003614074 Issued | Richard Mohn 525 Admiralty Parade Naples, FL 33940 | Conestoga River/WWF | Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121 |
| East Donegal Township Lancaster County | PAG02003615021 Issued | John Martin 1769 Hauenstein Road Elizabethtown, PA 17022 | UNT to Susquehanna River/CWF | Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121 |

*Facility Location:
Municipality &
County*Derry Township
Mifflin County*Permit No.*PAG02004414002
Issued*Applicant Name &
Address*MABL
70 Chestnut Street
Lewistown, PA 17044*Receiving
Water/Use*UNT to Buck
Run/CWF*Contact Office &
Phone No.*Mifflin County
Conservation District
20 Windmill Hill #4
Burnham, PA 17009
717-248-4695
Ext. 110

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636.

*Facility Location &
Municipality*Clearfield County
Lawrence Twp*Permit No.*

PAG02001715002

*Applicant Name &
Address*Michael Boal
Novey Recycling
1661 Martin St Ext
Clearfield, PA 16830*Receiving
Water/Use*Moose Creek
CWF*Contact Office &
Phone No.*Clearfield County
Conservation District
511 Spruce St., Ste 6,
Clearfield, PA 16830
(814) 765-2629Clearfield County
Bradford Twp

PAG02001715003

NRG REMA LLC
121 Champion Way
Canonsburg, PA 15317WB Susquehanna
River
WWFClearfield County
Conservation District
511 Spruce St.,
Ste 6,
Clearfield, PA 16830
(814) 765-2629Clearfield County
Sandy Twp

PAG02001715004

Johnson Motors Inc
119 Parkway Dr
DuBois, PA 15801Soldier Run
CWFClearfield County
Conservation District
511 Spruce St., Ste 6,
Clearfield, PA 16830
(814) 765-2629Snyder County
Jackson Twp

PAG02005515003

Kevin Fry
4253 Smalsh Barrick Rd
Winfield, PA 17889Tuscarora Creek
CWF, MFSnyder County
Conservation District
403 W Market St
Middleburg, PA
17842
(570) 837-3000 X110Cranberry Township
Butler County

PAG02001014039

The Glen at Woodside LP
c/o Mr. William J. Weaver
PO Box 449
Mars, PA 16045UNT Brush Creek
WWFButler County
Conservation District
724-284-5270Jackson Township
Butler County

PAG02001014041

The Buncher Company
Penn Liberty Plaza 1
1300 Penn Avenue—Suite 300
Pittsburgh, PA 15222UNT Glade Run
WWF and UNT
Likens Run WWFButler County
Conservation District
724-284-5270Cranberry Township
Butler County

PAG02001015006

Cranberry Township
c/o Timothy J. Schutzman
2525 Rochester Rd—Ste 400
Cranberry Township, PA
16066-6499

Brush Creek WWF

Butler County
Conservation District
724-284-5270Butler Township
Butler County

PAG02001015009

Foothold LP
c/o Mr. Arthur Slear
670 Mercer Road
Butler, PA 16001

Sullivan Run WWF

Butler County
Conservation District
724-284-5270Ridgway Township
Elk County

PAG02002415001

Allegheny Coatings Inc
224 River Road
Ridgway, PA 15853

Mohan Run CWF

Elk County
Conservation District
814-776-5373City of Erie
Erie County

PAG02002515006

Greengarden Realty Company
1555 South Shore Drive
Erie, PA 16505Cascade Creek
WWF; MFErie County
Conservation District
814-825-6403Pine Township
Mercer County

PAG02004315001

American Transmission Systems
Inc (A First Energy Corp)
800 Cabin Hill Drive
Greensburg, PA 15601UNT Wolf Creek
CWFMercer County
Conservation District
724-662-2242

General Permit Type—PAG-03

| <i>Facility Location Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|---|---|---|
| Hatfield Township Montgomery County | PAG030022 | D&W Fine Pack 1100 Schwab Road Hatfield, PA 19440 | Unnamed Tributary of West Branch Neshaminy Creek—2F | Southeast Region Clean Water Program 484.250.5970 |
| West Goshen Township Chester County | PAR600058 | Safety-Kleen Systems, Inc. 1140-1142 Greenhill Road West Chester, PA 19380 | Unnamed Tributary to East Branch Chester Creek—3G | Southeast Region Clean Water Program 484.250.5970 |
| West Chester Borough Chester County | PAR230031 | Arkema Inc. 900 First Avenue King of Prussia, PA 19406 | Unnamed Tributary to Chester Creek—3G | Southeast Region Clean Water Program 484.250.5970 |
| Montgomery County | PAG030026 | Titan International Inc. 301 Lilac Lane Cinnaminson, NJ 08077 | Schuylkill River—3-D | Southeast Region Clean Water Program 484.250.5970 |
| West Rockhill Township Bucks County | PAR230085 A-1 | G&W PA Laboratories LLC 111 Coolidge Street South Plainfield, NJ 07080 | East Branch Perkiomen Creek—3-E | Southeast Region Clean Water Program 484.250.5970 |
| Philadelphia City Philadelphia County | PAG030024 | Hollander Warren J 111 Royal Horse Way Reinholds, PA 17569-9354 | Delaware River and Unnamed Tributary to Delaware River—3-J | Southeast Region Clean Water Program 484.250.5970 |
| Upper Dublin Township Montgomery County | PAG030025 | Total Turf Golf Svcs 1965 Byberry Road Huntingdon Valley, PA 19006 | Unnamed Tributary to Pine Run—3-F | Southeast Region Clean Water Program 484.250.5970 |
| Falls Township Bucks County | PAR600077 | Simsmetal East LLC 300 South Steel Road Morrisville, PA 19067 | Unnamed Tributary to Biles Creek—2-E | Southeast Region Clean Water Program 484.250.5970 |
| Falls Township Bucks County | PAR140019 | Liberty Coating Co. LLC 21 South Steel Road Morrisville, PA 19067 | Unnamed Tributary to Biles Creek—2-E | Southeast Region Clean Water Program 484.250.5970 |
| Philadelphia City Philadelphia County | PAR600066 | LKQ Penn Mar Inc. 3350 S 61 Street Philadelphia, PA 19153 | Schuylkill River—3-F | Southeast Region Clean Water Program 484.250.5970 |
| Philadelphia City Philadelphia County | PAR200002 | Allied Tube & Conduit Corp 11350 Norcom Road Philadelphia, PA 19154 | Walton Run—3-J | Southeast Region Clean Water Program 484.250.5970 |
| Douglass Township Montgomery County | PAR210002 | Berks Products Corp 167 Berks Products Drive Leesport, PA 19533 | Swamp Creek—3-E | Southeast Region Clean Water Program 484.250.5970 |
| West Pottsgrove Township Montgomery County | PAR230017 | Hammond Group Inc. 3100 Michigan Street Hammond, IN 46323 | Schuylkill River—3D | Southeast Region Clean Water Program 484.250.5970 |
| Chester Township Delaware County | PAR200043 | Alloy Surfaces Co. Inc. 121 North Commerce Drive Chester Township, PA 19014 | Baldwin Run—3-G | Southeast Region Clean Water Program 484.250.5970 |
| Falls Township Bucks County | PAG030023 | Walter R Earle Morrisville P O Box 556 Farmingdale, NJ 07727 | Unnamed Tributary to Biles Creek—2-E | Southeast Region Clean Water Program 484.250.5970 |
| Chester City Delaware County | PAR900004 | Covanta Delaware Valley LP 10 Highland Avenue Chester, PA 19013 | Delaware River—3-G | Southeast Region Clean Water Program 484.250.5970 |

General Permit Type—PAG-7

| <i>Facility Location & County/Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Site Name & Location</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|---|---------------------------------|--|
| Lancaster County/ Penn Township | PAG073502 | A & M Composting, Inc. 2022 Mountain Road Manheim, PA 17545 | Same | DEP—SCRO—Clean Water Program 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4707 |

General Permit Type—PAG-12

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|----------------------------|--|
| Franklin County/ Hamilton Township | PAG123801 | Melvin L. Bricker 8310 Fort McCord Road Chambersburg, PA 17202 <hr/> Melvin L. Bricker Farm 6429 Fort McCord Road Chambersburg, PA 17202 | Dennis Creek/CWF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |

General Permit Type—PAG-13

| <i>Facility Location Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|--|---|
| Doylestown Borough Bucks County | PAG130111 | Bucks County Neshaminy Manor Center Route 611 & Almshouse Road Doylestown, PA 18901 | Brock Creek, Core Creek, Delaware River, Mill Creek, Neshaminy Creek and Queen Anne Creek—2-E, 2-F and 3-J | DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970 |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> | <i>DEP Protocol (Y/N)</i> |
|-------------------------|---|---------------------|---------------------|---|---------------------------|
| PAG133571 | Leacock Township 3545 West Newport Road PO Box 558 Intercourse, PA 17534 | Lancaster County | Leacock Township | Muddy Run, Pequea Creek, UNT to Pequea Creek, Watson Run/WWF and MF | Y |

General Permit Type—MS4 PAG-13 (Waiver)

| <i>Facility Location Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|---|----------------------------|--|
| Finleyville Borough Washington County | PAG136347 | Finleyville Borough 3515 Washington Avenue Finleyville, PA 15332-1327 | Peters Creek 19-C | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form

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

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

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

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

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>AEU's</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|--|---------------|------------------------|--------------|------------------------|---|------------------------------------|
| White Oak Hollow Farm 766 White Oak Hollow Road Warfordsburg, PA 17267 | Fulton | 201 | 730.55 | Swine | None | Approved |

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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

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

Permit No. 6415503MA, Minor Amendment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
1775 North Main Street
Honesdale, PA 18431

[Borough or Township] Hawley Borough
County **Wayne**
Type of Facility PWS
Consulting Engineer Steven E. Riley, P.E.
Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603
Permit to Construct Issued April 23, 2015

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

Permit No. 4115503-MA—Construction—Public Water Supply.

Applicant **Williamsport Municipal Water Authority**
Township/Borough City of Williamsport
County **Lycoming**
Responsible Official Douglas E. Keith, Executive Director
Williamsport Municipal Water Authority
253 West Fourth Street
Williamsport, PA 17701
Type of Facility Public Water Supply
Consulting Engineer Charles Hauser, P.E.
Williamsport Municipal Water Authority
253 West Fourth Street
Williamsport, PA 17701
Permit Issued April 27, 2015
Description of Action Decommission of Tank 002A for storing aluminum sulfate and decommission of Tank 003A for storing sodium hydroxide and its replacement with two 2,000 gallon XLPE chemical storage tanks.

Permit No. 0814501—Operation—Public Water Supply.

Applicant **Bradford County Manor**
 Township/Borough West Burlington Township
 County **Bradford**
 Responsible Official Mr. Larry Bellinger
 Bradford County Manor
 15900 Route 6
 Troy, PA 16947

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued April 27, 2015

Description of Action Operation of the Replacement Well as a new source of supply and abandonment of Well No. 1 (the 1947 Well). New source treatment will be via the existing treatment facilities. In conjunction with issuance of the operation permit for the Replacement Well, the permit for the 1947 Well is hereby cancelled.

Permit No. 1773502-T1—Transfer/Operation—Public Water Supply.

Applicant **Huston Township Municipal Authority**
 Township/Borough Huston Township
 County **Clearfield**
 Responsible Official Ms. Nellie Bundy
 Huston Township Municipal Authority
 11837 Bennetts Valley Highway,
 Suite 2
 Penfield, PA 15849

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued April 28, 2015

Description of Action Originally approved a merger with the Penfield and Hollywood water systems, including installation of transmission lines and replacement of distribution lines. This permit is hereby transferred in its entirety.

Permit No. MA(12/17/85)-T1—Transfer/Operation—Public Water Supply.

Applicant **Huston Township Municipal Authority**
 Township/Borough Huston Township
 County **Clearfield**
 Responsible Official Ms. Nellie Bundy
 Huston Township Municipal Authority
 11837 Bennetts Valley Highway,
 Suite 2
 Penfield, PA 15849

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued April 28, 2015

Description of Action

Originally approved installation of 6,840 feet of transmission line, relocation of treatment facilities, installation of flow proportioned chlorination and contact tank, and sodium hexametaphosphate feed. Only the transmission line remains in operation and this portion of the permit is hereby transferred. All other components of this permit are no longer in use and are not transferred.

Permit No. MA(7/18/94)-T1—Transfer/Operation—Public Water Supply.

Applicant **Huston Township Municipal Authority**
 Township/Borough Huston Township
 County **Clearfield**
 Responsible Official Ms. Nellie Bundy
 Huston Township Municipal Authority
 11837 Bennetts Valley Highway,
 Suite 2
 Penfield, PA 15849

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued April 28, 2015

Description of Action Originally approved operation of an 86,000 gallon AquaStore finished water storage tank and transmission line. This permit is hereby transferred in its entirety.

Permit No. 1795505-T1—Transfer/Operation—Public Water Supply.

Applicant **Huston Township Municipal Authority**
 Township/Borough Huston Township
 County **Clearfield**
 Responsible Official Ms. Nellie Bundy
 Huston Township Municipal Authority
 11837 Bennetts Valley Highway,
 Suite 2
 Penfield, PA 15849

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued April 28, 2015

Description of Action Originally approved operation of Well No. 1, an interconnection with Jay Township water system, customer meters, distribution and transmission line replacements, and installation of a 122,000 gallon AquaStore finished water storage tank. Well No. 1 has been physically disconnected from the water system and is not transferred. All other components remain in operation and are hereby transferred.

**Permit No. MA(6/20/01)-T1—Transfer/Operation—
Public Water Supply.**

Applicant **Huston Township Municipal Authority**
Township/Borough Huston Township
County **Clearfield**
Responsible Official Ms. Nellie Bundy
 Huston Township Municipal Authority
 11837 Bennetts Valley Highway,
 Suite 2
 Penfield, PA 15849
Type of Facility Public Water Supply
Consulting Engineer N/A
Permit Issued April 28, 2015
Description of Action Originally approved replacement of distribution lines in the Hollywood area. This permit is hereby transferred in its entirety.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location: Hegins and Hubley Township, Schuylkill County, PA

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|--|-------------------|
| Hegins and Hubley Township | Hegins Township Municipal Building P. O. Box 630 421 South Gap Street Valley View, PA 17983 | Schuylkill County |
| | Hubley Township 2208 East Main Street P. O. Box 142 Sacramento, PA 17968 | |

Plan Description: The Plan includes the construction of a 600,000 gpd wastewater treatment plant located along Fearnot Road in Hubley Township. Sewer service is proposed for the Sacramento, Spring Glen and Fearnot areas of Hubley Township and the Hegins, Valley View and Lamberson areas of Hegins Township. The collection system consists of approximately 45,000 feet of 8" gravity pipe, 7,425 feet of low pressure sewerline, 30 grinder pumps, 11,270 feet of force main, and 4 pump stations in Hubley Township; and 121,610 feet of 8" gravity pipe, 2,870 feet of force main and 3 pump stations in Hegins Township. The Plan also provides for an onlot sewage disposal system management program for the areas of the municipalities not within the proposed sewer service area. Any required NPDES Permits or WQM Permits must be obtained in the name of the Hegins-Hubley Authority.

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 AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Laughead Property, 437 Cherry Street, Hellertown Borough, **Northampton County**. Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance Co., P. O. Box 106110, Atlanta, GA 30348-6110, submitted a Notice of Intent to Remediate, and Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, MTBE, Naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene from a home heating oil tank release. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

CORRECTION: Patton B Unit No. 7H, 1313 Whitestown Road, Connoquenessing Township, **Butler County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of XTO Energy-Appalachia Division, 395 Airport Road, Indiana, PA 15701, submitted a Remedial Investigation/Final Report concerning the remediation of site soils contaminated with Aluminum, Antimony, Arsenic, Barium, Beryllium, Boron, Cadmium, Chromium, Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Thallium, Vanadium, Zinc, Chloride, Benzene, Naphthalene, Toluene, Acenaphthene, Acenaphthylene, Anthracene, Benzo[a]anthracene, Bezo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Chrysene, Dibenz[a,h]anthracene, Ethylene Glycol, Fluoranthene, Fluorene, Indeno[1,2,3-cd]pyrene, Phenanthrene, Phenol, and Pyrene. The report is intended to document remediation of the site to meet a combination of the Site-Specific and Statewide Health Standards.

J. J. Hamilton No. 20, Hamilton Markton Road, Perry Township, **Jefferson County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701, submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Vanadium, Zinc, and Chloride. The report is intended to document remediation of the site to meet a combination of the Site-Specific and Statewide Health Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (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 AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Tri-State Tobacco Property, 1061 Pennsylvania Avenue, Matamoras, PA 18336, Westfall Township, **Pike County**. Mr. Martin Gilgallon, Pennsylvania Tectonics Inc., 723 Main Street, Archbald, PA 18403, on behalf of Mr. Rishi Parikh, Cash Matrix, 73 Pleasant Street, Monticello, NY 12701, submitted a Final Report. #2 Fuel Oil contamination was discovered during the closure of an underground storage tank. The proposed future use of the property will be non-residential, and the proposed cleanup standard for the site is the Statewide Health Standard for soil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 21, 2015.

B. Mead 1H, 10731 SR 167, Bridgewater Township, **Susquehanna County**. Resource Environmental Management Inc., 36 Taylor Lane, Montrose, PA 18801 on behalf of Cabot Oil & Gas, 5 Penn Center West, Pittsburgh, PA 15276, submitted a Type Final Report concerning the remediation of site soils contaminated with drill mud. The Final Report demonstrated attainment of the Background and Statewide Health Standard, and was approved by the Department on August 5, 2014.

Mobil Pipe Line Company—Allentown Junction Valve Station, 4080 Huckleberry Road, South Whitehall Township, **Lehigh County**. Groundwater & Environmental Services Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of ExxonMobil Environmental Services Co., 38 Varick Street, Brooklyn, NY 11222, submitted a Type Final Report concerning the remediation of site groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on October 16, 2012.

Former Lehigh Structural Steel, Tilghman Street and North Brick Street, **Lehigh County**, Moonstone Environmental LLC, 1150 Glenlivet Drive, Suite C-31, Allentown, PA 18106, on behalf of Waterfront Redevelopment Partners LP, 1665 Valley Center, Bethlehem, PA

18017, submitted a Remedial Investigation Report, and Cleanup Plan concerning remediation of site soil and groundwater contaminated with semi-volatile organic compounds (SVOCs), metals and isolated areas of volatile organic compounds (VOCs) and pesticides in addition to the petroleum residuals as a result of a historical release associated with a former underground storage tank. The report is intended to document remediation of the site to meet the Site Specific Standard and was approved by the Department on April 28, 2015.

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

Patton B Unit No. 7H, 1313 Whitestown Road, Connoquenessing Township, **Butler County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of XTO Energy—Appalachia Division, 395 Airport Road, Indiana, PA 15701, submitted a Remedial Investigation/Final Report concerning the remediation of site soils contaminated with Aluminum, Antimony, Arsenic, Barium, Beryllium, Boron, Cadmium, Chromium, Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Thallium, Vanadium, Zinc, Chloride, Benzene, Naphthalene, Toluene, Acenaphthene, Ace-naphthylene, Anthracene, Benzo[a]anthracene, Bezo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Chrysene, Dibenzo[a,h]anthracene, Ethylene Glycol, Fluoranthene, Fluorene, Indeno-[1,2,3-cd]pyrene, Phenanthrene, Phenol, and Pyrene. The report was withdrawn on April 6, 2015.

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

JA Trucking, Inc./Geshinsky Right of Way, 212 County Lane, West Newton, South Huntingdon Township, **Westmoreland County**. JA Trucking, Inc., 212 Country Lane, West Newton, PA 15089 submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel from a fuel leak. The Final Report demonstrated attainment of the residential Statewide Health standard for soils and was approved by the Department on April 22, 2015.

Horsehead Corporation Site (former St. Joe Minerals/Zinc Corporation of America), 300 Frankfort Road, Potter & Center Townships, **Beaver County**. Environmental Resources Management, Inc., 75 Valley Stream Parkway, Suite 200, Malvern, PA 19355 on behalf of Horsehead Corporation, 4955 Steubenville Pike, Suite 405, Pittsburgh, PA 15205 submitted a Remedial Investigation/Risk Assessment Report and Cleanup Plan concerning the remediation of site soils and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds, PCB's and metals. The RIR/RA/CP was approved by the Department on April 22, 2015.

Beaver Valley Power Station (former Shippingport Atomic Power Station), 100 Technology Blvd., Shippingport Borough, **Beaver County**. SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15017 on behalf of First Energy, 100 Technology Blvd., Shippingport, PA 15077 submitted a Final Report concerning the remediation of site soils and groundwater contaminated with petroleum and diesel fuel. The Final Report demonstrated attainment of non-residential Statewide

Health standard for both soil and groundwater for the PADEP shortlist of diesel fuel, lube oil constituents and PCB's, and was approved by the Department on April 28, 2015.

MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Number WMGM047. Delta Thermo Energy A, LLC, 112 West Union Street, Allentown, PA 18102. The Department issued General Permit Number WMGM047 to Delta Thermo Energy A, LLC on May 13, 2014. WMGM047 authorizes the processing of municipal solid waste and sewage sludge to produce a fuel for electricity generation. The Department revoked this permit on February 6, 2015. WMGM047 is no longer available for persons seeking coverage under the permit.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101606 Kline's Services, LLC, 5 Holland Street, Salunga, PA 17538. The application submitted is for a change in ownership (Permit Reissuance) from Kline's Services, Inc. to Kline's Services, LLC. The application was deemed administratively complete by the Southcentral Regional Office on April 27, 2015.

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

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

AIR QUALITY

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

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

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

GP3-09-0131, Mobile Aggregate Recycling Services Inc. On April 24, 2015 was authorized to install and operate the portable nonmetallic mineral processing plant under GP3-09-0131 for Mobile Aggregate Recycling Services Inc. in Wrightstown Township, **Bucks County**.

GP9-09-0062, Mobile Aggregate Recycling Services Inc. On April 24, 2015 was authorized to install and operate two diesel-fired internal combustion engines under GP9-09-0062 for Mobile Aggregate Recycling Services Inc. in Wrightstown Township, **Bucks County**.

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

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

GP9-39-008: Northledge LLC (930 East Market Street, Bethlehem, PA 18017) on April 06, 2015, for operation of two (2) diesel fired I.C Engines at the facility located in Whitehall Township, **Lehigh County**.

GP3-39-008: Northledge LLC (930 East Market Street, Bethlehem, PA 18017) on April 06, 2015, for the operation of a portable stone crushing plant at the facility located in Whitehall Township, **Lehigh County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

GP3-21-03116: Liberty Excavators, Inc. (4402 Gettysburg Road, Camp Hill, PA 17011) on April 22, 2015, for a portable nonmetallic mineral processing plant under GP3 at the Chewy site, in Silver Spring Township, **Cumberland County**.

GP11-21-03116: Liberty Excavators, Inc. (4402 Gettysburg Road, Camp Hill, PA 17011) on April 22, 2015, for three nonroad engines under GP11, to power portable nonmetallic mineral processing equipment at the Chewy site, in Silver Spring Township, **Cumberland County**.

GP3-36-03198: Liberty Excavators, Inc. (4402 Gettysburg Road, Camp Hill, PA 17011) on April 22, 2015, for a portable nonmetallic mineral processing plant under GP3 at the PPL Holtwood Ash Basin 2 site, in Martic Township, **Lancaster County**.

GP11-36-03198: Liberty Excavators, Inc. (4402 Gettysburg Road, Camp Hill, PA 17011) on April 22, 2015, for three nonroad engines under GP11, to power portable nonmetallic mineral processing equipment at the PPL Holtwood Ash Basin 2 site, in Martic Township, **Lancaster County**.

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174

GP5-11-00526A: Mountain Gathering, LLC (810 Houston Street, Suite 2000, Fort Worth, TX 76102) on April 9, 2015, for construction and/or operation of air contamination sources and controls for natural gas compression operations at its Bessie 8 Compressor Station located in Jackson Township, **Cambria County**.

GP14-65-01034: Professional Cremation Service, LLC (515 North 7th Street, Youngwood, PA 15697) on April 16, 2015, for construction and operation of a natural gas fired human crematory incinerator at its facility in Youngwood Borough, **Westmorland County**.

GP14-03-00265: Kelly Corridoni Funeral Home, LTD (1916 Moore Avenue, North Apollo, PA, 15673) on April 23, 2015, for construction and operation of a natural gas fired human crematory incinerator at its facility in North Apollo Borough, **Armstrong County**.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940

GP5-37-336C: Hilcorp Energy Pulaski-Whiting Central Facility (3140 Garner Road, Edinburg, PA 16116) on April 9, 2015, for the construction and operation of a natural gas fired engine (Caterpillar 3406NA) (BAQ-GPA/GP5) located at your facility in Pulaski Township, **Lawrence County**.

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

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

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

48-00001A: Columbia Gas Transmission LLC. (1700 MacCorkle Avenue, SE Charleston, WV 25314-1518) on April 21, 2015 for the installation and operation of two (2) simple cycle natural gas-fired compressor turbines, a natural gas-fired emergency generator, ancillary heating equipment, and miscellaneous insignificant storage tanks at the Easton Compressor Station located in Forks Twp., **Northampton County**.

54-00081A: HARSCO Corporation (5000 Ritter Road, Suite 205, Mechanicsburg, PA 17055-6922) issued on April 08, 2015 for the replacement of dust collector on glass recycling processes at the existing facility located in West Brunswick Township, **Schuylkill County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

21-03114A: Hoffman Funeral Home (219 N. Hanover Street, Carlisle, PA 17013) on April 20, 2015, for construction of a human crematory at their facility in North Middleton Township, **Cumberland County**.

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

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

59-00004I: Ward Manufacturing, LLC (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009) on April 8, 2015, to construct a metal castings shot blast machine and for the installation of an air cleaning device, an existing cartridge collector, for the control of air contaminant emissions from the proposed shot blast machine at their facility located in Blossburg Borough, **Tioga County**. This is a Title V facility for which Title V Operating Permit 59-00004 has been issued.

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

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

10-171D: Butler Color Press (119 Bonnie Drive, Butler, PA 16002), on April 21, 2015, issued a plan approval for the construction of a new web offset pressline controlled by a new dryer/afterburner control system in Summit Township, **Butler County**. This is a State Only facility.

25-025U: General Electric Transportation—Erie (2901 East Lake Road, Bldg 9-201, Erie, PA 16531), on April 21, 2015, issued a plan approval for the modification of Boiler #6 (Source 042) with regards to de-rating the boiler from 133 mmbtus/hr to 95 mmbtus/hr and to remove 40 CFR 60 Subpart Db requirements and replace with Subpart Dc requirements in Lawrence Park Township, **Erie County**. This is a Title V facility.

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

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

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

46-0007: Holy Redeemer Hospital (1648 Huntingdon Park, Meadowbrook, PA 19046-8001) On April 27 2015, for construction and startup of a new cogeneration plant in Abington Township, **Montgomery County**.

46-0031E: Glaxosmithkline LLC: (1250 S. Collegeville Road, Collegeville, PA 19426-2990) On April 27, 2015 for pharmaceutical preparations in Upper Providence 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

17-00063C: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on April 3, 2015, to extend the authorization an additional 180 days from April 6, 2015 to October 3, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

47-00001D: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) on April 17, 2015, to

extend the authorization an additional 180 days from April 22, 2015 to October 19, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the dry injection system that controls sulfuric acid mist emissions from the coal-fired electric generating units located at the Montour Steam Electric Station facility. The facility is located in Derry Township, **Montour County**. The plan approval has been extended.

08-00030A: Angelina Gathering Company (2350 North Sam Houston Parkway East, Houston, TX 77009) on April 24, 2015, to extend the authorization for the construction of four natural-gas-fired compressor engines each equipped with oxidation catalysts and the construction two natural gas glycol dehydration units each equipped with reboiler fireboxes at the Greenzweig Compressor Station located in Herrick Township, **Bradford County** to October 24, 2015. The plan approval has been extended.

18-00009F: Clinton County Solid Waste Authority (P. O. Box 209, McElhattan, PA 17748) on April 15, 2015, corrections to language in the plan approval for the Wayne Township Landfill located in Wayne Township, **Clinton County**.

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

Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

PA-26-00500C: Alpha PA Coal Terminal, LLC (158 Portal Road P. O. Box 1020, Waynesburg, PA 15370) on April 24, 2015, to modify the Plan Approval to initiate the period of temporary operation for their coal transfer facility at their existing LaBelle facility located in Luzerne Township, **Fayette County**.

PA-65-00865C: DNP IMS America Corporation (1001 Technology Drive, Mount Pleasant, PA 15666) Plan Approval Extension issued on April 24, 2015, to authorize an additional 180-day period of temporary operation so that DNP IMS can apply for an Operating Permit for the New Four Station Coating Line at their Mt. Pleasant coating line facility located in East Huntingdon Township, **Westmoreland County**.

32-00230B: Texas Eastern Transmission, L.P. (PO Box 1642, Houston, TX 77251) plan approval extension effective April 20, 2015, with expiration date of October 20, 2015, for continued temporary operation of air contamination sources and controls at its Armagh Compressor Station located in West Wheatfield Township, **Indiana County**.

30-00072E: Consol Pennsylvania Coal Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) plan approval extension effective April 10, 2015, with an expiration date of October 10, 2015, for continued temporary operation of the Crabapple Overland Conveyor which is part of the Bailey Prep Plant located in Richhill Township, **Greene County**.

30-00194B: EQM Gathering Opco, LLC (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) plan approval extension effective on April 30, 2015, with expiration date of October 30, 2015, for continued temporary operation of air contamination sources and controls at its Callisto Compressor Station located in Morris Township, **Greene County**.

65-00983A: Dominion Transmission, Inc. (5000 Dominion Boulevard, Glenn Allen, VA 23060) plan approval

extension effective April 20, 2015, with expiration date of October 20, 2015, for continued temporary operation of air contamination sources and controls its Rock Springs Compressor Station located in Salem Township, **Westmoreland County**.

30-00195A: Equitrans, LP (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) plan approval extension effective April 1, 2015, with expiration date of October 1, 2015, for continued temporary operation of air contamination sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**.

26-00579A: Tri-State Bio Fuels, LLC (PO Box 10, Lemont Furnace, PA 15456) plan approval extension effective April 1, 2015, with expiration date of June 1, 2015, for continued temporary operation of air contamination sources and controls at the Lemont Pellet Plant, a wood pellet manufacturing plant located in North Union Township, **Fayette County**.

65-00986A: Tiger Door, LLC (1181 Garden Street, Greensburg, PA 15601-6417) transfer of plan approval from Overly Door Company, Inc., to Tiger Door, LLC effective on April 20, 2015, for the Tiger Door Manufacturing Plant located in Hempfield Township, **Westmoreland County**.

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

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

42-147C: W.R. Case & Sons Cutlery Company (P. O. Box 4000, Owens Way, Bradford, PA 16701-0940) on April 27, 2015, effective April 30, 2015, has issued a plan approval extension for the modification of existing sources and the construction of a new baghouse. This project is the result of a reorganization program to increase efficiency. This facility is located in Bradford Township, **McKean County**.

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

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

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

48-00042: Molded Acoustical Products of Easton, Inc. (3 Danforth Drive, Easton, PA 18045-7821) issued on 04/24/2015 for the operation of un-laminated plastics profile shape manufacturing facility in Palmer Township, **Northampton County**. The sources consist of fiberglass molding presses with the emissions controlled by two (2) scrubbers. This is a renewal of a State-Only operating permit. The State-Only 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.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

67-03021: General Dynamics Ordnance Systems, Inc. (200 E. High Street, PO Box 127, Red Lion, PA

17356-0127) on April 20, 2015, for the military ordnance manufacturing facility located in Red Lion Borough, **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

08-00023: Faithful Companions Pet Cemetery (2919 Rolling Hills Road, Ulster, PA 18850) for their pet cremation facility located in Smithfield Township, **Bradford County**. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable state and federal air quality regulations.

17-00019: Waroquier Coal, Inc. (3056 Washington Avenue, PO Box 128, Clearfield, PA 16830) for their coal processing facility in Lawrence Township, **Clearfield County**. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable state and federal air quality regulations.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

32-00393: Prime Metals & Alloys, Inc. (101 Innovative Drive, Homer City, PA 15748) on March 31, 2015, a State Only Operating Permit (SOOP) was issued to Prime Metals & Alloys to authorize the continued operation of their specialty steel plant located in Center Township, **Indiana County**.

63-00979: Liquidmetal Coatings, LLC (50 Technology Drive, California, PA 15423) on April 24, 2015 a State Only Operating Permit (SOOP) was issued to Liquidmetal Coatings to authorize the continued operation of their facility located in California Borough, **Washington County**.

32-00434: Sunoco Pipeline, LP (525 Fritztown Road, Sinking Spring, PA 19608) On April 27, 2015, DEP issued an Air Quality State Only Operating Permit (SOOP) to Sunoco Pipeline, LP to authorize the operation of natural gas liquid pumping facility known as the Cramer Station, located in East Wheatfield Township, **Indiana County**.

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

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

10-00220: ESM Group, Inc., (995 Saxonburg, Blvd, Saxonburg, PA 16056-2317), on April 22, 2015, renewed a State Only Operating Permit for the facility located on Myoma Road in Adams Township, **Butler County**. The facility is a Natural Minor. Potential Emissions are below the Title V thresholds. The primary sources at the facility include truck dumping of raw materials, blending of raw materials, materials handling, materials mixing & bagging, storage silos, and 2 parts washers. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

10-00310: Air Products & Chemicals Inc. (357 Marian Ave, Tamaqua, PA 18252) issued on April 22, 2015, a renewal State Only Operating Permit for the facility

located in Butler Township, **Butler County**. The facility is a Natural Minor. The primary sources at the facility include a hydrogen reformer, hydrogen purification, process water deaeration, a parts washer, and a diesel fired emergency fire pump engine. The engine is certified to meet the requirements of 40 CFR 60 Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The engine manufacturer has certified that the engine conforms to the emission warranty of 40 CFR Part 89. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

46-00093: Bryn Mawr Hospitalk (130 S. Bryn Mawr Ave. Bryn Mawr, PA 19010) On April 24, 2015 located in Lower Merion Township, **Montgomery County**. Operating Permit Minor Modification issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462. Modification is to modify the liquid backup fuel fired in boilers from #6 fuel to #2 fuel oil without changing any emissions. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

60-00017: New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc. (3716 Crescent Court West, Whitehall, PA 18052), issued an amendment of state only operating permit on April 24, 2015 for their facility located in Buffalo Township, **Union County**. This operating permit amendment incorporates all terms and conditions specified in Plan Approval 60-00017A.

41-00079: Eureka Resources, LLC (454 Pine Street, PA 17701-6200), issued an amendment of state only operating permit on April 24, 2015 for their facility located in Williamsport, **Lycoming County**. This operating permit amendment incorporates all terms and conditions specified in Plan Approval 41-00079B.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

TVOP-11-00378: Interpower/AhlCon Partners L.P. (141 Interpower Drive, Colver, PA 159271) Minor Permit Modification issued on April 9, 2015 to add specific dates for compliance with parts of 40 CFR Part 63, Subpart UUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units into the TVOP for the Colver Power Project. The Colver Power Project is located in Cambria Township, **Cambria County**.

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

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

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

09-00193: Univar USA, LLC. (5 Steel Rd E, Morrisville, PA 19067-3613) for operation of a storage tank facility located in Falls Township, **Bucks County**. The operating permit was revoked because of a change of ownership of this facility to Univar USA, LLC and incorporation of these sources into an existing Univar Operating Permit 09-00209.

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

33990109. McKay Coal Company, Inc. (P. O. Box 343, Punxsutawney, PA 15767) Revision to an existing bituminous surface and auger mine to add 6.3 acres in Perry Township, **Jefferson County**, affecting a total of 72.5 acres. Receiving streams: Unnamed tributaries to Perryville Run and Perryville Run. Application received: December 18, 2014. Permit Issued: April 23, 2015.

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

17930125 and NPDES PA0219665. EnerCorp, Inc. (1310 Allport Cutoff, Morrisdale, PA 16858). Permit renewal for reclamation only of a bituminous surface mine located in Morris Township, **Clearfield County** affecting 72.7 acres. Receiving stream(s): Unnamed Tributary to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 13, 2014. Permit issued: April 13, 2015.

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

Permit No. 54151102GP104. Premium Fine Coal Co., Inc. (PO Box 268, Tamaqua, PA 18252), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Permit Waiver No. 54151102 in Blythe Township, **Schuylkill County**, re-

ceiving stream: Schuylkill River. Application received: January 12, 2015. Permit issued: April 21, 2015.

Permit No. 54900101R4. Blackwood, Inc., (PO Box 639, Wind Gap, PA 18091), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Branch, Reilly and Tremont Townships, **Schuylkill County** affecting 1,850.6 acres, receiving stream: Swatara Creek. Application received: November 26, 2013. Renewal issued: April 22, 2015.

Permit No. 54900101GP104. Blackwood, Inc., (PO Box 639, Wind Gap, PA 18091), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54900101 in Branch, Reilly and Tremont Townships, **Schuylkill County**, receiving stream: Swatara Creek. Application received: November 26, 2013. Permit issued: April 22, 2015.

Permit No. 40140201. Mineral Reclamation, LLC, (100 North Wilkes-Barre Boulevard, Suite 126, Wilkes-Barre, PA 18702), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 13.28 acres, receiving stream: Nanticoke Creek. Application received: April 8, 2014. Permit issued: April 22, 2015.

Permit No. 40140201GP104. Mineral Reclamation, LLC, (100 North Wilkes-Barre Boulevard, Suite 126, Wilkes-Barre, PA 18702), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40140201 in Hanover Township, **Luzerne County**, receiving stream: Nanticoke Creek. Application received: April 8, 2014. Permit issued: April 22, 2015.

Permit No. 40-305-013GP. Mineral Reclamation, LLC, (100 North Wilkes-Barre Boulevard, Suite 126, Wilkes-Barre, PA 18702), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40140201 in Hanover Township, **Luzerne County**. Application received: April 8, 2014. Permit issued: April 22, 2015.

Noncoal Permits Issued

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

Permit No. 58140807 & NPDES Permit No. PA0225525. Eric Diaz (1612 Lewis Road, Montrose, PA 18801), Commencement, operation and restoration of a quarry operation and NPDES permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: West Lake Creek to Salt Lick Creek. Application received: October 22, 2014. Permit issued: April 21, 2015.

Permit No. 58142803. C. Thomas Chilewski, Jr., (PO Box 88, Susquehanna, PA 18847), Commencement, operation and restoration of a quarry operation in Oakland Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Drinker Creek. Application received: March 3, 2014. Permit issued: April 22, 2015.

Permit No. 58142803GP104, C. Thomas Chilewski, Jr., (PO Box 88, Susquehanna, PA 18847), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58142803 in Oakland Township, **Susquehanna County**, receiving stream: unnamed tributary to Drinker Creek. Application received: March 3, 2014. Permit issued: April 22, 2015.

Permit No. 66980302T. Keller Crushing & Screening, Inc., (158 Anderson Road, Tunkannock, PA 18657), transfer of an existing quarry operation in Lemon Township, **Wyoming County** affecting 44.38 acres, receiving stream: Billing Creek. Application received: May 24, 2012. Transfer issued: April 23, 2015.

Permit No. 66980302GP104. Keller Crushing & Screening, Inc., (158 Anderson Road, Tunkannock, PA 18657), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66980302 in Lemon Township, **Wyoming County**, receiving stream: Billing Creek. Application received: May 24, 2012. Permit issued: April 23, 2015.

Permit No. 7773SM1A2C13 and NPDES Permit No. PA0595322. Reading Materials, Inc., (PO Box 1467, Skippack, PA 19474), correction to an existing quarry operation to add clean fill for reclamation and reduce the permitted acres from 300.03 to 243.95 acres, receiving stream: unnamed tributary to Schuylkill River. Application received: November 19, 2013. Correction issued: April 23, 2015.

Permit No. 2880302T2 and NPDES Permit No. PA0594211. Pennsy Supply, Inc., (1001 Paxton Street, Harrisburg, PA 17105), transfer and correction of an existing quarry operation in Hummelstown Borough and Lower Swatara Township, **Dauphin County** affecting 136.02 acres, receiving stream: Swatara Creek. Application received: July 17, 2014. Transfer issued: April 27, 2015.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Issued

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

Permit No. 36154115. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Pequea Valley Farm in Strasburg Township, **Lancaster County** with an expiration date of May 30, 2015. Permit issued: April 20, 2015.

Permit No. 66154103. Midstream Explosives, LLC, (289 Southside Drive, Newville, PA 17241), construction blasting for Auburn Loop Pipeline in Auburn and Meshoppen Townships, **Susquehanna County** with an expiration date of April 17, 2016. Permit issued: April 22, 2015.

Permit No. 36154116. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Elm Tree Development in Rapho Township, **Lancaster County** with an expiration date of April 30, 2016. Permit issued: April 24, 2015.

Permit No. 38154106. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Bachman Run in South Annville Township, **Lebanon County** with an expiration date of April 30, 2016. Permit issued: April 24, 2015.

Permit No. 58154110. Midstream Explosives, LLC, (289 Southside Drive, Newville, PA 17241), construction blasting for Shea to Traver Pipeline in Choconut Town-

ship, **Susquehanna County** with an expiration date of April 17, 2016. Permit issued: April 24, 2015.

Permit No. 58154111. Midstream Explosives, LLC, (289 Southside Drive, Newville, PA 17241), construction blasting for York to Hillis Pipeline in Choconut Township, **Susquehanna County** with an expiration date of April 17, 2016. Permit issued: April 24, 2015.

Permit No. 64154102. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Camp Equinunk Tennis Court in Manchester Township, **Wayne County** with an expiration date of April 15, 2016. Permit issued: April 24, 2015.

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E13-178. Carbon County, P. O. Box 129 Jim Thorpe, PA 18229-0129. Jim Thorpe Borough, **Carbon County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 12-foot wide, 240-foot span pre-fabricated steel truss pedestrian bridge across the Lehigh River (TSF, MF) with a 21-foot underclearance, concrete wingwalls, and riprap armoring along the eastern abutment. The purpose the project is to connect two segments of the "Delaware & Lehigh Heritage Trail." The project is located approximately 0.4 mile south of the intersection of Route 209 and Route 903 (Lehigh, PA Quadrangle Latitude: 40° 51' 41"; Longitude: -75° 44' 14") in Jim Thorpe Borough, Carbon County. Sub basin: 2B

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

E65-966. Pennsylvania Department of Transportation—District 12-0, 825 North Gallatin Avenue, Uniontown, PA 15401; New Stanton Borough & Hempfield Township, **Westmoreland County**; ACOE Pittsburgh District.

Has been given consent to remove the existing SR 3089, 2 ft to 4.5 ft diameter 89 ft long culvert; and construct and maintain on an adjoining western alignment a replacement 5.5 ft diameter, 137 ft long enclosure; and construct and maintain 145 ft of associated connecting stream relocation on an unnamed tributary to Sewickley Creek (WWF) with a drainage area of 224 acres;

Extend the existing SR 70, 7 ft diameter 252 ft long enclosure 73 ft upstream and 113 ft downstream; and construct and maintain 69 ft downstream and 256 ft upstream of associated connecting stream relocations on an unnamed tributary to Sewickley Creek with a drainage area of 224 acres;

Remove the existing SR 3046 15 inch diameter 41 ft long culvert; construct and maintain a replacement 15 inch diameter 41 ft long culvert carrying an unnamed tributary to Sewickley Creek with a drainage area less than 100 acres;

Install and main a new 5 ft diameter 87 ft long RCP culvert on an unnamed tributary to Sewickley Creek with a drainage area less than 100 acres;

Place and maintain fill in 1,901 ft of unnamed tributaries to Sewickley Creek; and construct and maintain 2,384 ft of relocated unnamed tributaries to Sewickley Creek with drainage areas of less than 100 acres;

In addition install and maintain road associated stormwater outfalls; minor repairs to existing encroachments; place and maintain fill in a total of 1.83 acre of PEM, PSS, and PFO wetland; temporarily impact of 0.1 acre of PEM wetland; and temporarily impact 4,101 ft of stream associated with the construction of the project. 800 ft of perennial and 1,789 ft of ephemeral stream channel mitigation and replacement will occur onsite via reconstruction of relocated channels. 670 ft of stream mitigation will occur offsite on an unnamed tributary to Sewickley Creek (WWF), located on the Westmoreland County Community College Campus in Hempfield Township, Westmoreland County. Three acres of mitigation wetlands will be constructed offsite at PA Gamelands 297 in North Bethlehem Township, Washington County.

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

E4129-037: PVR Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Jackson Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 30 inch natural gas pipeline, one 12 inch water line, and a timber mat bridge impacting 163 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°30'49.16"N 77°05'40.84"W);

(2) one 30 inch natural gas pipeline, one 12 inch water line, and a timber mat bridge impacting 66 linear feet of an unnamed tributary to Blockhouse Creek (CWF) and 213 square feet of adjacent palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°30'53"N 77°05'17"W);

(3) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 50 linear feet of an unnamed tributary to Roaring Branch (EV, MF) (Liberty, PA Quadrangle 41°31'06"N 77°04'32"W);

(4) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 122 linear feet of an unnamed tributary to Roaring Branch (EV, MF) (Liberty, PA Quadrangle 41°31'11"N 77°04'26"W);

(5) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 380 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°31'42"N 77°04'13"W);

(6) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 26,988 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°31'51"N 77°04'11"W);

(7) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 205 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°31'59"N 77°04'09"W);

(8) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 55 linear feet of Roaring Branch (EV, MF) and 5,044 square feet of adjacent palustrine emergent (PEM) wetlands (Liberty, PA Quadrangle 41°32'00"N 77°04'08"W);

(9) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 51 linear feet of an unnamed tributary to Roaring Branch (EV, MF) (Liberty, PA Quadrangle 41°32'19"N 77°04'17"W);

(10) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 217 linear feet of Little Elk Run (EV, MF), 261 square feet of adjacent palustrine emergent (PEM) wetland, and 2,193 square feet of adjacent palustrine forested (PFO) wetland (Liberty, PA Quadrangle 41°32'44"N 77°03'41"W);

(11) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,732 square feet of palustrine forested (PFO) wetland (Liberty, PA Quadrangle 41°32'44"N 77°03'38"W);

(12) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 43 linear feet of an unnamed tributary to Little Elk Run (EV, MF) (Liberty, PA Quadrangle 41°32'51"N 77°03'25"W).

The project will result in 604 linear feet of stream impacts and 0.85 acre of wetland impacts, all for the purpose of installing a natural gas gathering line and water line with associated access roadways for Marcellus

well development. These impacts are associated with the impacts of E5929-030 and E0829-039 and the impacts previously published on 05/19/12.

E0829-039: PVR Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Canton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 2,340 square feet of palustrine emergent (PEM) wetlands (Grover, PA Quadrangle 41°36'30"N 76°52'14"W);

(2) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 988 square feet of palustrine scrub-shrub (PSS) wetland (Grover, PA Quadrangle 41°36'30"N 76°52'11"W);

(3) one 24 inch natural gas pipeline and one 12 inch water line impacting 5,562 square feet of palustrine emergent (PEM) wetlands (Grover, PA Quadrangle 41°36'28"N 76°52'03"W);

(4) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,176 square feet of palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°36'27"N 76°51'52"W).

The project will result in 0.23 acre of wetland impacts all for the purpose of installing a natural gas gathering line and water line with associated access roadways for Marcellus well development. These impacts are associated with the impacts of E4129-037 and E5929-030 and the impacts previously published on 05/19/12.

E5929-030: PVR Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Liberty & Union Townships, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 30 inch natural gas pipeline, one 12 inch water line, and a timber mat bridge impacting 988 square feet of palustrine emergent (PEM) wetland and 9,518 square feet of palustrine forested (PFO) wetland (Liberty, PA Quadrangle 41°33'15"N 77°02'40"W);

(2) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 60 linear feet of an unnamed tributary to Brion Creek (EV, MF) (Liberty, PA Quadrangle 41°33'19"N 77°02'33"W);

(3) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 337 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°33'20"N 77°02'31"W);

(4) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 83 linear feet of Brion Creek (EV, MF) and 45 linear feet of an unnamed tributary to Brion Creek (EV, MF) (Liberty, PA Quadrangle 41°33'20"N 77°02'30"W);

(5) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 3,433 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°33'21"N 77°02'27"W);

(6) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 3,122 square feet of palustrine forested (PFO) wetland (Liberty, PA Quadrangle 41°33'40"N 77°01'48"W);

(7) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 10,272 square feet of palustrine scrub-shrub (PSS) wetland and

2,7516 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°33'49"N 77°01'31"W);

(8) one 30 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 58 linear feet of an unnamed tributary to Salt Spring Run (EV, MF) (Liberty, PA Quadrangle 41°34'00"N 77°01'10"W);

(9) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 40 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°34'20"N 77°00'50"W);

(10) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 359 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°34'22"N 77°00'48"W);

(11) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 50 linear feet of an unnamed tributary to Salt Spring Run (EV, MF) and 493 square feet of adjacent palustrine emergent (PEM) wetlands (Liberty, PA Quadrangle 41°34'22"N 77°00'47"W);

(12) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 55 linear feet of an Salt Spring Run (EV, MF) (Liberty, PA Quadrangle 41°34'12"N 76°59'43"W);

(13) one 24 inch natural gas pipeline and one 12 inch water line impacting 117 square feet of palustrine forested (PFO) wetland and 18 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°34'21"N 77°00'38"W);

(14) one 24 inch natural gas pipeline and one 12 inch water line impacting 73 square feet of palustrine scrub-shrub (PSS) wetland and 515 square feet of palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°34'18"N 77°00'37"W);

(15) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 3,426 square feet of palustrine emergent (PEM) wetlands (Ralston, PA Quadrangle 41°34'12"N 76°59'43"W);

(16) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 52 linear feet of French Lick Run (EV, MF) (Ralston, PA Quadrangle 41°34'14"N 76°59'06"W);

(17) temporary mat bridges impacting 1,498 square feet of palustrine emergent (PEM) wetlands (Ralston, PA Quadrangle 41°34'19"N 76°58'43"W);

(18) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 18,997 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°34'26"N 76°58'41"W);

(19) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 79 linear feet of an unnamed tributary to French Lick Run (EV, MF) (Ralston, PA Quadrangle 41°34'26"N 76°58'38"W);

(20) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,095 square feet of palustrine forested (PFO) wetland (Ralston, PA Quadrangle 41°34'33"N 76°58'18"W);

(21) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 62 linear feet of West Mill Creek (HQ-CWF, MF) (Ralston, PA Quadrangle 41°34'41"N 76°57'46"W);

(22) a temporary mat bridge impacting 37 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°34'45"N 76°57'30"W);

(23) one 24 inch natural gas pipeline and one 12 inch water line impacting 3 linear feet of an unnamed tributary to Mill Creek (HQ-CWF, MF) (Ralston, PA Quadrangle 41°34'49"N 76°57'10"W);

(24) a temporary mat bridge impacting 19 linear feet of an unnamed tributary to Mill Creek (HQ-CWF, MF) (Ralston, PA Quadrangle 41°34'51"N 76°57'10"W);

(25) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 61 linear feet of Mill Creek (HQ-CWF, MF) (Ralston, PA Quadrangle 41°34'50"N 76°57'07"W);

(26) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 6,929 square feet of palustrine emergent (PEM) wetland and 276 square feet of palustrine scrub-shrub (PSS) wetland (Ralston, PA Quadrangle 41°35'07"N 76°56'24"W);

(27) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 2,019 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'09"N 76°56'18"W);

(28) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,468 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'08"N 76°56'09"W);

(29) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 77 linear feet of Sugar Works Run (HQ-CWF, MF) (Ralston, PA Quadrangle 41°35'12"N 76°55'52"W);

(30) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 113 linear feet of unnamed tributaries to Lycoming Creek (HQ-CWF, MF) and 1,715 square feet of adjacent palustrine forested (PFO) wetland (Ralston, PA Quadrangle 41°35'18"N 76°55'31"W);

(31) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 89 linear feet of unnamed tributaries to Lycoming Creek (HQ-CWF) and 7,728 square feet of adjacent palustrine forested (PFO) wetland (Ralston, PA Quadrangle 41°35'23"N 76°55'14"W);

(32) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 2,681 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'25"N 76°55'09"W);

(33) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 5,743 square feet of palustrine emergent (PEM) wetland and 2,862 square feet of palustrine scrub-shrub (PSS) wetland (Ralston, PA Quadrangle 41°35'30"N 76°54'50"W);

(34) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 62 linear feet of unnamed tributaries to Lycoming Creek (HQ-CWF, MF) (Ralston, PA Quadrangle 41°35'33"N 76°54'41"W);

(35) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 56 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF) and 65 square feet of adjacent palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'34"N 76°54'36"W);

(36) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 9,082 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'38"N 76°54'22"W);

(37) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,576 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'43"N 76°54'12"W);

(38) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 5,241 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'44"N 76°54'07"W);

(39) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 50 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF) (Ralston, PA Quadrangle 41°35'50"N 76°54'05"W);

(40) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 57 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF) and 1,302 square feet of adjacent palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°35'55"N 76°54'04"W);

(41) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,782 square feet of palustrine forested (PFO) wetland (Ralston, PA Quadrangle 41°35'55"N 76°54'01"W);

(42) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 59 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF, MF) and 903 square feet of adjacent palustrine scrub-shrub (PSS) wetland (Ralston, PA Quadrangle 41°35'54"N 76°53'59"W);

(43) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 1,459 square feet of palustrine scrub-shrub (PSS) wetland (Ralston, PA Quadrangle 41°35'55"N 76°53'55"W);

(44) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 4,361 square feet of palustrine scrub-shrub (PSS) wetland (Ralston, PA Quadrangle 41°36'11"N 76°53'00"W);

(45) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 54 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF, MF) (Ralston, PA Quadrangle 41°36'11"N 76°52'58"W);

(46) one 24 inch natural gas pipeline, one 12 inch water line, and a temporary mat bridge impacting 2,570 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°36'20"N 76°52'51"W);

(47) a temporary mat bridge impacting 3,992 square feet of palustrine emergent (PEM) wetland (Ralston, PA Quadrangle 41°36'32"N 76°52'49"W).

The project will result in 1,244 linear feet of stream impacts and 3.34 acres of wetland impacts, all for the purpose of installing a natural gas gathering line and water line with associated access roadways for Marcellus well development. These impacts are associated with the impacts of E4129-037 and E0829-039 and the impacts previously published on 05/19/12.

ENVIRONMENTAL ASSESSMENTS

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

D20-085EA. Mr. Foster Shaffer, Pennsylvania Game Commission, Bureau of Wildlife Habitat Management, Division of Engineering and Contract Management, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Troy Township, **Crawford County**, USACOE Pittsburgh District.

Project proposes to remove Dam #13 on State Game Lands #69 for the purpose of eliminating a threat to public safety and restoring approximately 700 feet of stream channel to a free-flowing condition. The project is located across West Branch Little Sugar Creek (CWF) (Sugar Lake, PA Quadrangle, Latitude: 41.6367; Longitude: -79.9008).

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 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 #ESX15-019-0007—Gray Well Pad
Applicant R.E. Gas Development, LLC
Contact Mr. Michael Endler
Address 600 Cranberry Woods Drive
City Cranberry Township State PA Zip Code 16066
County Bulter Township(s) Center(s)
Receiving Stream(s) and Classification(s) UNTs to Little Connoquenessing Creek; Little Connoquenessing Creek

ESCGP-2 #ESX14-047-0013—Ginger Project
Applicant EQT Production Company
Contact Todd Klaner
Address 455 Racetrack Road, Suite 101
City Washington State PA Zip Code 15301
County Elk Township(s) Jay(s)
Receiving Stream(s) and Classification(s) UNT 24874 to Kersey Run CWF-MF, Kersey Run

ESCGP-2 #ESG15-065-0002—Christoff to Weed Pipeline
 Applicant EQT Production Company, LLC
 Contact Todd Klaner
 Address 2400 Zenith Ridge Road
 City Canonsburg State PA Zip Code 15317
 County Jefferson Township(s) Washington
 Receiving Stream(s) and Classification(s) UNT 50308,
 UNT 50306 to Rattlesnake Run (CWF), UNT 48739 to
 Beaverdam Run (HQ-CWF), UNT 48753 to Wolf Run
 (CWF)

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

ESCGP-2 # ESX11-035-0014(01)
 Applicant Name XTO Energy Inc
 Contact Person Stacey Vehovic
 Address 395 Airport Rd
 City, State, Zip Indiana, PA 15701
 County Clinton
 Township(s) Chapman
 Receiving Stream(s) and Classification(s) Abe's Run
 (CWF, MF)
 Secondary—Hyner Run (HQ, CWF, MF)

ESCGP-2 # ESX10-015-0014(01)
 Applicant Name Chesapeake Appalachia LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Bradford
 Township(s) Wyalusing
 Receiving Stream(s) and Classification(s) UNT Brewer Ck
 (WWF, MF)
 Secondary—Brewer Creek (WWF, MF)

ESCGP-2 # ESX11-035-0013(01)
 Applicant Name XTO Energy Inc
 Contact Person Stacey Vehovic
 Address 395 Airport Rd
 City, State, Zip Indiana, PA 15701
 County Clinton
 Township(s) Chapman
 Receiving Stream(s) and Classification(s) Hyner Run (HQ,
 CWF, MF)
 Secondary—Susquehanna River

ESCGP-2 # ESX11-035-0019(01)
 Applicant Name XTO Energy Inc
 Contact Person Stacey Vehovic
 Address 395 Airport Rd
 City, State, Zip Indiana, PA 15701
 County Clinton
 Township(s) Chapman
 Receiving Stream(s) and Classification(s) Long Run (HQ)
 Secondary—Hyner Run (HQ, CWF, MF)

ESCGP-2 # ESG29-035-15-0001
 Applicant Name Regency Marcellus Gas Gathering LLC
 Contact Person Kevin M Roberts
 Address 101 W Third St
 City, State, Zip Williamsport, PA 17701
 County Clinton
 Township(s) Gallagher
 Receiving Stream(s) and Classification(s) UNT to East
 Branch Queens Run & Middle Branch Queens Run
 (HQ, CWF, MF) UNT to Craig Fork (EV, MF)
 Secondary—Queens Run (HQ, CWF, MF), Craig Fork
 (EV, MF)

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr., Pittsburgh, PA*

ESCGP-2 No: ESX14-059-0068
 Applicant Name: CONE Gathering LLC
 Contact Person Carol Phillips
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township: Richhill
 Receiving Stream(s) and Classifications: Tributaries to
 Dunkard Fork, Dunkard Fork, Tributaries to Wharton
 Run, Wharton Run, Tributaries to Chaney Run, Chaney
 Run/Ohio River Watershed; Other WWF

ESCGP-2 No.: ESG14-125-0070
 Applicant Name: NiSource Midstream Services LLC
 Contact Person: Farrah Lowe
 Address: 5151 San Felipe Suite 2500
 City: Houston State: TX Zip Code: 77056
 County: Washington Township(s): N. Strabane & S
 Strabane Twp
 Receiving Stream(s) and Classifications: Little Chartiers
 Creek HQ-WWF; UNTs to Little Chartiers Creek
 HQ-WWF; Chartiers Creek WWF; UNTs to Chartiers
 Creek

ESCGP-2 No.: ESX14-059-0099
 Applicant Name: CONE Gathering LLC
 Contact Person: Carol Phillips
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Morris, Richhill
 Receiving Stream(s) and Classifications: 2 UNTs to
 Enlow Fork/Ohio River; Other (WWF) Warm Water
 Fishes, (TSF) Trout Stocked Fishes

ESCGP-2 No.: ESX15-003-0002
 Applicant Name: EQT Production Land PA
 Contact Person: Todd Klaner
 Address: 2400 Zenith Ridge Road Suite 200
 City: Canonsburg State: PA Zip Code: 15317
 County: Allegheny Township(s): Elizabeth
 Receiving Stream(s) and Classifications: UNT to Douglass
 Run/Lower Youghioghenny River Watershed & UNT to
 Wylie Run/Middle Monongahela River Watershed;
 Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX14-125-0074
 Applicant Name: EQT Production Company
 Contact Person: Todd Klaner
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 County Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: UNT to Tenmile
 Creek, Tenmile Creek, Smith Run; Other TSF

ESCGP-2 No.: ESX15-125-0017
 Applicant Name: Rice Poseidon Midstream LLC
 Contact Person: Kyle Shirey
 Address: 400 Woodcliff Drive
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Somerset and West
 Pike Run
 Receiving Stream(s) and Classifications: 4 UNTs to Pi-
 geon Creek and 1 UNT to Pine Run/Tenmile Creek;
 Other (WWF) Warm Water Fishes, (TSF) Trout Stock
 Fishes

ESCGP-2 No.: ESX09-005-0006 Renewal
 Applicant Name: EXCO Resources (PA) LLC
 Contact Person: Brian Rushe
 Address: 260 Executive Drive Suite 100
 City: Cranberry State: PA Zip Code 16066
 County: Armstrong Township(s): Manor
 Receiving Stream(s) and Classifications: UNT to Campbell Run; Other WWF

ESCGP-2 No.: ESG14-059-0094
 Applicant Name: CONE Gathering LLC
 Contact Person: Carol Phillips
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370

County: Greene Township(s): Center
 Receiving Stream(s) and Classifications: UNTs to Grays Fork and Maranda Run/Ohio River Watershed; HQ; Other WWF

ESCGP-2 No.: ESX14-125-0036
 Applicant Name: Range Resources Appalachia LLC
 Contact Person: Glenn D Truzzi
 Address: 3000 Town Center Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Chartiers
 Receiving Stream(s) and Classifications: UNT to Chartiers Creek/Chartiers Creek Watershed; Other WWF; Siltation-Impaired

**STORAGE TANKS
 SITE-SPECIFIC INSTALLATION PERMITS**

The following 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, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

| <i>SSIP Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Tank Type</i> | <i>Tank Capacity</i> |
|------------------------|--|---------------|---------------------|-----------------------|----------------------|
| 15-09-014 | Walter R. Earle—Morrisville, LLC P. O. Box 556 Farmingdale, NJ 07727-0556 Attn: Thomas J. Earle | Bucks | Falls Township | 2 ASTs storing diesel | 60,000 gallons total |

SPECIAL NOTICES

Environmental Assessment

Northeast Regional Office, Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711; Telephone: 570-826-2511

Location: City of Scranton, Lackawanna County

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Scranton Sewer Authority (SSA) proposes to address the need to reduce CSO discharges from wastewater collection system CSO's 19 & 20, located below the Linden St. and Lackawanna Ave. bridges, respectively. Project will consist of CSO diversion structures to divert wet-weather flows from the CSO's to a new 1.2 MG concrete storage basin located on PNRRA R.R. land south of the Linden St. bridge between the Lackawanna River and Mifflin Ave., for later controlled release into SSA's main intercepting sewer. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

Drinking Water State Revolving Fund Special Notice

Special Notice Under the Federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. §§ 300f, et. seq.)

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

Project Location: South Williamsport, Armstrong Township and Loyalsock Township

| <i>Applicant</i> | <i>Applicant Address</i> | <i>County</i> |
|-------------------------------|--|---------------|
| Williamsport Authority (WMWA) | 253 West Fourth Street Williamsport, PA 17701 | Lycoming |

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. WMWA is proposing to replace approximately 12,000 lineal feet of waterline with 8" and 12" ductile iron waterline. The replacement will be along and between Rt. 15/Main Street and the Little League World Series. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impacts resulting from this proposal. The Department hereby approves the Environmental Assessment.

Categorical Exclusion

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

Authority of the Borough of Charleroi, Location: 3 McKean Avenue, Charleroi, PA 15022.

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to modify the membrane filters and associated components at the water treatment plant. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Water Quality Certification under section 401 of the Federal Clean Water Act for the Use of Land Licensed to Exelon Generation Company, LLC for the Wildcat Point Generating Facility Proposed by Old Dominion Electric Cooperative;

DEP File No. EA36-038

On June 30, 2014, Exelon Generation Company, LLC, licensee for the Conowingo Hydroelectric Project (Conowingo Project), Federal Energy Regulatory Commission (FERC) Project No. 405, filed an application requesting FERC authorization to allow Old Dominion Electric Cooperative (ODEC), permittee, the use of Conowingo Project lands and waters for the withdrawal and discharge of water for ODEC's Wildcat Point Generation Facility (Wildcat Point Project) in Cecil County, Maryland. ODEC is proposing to construct, operate, and maintain a water pump station and intake for cooling and process water and a wastewater discharge outfall on Conowingo Project lands in Fulton Township, Lancaster County, Pennsylvania and is proposing to discharge wastewater effluent consisting primarily of non-contact cooling water from the Wildcat Point Project's cooling tower. ODEC is also proposing to construct, operate, and maintain intake and outfall pipelines that extend from within the Conowingo Project lands through Lancaster County, Pennsylvania to the Wildcat Point Project in Maryland.

On April 28, 2015, the Commonwealth of Pennsylvania ("Commonwealth") Department of Environmental Protection ("PADEP") received a request for Water Quality ("WQ") Certification under Section 401 of the Federal Clean Water Act from Exelon for the FERC approval of project lands for non-project purposes by ODEC for the Wildcat Point Project in Fulton Township, Lancaster County, Pennsylvania. The DEP File No. for this WQ Certification request is EA36-038. Pennsylvania WQ Certification is required for the FERC approval of this project under the Federal Power Act for the portions of the Wildcat Point Project that occur within the FERC regulated Conowingo Project lands and waters in Pennsylvania. The FERC Docket No. for the project is P-405-111.

The ODEC Wildcat Point Generation Facility is proposed to be a nominally rated 1,000 megawatts combined cycle, natural gas fueled generation facility in Cecil County, Maryland. The proposed Wildcat Point Facility is to be supplied with natural gas by the proposed Transcontinental Pipe Line Company-Rock Springs Expansion project natural gas transmission pipeline in Lancaster County, Pennsylvania and Cecil County, Maryland that is subject to a separate FERC Docket and DEP Water Quality Certification Request.

Pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341), the PADEP, by this notice, proposes to certify that the construction, operation and maintenance of the Wildcat Point Project complies with the applicable provisions of the Clean Water Act, through compliance with the following State water quality permitting programs, criteria and conditions established pursuant to Pennsylvania's Clean Stream Law (35 P.S. §§ 691.1—691.1001), and the Pennsylvania Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.28), which ensure the Project does not violate applicable water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—ODEC shall comply with the PADEP National Pollutant Discharge Elimination System (NPDES) permit No. PA0265951, including any future amendments, modifications, or revisions thereto, for the

discharge of Industrial Wastewater (IW) from the operation of the Wildcat Point Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapters 92a, 93 and 96).

2. *Erosion and Sediment Control Permit*—ODEC shall obtain and comply with a PADEP's NPDES Permit for Stormwater Discharges Associated with Construction Activity 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) for any earth disturbance activities that require said permit. ODEC submitted Individual NPDES Permit applications for PADEP review. The Individual NPDES permit numbers for the applications that are pending at PADEP for this project are PAI033614009 and PAI033614009(1).

3. *Water Obstruction and Encroachment Permits*—ODEC shall comply with all PADEP Chapter 105 Water Obstruction and Encroachment Permits obtained for the construction, operation and maintenance of all water obstructions and encroachments associated with the Wildcat Point Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.28), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105). The PADEP Water Obstruction and Encroachment General Permits (GP) acknowledged for the Wildcat Point Project are numbered GP-11-36-14-135; GP-07-36-14-202; GP-05-36-14-203; and GP-04-36-14-202.

4. *Submerged Lands License Agreement*—ODEC shall obtain and comply with a Pennsylvania Submerged Lands License Agreement, pursuant to the Pennsylvania Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.28) and all applicable implementing regulations (25 Pa. Code Chapter 105).

5. *Susquehanna River Basis Commission*—ODEC shall implement and comply with the Consumptive Water Use Plan and Surface Water Withdrawal as approved and conditioned by the Susquehanna River Basin Commission on March 6, 2014, Docket No. 20140308, including any future amendments, modifications, or revisions to that approval.

6. *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 ODEC.

7. *Operation*—For the Wildcat Point Project under this certification, ODEC shall at all times properly operate and maintain all Wildcat Point 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 ODEC.

8. *Inspection*—The Wildcat Point 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 required, and Pennsylvania's Water Quality Standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Wildcat Point Project.

9. *Transfer of Projects*—If Exelon intends to transfer any legal or equitable interest in the Conowingo Project lands which is affected by this Certification, Exelon 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 applicable 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.

If ODEC intends to transfer any legal or equitable interest in the Wildcat Point Project which is affected by this Certification, ODEC 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 applicable 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.

10. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to the Department of Environmental Protection, South-central Regional Office, Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

11. *Reservation of Rights*—PADEP may suspend or revoke this Certification if it determines that Exelon and ODEC have not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Exelon and ODEC's applicable procedural and substantive rights.

12. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Exelon and ODEC from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.

13. *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.

The Environmental Assessment prepared by FERC may be viewed on FERC's website at www.ferc.gov under the Docket No. P-405-111.

Exelon's request to PADEP for Water Quality Certification, File No. EA36-038 and the related ODEC permit files and applications can be reviewed at the DEP South-central Region Office (SCRO), located at the above address. Please contact the DEP SCRO file room at 717-705-4732 to schedule a review of this file.

Prior to final action on the proposed section 401 Water Quality Certification, consideration will be given to any comments, suggestions or objections which are submitted in writing within 30 days of this notice. Comments concerning the proposed 401 Water Quality Certification should be directed to Mr. Scott Williamson, South-central Region Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile

will be accepted. The Department will consider all relevant and timely comments received.

[Pa.B. Doc. No. 15-863. Filed for public inspection May 8, 2015, 9:00 a.m.]

Citizens Advisory Council Meeting Change

The May 20, 2015, meeting of the Citizens Advisory Council (Council) will convene at 11 a.m. instead of 10 a.m. as previously advertised at 44 Pa.B. 8057 (December 27, 2014). The meeting will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the Council may be directed to Michele Tate, (717) 787-8171, mtate@pa.gov. Information about the Council, including upcoming meeting agenda items, is available on the Public Participation Center of the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us/cac.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Michele Tate at (717) 787-8171 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-864. Filed for public inspection May 8, 2015, 9:00 a.m.]

Federal Consistency under the Coastal Zone Management Act; Penn's Landing Marina; Spruce Street Harbor Park

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the Delaware River Waterfront Corporation is proposing the Spruce Street Harbor Park Project at Penn's Landing along the Delaware River in Philadelphia, PA.

The applicant is proposing to install three floating spud barges within the Penn's Landing Marina. The spud barges will be connected with pedestrian ramps and gangways and will be held in place with the spud piles and mooring lines for recreational activities at Penn's Landing from May through September. The proposed barge project known as the Spruce Street Harbor Park will be equipped with temporary public recreational structures for the Penn's Landing Marina which is located along Columbus Boulevard near the terminus of Spruce Street in the City of Philadelphia, PA. The park will provide additional recreational (including fishing) and public gathering space for the citizens and visitors of Philadelphia and will serve to increase access to the Delaware River waterfront in the City of Philadelphia. Park facilities on the barge decks would include: stage with seating; trees and other plantings in potted containers; concession stands for food and beverages; a lily pad garden; and other park-like amenities. It would be operated from May through September. The applicant is

seeking Federal authorization for this project through a United States Army Corps of Engineers Letter of Permission (CENAP-OP-R-2014-0301-1(LOP)).

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

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

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

The Department will consider all comments received on or before May 26, 2015, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Matthew Walderon, Department of Environmental Protection, Interstate Waters Office, 400 Market Street, P. O. Box 8465, Harrisburg, PA 17101-8465, RA-Fed_Consistency@pa.gov.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-865. Filed for public inspection May 8, 2015, 9:00 a.m.]

Pennsylvania Alternative Fuels Incentive Grant Program; Availability of Rebates

The Department of Environmental Protection (Department) announces the continued availability of grants to Commonwealth residents under the Pennsylvania Alternative Fuel Vehicle Rebate Program (program). The program, administered by the Department through the Alternative Fuels Incentive Grant Program, provides rebates to Commonwealth residents to assist individuals with the incremental costs of purchasing an alternative fuel vehicle.

To qualify for the rebate, the alternative fuel vehicle must be registered in this Commonwealth and be operated primarily within this Commonwealth. The rebate will be offered on a first-come, first-served basis in the order in which they are received. Rebate request forms and required documentation must be submitted to the Department within 6 months after the vehicle is purchased.

The following rebates are offered:

- \$2,000 rebate for a plug-in hybrid electric vehicle (PHEV) (battery system capacity equal/greater than 10 kWh) or battery electric vehicle (EV) (battery system capacity equal/greater than 10 kWh); does not include electric motorcycle, scooter, ATV or low speed electric vehicle.

- \$1,000 rebate for a PHEV or EV (battery system capacity less than 10 kWh); does not include electric motorcycle, scooter, ATV or low speed electric vehicle.
- \$1,000 rebate for a natural gas fueled vehicle; original equipment manufacturer (OEM)/certified retrofit only.
- \$1,000 rebate for a propane fueled vehicles; OEM/certified retrofit only.
- \$1,000 rebate for a hydrogen or fuel cell vehicles, or both.
- \$500 rebate for an electric motorcycle, scooter, ATV or other low speed electric vehicle if registered in this Commonwealth.

There are only a limited number of rebates available at \$2,000. The rebate program offered will be reassessed upon payment of the first 250 rebates at \$2,000 or December 31, 2015, whichever occurs first. The Department encourages interested applicants to visit the Department's web site at www.dep.state.pa.us (DEP Keyword: Alternative Fuel Vehicle Rebates) for rebate forms and an up-to-date listing of rebate availability.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-866. Filed for public inspection May 8, 2015, 9:00 a.m.]

Proposed 2015 Annual Air Monitoring Network Plan for the City of Philadelphia

Under 40 CFR Part 58 (relating to ambient air quality surveillance), state and local air pollution control agencies must adopt and submit to the United States Environmental Protection Agency (EPA) Regional Administrator an Annual Monitoring Network Plan (AMNP) by July 1, 2015. The AMNP provides for the establishment and maintenance of an air quality surveillance system that consists of a network of monitoring stations. A proposed AMNP must be made available for public inspection for at least 30 days prior to submission to the EPA.

Air Management Services is the local air pollution control agency for the City of Philadelphia under the Department of Public Health. Philadelphia has an air monitoring network of 12 air monitoring stations that house instruments that measure ambient levels of air pollutants.

The proposed AMNP is available for public inspection on the City of Philadelphia's web site at <http://www.phila.gov/health/airmanagement/PublicMeetings.html> and at the office of Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, during normal business hours. For further information, contact Henry Kim, Chief of Program Services at (215) 685-9439.

Interested persons may submit written comments on the proposed AMNP by June 8, 2015. Only written comments will be accepted. Comments submitted by facsimile will not be accepted. Written comments should be sent to Henry Kim, Chief of Program Services, Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-867. Filed for public inspection May 8, 2015, 9:00 a.m.]

Small Water Systems Technical Assistance Center Board Revised Meeting Schedule for 2015

Two additional meetings of the Small Water Systems Technical Assistance Center Board are needed. The first meeting will be held from 9 a.m. to 3 p.m. on May 18, 2015, in Susquehanna Rooms A and B, Southcentral Regional Department of Environmental Protection Office, 909 Elmerton Avenue, Harrisburg, PA 17110. The second meeting will be held from 9 a.m. to 3 p.m. on May 26, 2015, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8467.

Questions concerning the meetings should be directed to Tom Fridirici, Bureau of Safe Drinking Water, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-2172, hfridirici@pa.gov.

The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us (DEP Keyword: "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Tom Fridirici at (717) 787-2172, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users), to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-868. Filed for public inspection May 8, 2015, 9:00 a.m.]

Watershed Protection and Restoration Grants and Surface Mining Conservation and Reclamation Act Grants through the Growing Greener Plus Program; Request for Applications

As part of the 2015 Department of Environmental Protection's (Department) Growing Greener Plus Program (Growing Greener), applications are now being accepted for watershed protection and restoration grants. Under 27 Pa.C.S. §§ 6101—6119 (relating to Environmental Stewardship and Watershed Protection Act), the Department is authorized to allocate these grants to a variety of eligible applications including: counties, authorities and other municipalities; county conservation districts; watershed organizations recognized by the Department who promote local watershed conservation efforts; councils of governments; and other authorized organizations involved in the restoration and protection of the environment in this Commonwealth.

For the upcoming grant round, the Department will invest in projects that will ultimately protect or restore, or both, watersheds in this Commonwealth from impairment due to nonpoint source pollution, with a focus on priority activities. Examples of special priority activities include: projects located in priority watersheds identified by the Department that reduce the source of impairment; priority activities that lead to water quality restoration or protection; and projects that support the installation of agricultural Best Management Practices to achieve com-

pliance with existing agricultural water quality requirements. A full list of priority activities is available in the grant application.

Examples of eligible projects include those that will reduce nonpoint source pollution in watersheds where streams are impaired, projects that will help reduce Total Maximum Daily Load pollutants, and integrating stormwater management into watershed management and water conservation strategies.

Through the same application process, applicants can also apply for funding through the Department's Surface Mining Conservation and Reclamation Act (SMCRA) Grant Programs and Section 319 Nonpoint Source Grant Program. SMCRA grants are available to various entities including municipalities, municipal authorities and non-profit organizations for projects meeting SMCRA Set Aside or Bond Forfeiture grant requirements. Section 319 grants focus on funding similar projects to Growing Greener but with special emphasis within targeted watersheds.

The deadline for submitting applications to the Department's Growing Greener Grants Center (Center) is July 10, 2015. Applications must be postmarked no later than July 10, 2015. If hand delivered, the package must be received by the Center by 4 p.m. on July 10, 2015, at the following address. Late submissions will not be considered.

To request or download an application or obtain more information concerning the Growing Greener Program, visit the Growing Greener web site at www.dep.state.pa.us (DEP Keyword: Growing Greener). The Center can be contacted at (717) 705-5400 or GrowingGreener@state.pa.us. Written requests should be addressed to the DEP Grants Center, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8776, Harrisburg, PA 17105-8776.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-869. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Bucks County

Proposals are invited to provide the Department of General Services with approximately 12,000 to 16,000 net usable square feet of retail space for the Liquor Control Board in Doylestown, Bucks County. For more information on SFP No. 94729, which is due on Monday, May 18, 2015, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Acting Secretary

[Pa.B. Doc. No. 15-870. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of CH Ambulatory Surgery Center of Hazleton for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that CH Ambulatory Surgery Center of Hazleton has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 3.7-7.2.3.3(3) (relating to walls).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-871. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of Children's Hospital of Philadelphia King of Prussia Specialty Care and Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Philadelphia King of Prussia Specialty Care and Surgery Center has requested an exception to the requirements of 28 Pa. Code § 567.53 (relating to sterilization control).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-872. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of Einstein Montgomery Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Einstein Montgomery Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-873. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of Geisinger Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2010 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.1-8.5.3.1 (relating to Technology Distribution Rooms (TDRs)), regarding size.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-874. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of Heart of Lancaster Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Heart of Lancaster Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2010 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 3.6-3.6.6 (relating to medicine rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-875. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of Milton S. Hershey Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Milton S. Hershey Medical Center has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 2.2-3.10.2.2(1)(a) and 3.1-1.4 (relating to space requirements; and facility layouts).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-876. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.4.6.6(1) (relating to medication safety zone and storage).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-877. Filed for public inspection May 8, 2015, 9:00 a.m.]

Application of The Surgical Specialty Center at Coordinated Health for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Surgical Specialty Center at Coordinated Health has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.1-2.6.6.2(1)(b)(ii) (relating to hand-washing stations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-878. Filed for public inspection May 8, 2015, 9:00 a.m.]

Chronic Renal Disease Program Income Criteria

The Department of Health (Department) provides notice of intent to implement the following income criteria for the Chronic Renal Disease Program (Program), effective immediately.

Income

New Program applicants must have an annual household income of 0% to 300% of the Federal Poverty Income Guidelines (FPIG) as published by the United States Department of Health and Human Services (HHS) in the *Federal Register* and any revisions thereto (to the extent services are not covered by Medical Assistance). Current enrollees must meet the same eligibility criteria at the time of renewal as new applicants. A Patient Share of Cost will be applied on a sliding scale to applicants with an annual household income of 185% to 300% of the FPIG as published by the HHS in the *Federal Register* and any revisions thereto. Applicants must submit their Federal 1040 tax return from the prior calendar year to verify annual household income. If no Federal 1040 tax return was filed, other supporting documentation of annual household income is required.

For additional information or for persons with a disability who require an alternative format of this notice (for example, large print, audio tape or Braille), contact Carolyn S. Cass, Director, Bureau of Family Health, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for a speech and/or hearing impaired persons, call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-879. Filed for public inspection May 8, 2015, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.27 (relating to lounge and recreation rooms):

Rolling Hills Manor
17350 Old Turnpike Road
Millmont, PA 17845
FAC ID # 320202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.24(a) (relating to dining room):

Rolling Hills Manor
17350 Old Turnpike Road
Millmont, PA 17845
FAC ID # 320202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-880. Filed for public inspection May 8, 2015, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on June 4, 2015, from 10 a.m. to 3 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness training programs, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Serina Gaston, Division Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-6214, or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-881. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments to Qualifying Teaching Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2014-2015 disproportionate share hospital (DSH) payments to qualifying teaching hospitals that provide psychiatric services to Medical Assistance (MA) beneficiaries. This funding is intended to assist in supporting the medical education of psychiatrists in hospitals providing psychiatric care to MA beneficiaries and the uninsured. There is no change in the qualifying criteria or payment methodology for this payment from FY 2013-2014.

Payment limitations are still applicable, including those limitations prohibiting the Commonwealth from exceeding its aggregate annual DSH allotment and prohibiting a hospital from receiving DSH payments in excess of its hospital-specific limit.

The Department published notice of its intent to allocate funding for these DSH payments at 44 Pa.B. 7252 (November 15, 2014). The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent.

Fiscal Impact

The FY 2014-2015 impact as a result of the funding allocation for this payment is \$0.500 million (\$0.241 million in State general funds and \$0.259 million in Federal funds).

THEODORE DALLAS,
Acting Secretary

Fiscal Note: 14-NOT-949. (1) General Fund; (2) Implementing Year 2014-15 is \$241,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$163,862,000; 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; (7) MA—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 15-882. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Super \$25 Frenzy Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

- Name:** The name of the game is Pennsylvania Super \$25 Frenzy.
- Price:** The price of a Pennsylvania Super \$25 Frenzy instant lottery game ticket is \$1.
- Play Symbols:** Each Pennsylvania Super \$25 Frenzy instant lottery game ticket will contain one play area featuring a "WINNING NUMBER" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBER" areas 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 and their captions 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) and a \$25 Burst (WIN25) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$75⁰⁰ (SVY FIV) and \$2,500 (TWYFIVHUN).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$5, \$10, \$20, \$25, \$30, \$50, \$75 and \$2,500. A player can win up to 5 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Super \$25 Frenzy instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$75.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$50⁰⁰ (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.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$25⁰⁰ (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.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$25 Burst (WIN25) symbol, on a single ticket, shall be entitled to a prize of \$25.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$20⁰⁰ (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 one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$10⁰⁰ (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 one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$5⁰⁰ (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.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$2⁰⁰ (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.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$1⁰⁰ (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.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol 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 Pennsylvania Super \$25 Frenzy instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under The Matching Number. Win With:

| | Win: | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 12,000,000 Tickets |
|---------|-----------------|----------------------------|---|
| FREE | FREE \$1 TICKET | 9.38 | 1,280,000 |
| \$1 × 2 | \$2 | 37.5 | 320,000 |
| \$2 | \$2 | 42.86 | 280,000 |
| \$1 × 3 | \$3 | 75 | 160,000 |
| \$3 | \$3 | 75 | 160,000 |
| \$1 × 5 | \$5 | 150 | 80,000 |
| \$5 | \$5 | 150 | 80,000 |
| \$5 × 2 | \$10 | 750 | 16,000 |

When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under The Matching Number. Win With:

| Win: | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 12,000,000 Tickets |
|----------------------------|----------------------------|---|
| (\$3 × 2) + (\$2 × 2) | \$10 | 20,000 |
| \$10 | \$10 | 24,000 |
| \$25 w/ \$25 BURST | \$25 | 80,000 |
| \$25 | \$25 | 8,000 |
| (\$10 × 2) + (\$5 × 2) | \$30 | 2,000 |
| (\$25 w/ \$25 BURST) + \$5 | \$30 | 6,000 |
| \$30 | \$30 | 1,750 |
| \$10 × 5 | \$50 | 500 |
| (\$20 × 2) + (\$5 × 2) | \$50 | 500 |
| (\$25 w/ \$25 BURST) × 2 | \$50 | 4,000 |
| \$50 | \$50 | 1,000 |
| \$50 + \$25 | \$75 | 300 |
| (\$25 w/ \$25 BURST) × 3 | \$75 | 1,000 |
| \$75 | \$75 | 300 |
| \$2,500 | \$2,500 | 50 |

Reveal a “\$25 BURST” (WIN25) symbol, win \$25 instantly.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Super \$25 Frenzy instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super \$25 Frenzy, prize money from winning Pennsylvania Super \$25 Frenzy instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super \$25 Frenzy instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *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 Pennsylvania Super \$25 Frenzy or through normal communications methods.

EILEEN H. McNULTY,
Acting Secretary

[Pa.B. Doc. No. 15-883. Filed for public inspection May 8, 2015, 9:00 a.m.]

Pennsylvania Super \$100 Frenzy Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super \$100 Frenzy.
2. *Price:* The price of a Pennsylvania Super \$100 Frenzy instant lottery game ticket is \$2.
3. *Play Symbols:* Each Pennsylvania Super \$100 Frenzy instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions 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 and their captions 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) and a \$100 Burst (WIN100) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" areas are: \$1⁰⁰ (ONE DOL), FREE (TICKET), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, Free \$2 ticket, \$2, \$4, \$5, \$10, \$15, \$20, \$100, \$200, \$500 and \$10,000. The player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 11,400,000 tickets will be printed for the Pennsylvania Super \$100 Frenzy instant lottery game.

7. *Determination of Prize Winners:*

(a) 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 \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) 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.

(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 \$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.

(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 \$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.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$100 Burst (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(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 \$20⁰⁰ (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.

(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 \$15⁰⁰ (FIFTN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(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 \$10⁰⁰ (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 one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (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.

(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 \$4⁰⁰ (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.

(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 \$2⁰⁰ (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.

(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 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 Pennsylvania Super \$100 Frenzy instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(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 \$1⁰⁰ (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.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:

| | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 11,400,000 Tickets</i> |
|---------|-----------------|-----------------------------------|--|
| FREE | FREE \$2 TICKET | 8.33 | 1,368,000 |
| \$1 x 4 | \$4 | 50 | 228,000 |
| \$2 x 2 | \$4 | 50 | 228,000 |
| \$4 | \$4 | 50 | 228,000 |
| \$1 x 5 | \$5 | 300 | 38,000 |
| \$5 | \$5 | 300 | 38,000 |

When Any Of Your Numbers
Match Either Winning
Number; Win Prize Shown
Under The Matching Number.
Win With:

| Win: | Win: | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 11,400,000 Tickets |
|----------------------------|----------|-------------------------------|--|
| \$2 × 5 | \$10 | 375 | 30,400 |
| \$5 × 2 | \$10 | 1,500 | 7,600 |
| (\$4 × 2) + \$2 | \$10 | 750 | 15,200 |
| \$10 | \$10 | 500 | 22,800 |
| \$5 × 3 | \$15 | 1,500 | 7,600 |
| \$15 | \$15 | 1,500 | 7,600 |
| \$4 × 5 | \$20 | 1,200 | 9,500 |
| \$5 × 4 | \$20 | 1,200 | 9,500 |
| \$10 × 2 | \$20 | 1,200 | 9,500 |
| (\$4 × 2) + (\$2 × 6) | \$20 | 1,200 | 9,500 |
| \$20 | \$20 | 1,200 | 9,500 |
| \$20 × 5 | \$100 | 1,200 | 9,500 |
| (\$20 × 2) + (\$10 × 6) | \$100 | 1,200 | 9,500 |
| \$100 w/ \$100 BURST | \$100 | 240 | 47,500 |
| \$100 | \$100 | 810.81 | 14,060 |
| (\$100 w/ \$100 BURST) × 2 | \$200 | 120,000 | 95 |
| \$200 | \$200 | 120,000 | 95 |
| (\$100 w/ \$100 BURST) × 5 | \$500 | 120,000 | 95 |
| \$500 | \$500 | 120,000 | 95 |
| \$10,000 | \$10,000 | 1,140,000 | 10 |

Reveal a "\$100 BURST" (WIN100) symbol, win \$100 instantly.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Super \$100 Frenzy instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter

a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super \$100 Frenzy, prize money from winning Pennsylvania Super \$100 Frenzy instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super \$100 Frenzy instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *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 Pennsylvania Super \$100 Frenzy or through normal communications methods.

EILEEN H. McNULTY,
Acting Secretary

[Pa.B. Doc. No. 15-884. Filed for public inspection May 8, 2015, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on April 21, 2015, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length-each).
5. (X) 102" wide maxi-cube.

| <i>Route Identification</i> | <i>Route Description</i> | <i>County</i> | <i>Length Miles</i> |
|-----------------------------|---|---------------|---------------------|
| SR 414 | from Cammal to 0.2 mile past Slate Run Road | Lycoming | 6.3 |

Questions should be directed to Matthew Hedge at (717) 772-5462.

LESLIE S. RICHARDS,
Acting Secretary

[Pa.B. Doc. No. 15-885. Filed for public inspection May 8, 2015, 9:00 a.m.]

Findings

Under section 2002 of The Administrative Code of 1929 (71 P. S. § 512) establishing the Department of Transportation (Department), the Deputy Secretary for Highway Administration, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the following listed projects. Environmental and Section 4(f) Documentation have been developed for the projects identified as follows to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <http://www.dotdom2.state.pa.us/ceea/ceeemain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the following proposed identified projects and all reasonable steps have been taken to minimize the effects.

• **SR 0228, Section 29A—Adams Township, Butler County.**

Project Description: This project consists of the replacement of a culvert carrying SR 0228 over a tributary to Breakneck Creek and reconstruction of approximately 3,600 feet of road along SR 0228 and 1,500 feet along SR 3019 (Pittsburgh Street). There will also be improvements to the signalized intersection with SR 3019.

Environmental Documents: Level 1b CEE, approved on December 22, 2014, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties document, approved on December 18, 2014.

Proposed Use of Section 4(f)/2002 Resource: The Miles Cover Farm is eligible for listing on the National Register of Historic Places (NRHP). Permanent land acquisition of 0.150 acre is required from the property due to the proposed SR 0228 project. There will be no adverse effects on the property as a result of this project.

• **SR 1026, Section CAS—Haverford Township, Delaware County.**

Project Description: This project involves the replacement of the SR 1026 (College Avenue) bridge over SEPTA and the culvert over Cobbs Creek. The project also includes the reconstruction of four mechanically stabilized earth walls to retain fill along the approach roadway. Minor widening of the roadway and full depth reconstruction of pavement and sidewalk will occur on the eastern approach to the bridge to add a left-turn lane from College Avenue to Haverford Road. A new left-turn lane will be added on the bridge to the opposite side of the intersection and drainage improvements will be made along the roadway.

Environmental Documents: Level 1b CEE, approved on December 22, 2014, and two Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties documents, both approved on September 8, 2014.

Proposed Use of Section 4(f)/2002 Resource: The Millbrook property is 3.8 acres and is eligible for listing in the NRHP. A 0.2-acre permanent right-of-way (ROW) acquisition from the Millbrook property is proposed so the retaining wall associated with the bridge is within the Department ROW upon completion of the project. SEPTA's Norristown Line runs under the existing College Avenue Bridge. This line is the former Philadelphia and Western Railroad, and is eligible for listing in the NRHP. Aerial easements totaling 0.77 acre will be required from the interior of the NRHP boundary of the Philadelphia and Western Railway.

• **SR 1027, Section 003—Upper Leacock Township, Lancaster County.**

Project Description: The project consists of the replacement of the structure that carries SR 1027 (Horseshoe Road) over a tributary to Mill Creek. Minor approach work and guide rail updates are also included.

Environmental Documents: BRPA CEE, approved on December 15, 2014, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties document, approved on December 2, 2014.

Proposed Use of Section 4(f)/2002 Resource: The Mill Creek Rural Historic District is eligible for listing on the NRHP. It is a large rural historic district that encompasses 723 acres spread across multiple properties. The proposed project will require a permanent ROW acquisition of 0.052 acre from the J. Beiler Farm on the north side of SR 1027 and a permanent ROW acquisition of 0.052 acre from the S.G. Groff Farm on the south side of SR 1027. Both of these farmsteads are contributing properties to the Mill Creek Rural Historic District. None of these uses will have a substantive impact on the contributing properties.

• **SR 2016, Section SIP—City of Philadelphia, Philadelphia County.**

Project Description: This project consists of safety improvements along SR 2016 (Allegheny Avenue) between Ridge Avenue and Aramingo Avenue in the City of Philadelphia. Improvements include upgraded signal equipment, pedestrian safety upgrades, minor drainage improvements, improved lighting and fiber optic signal interconnection. Throughout the corridor ADA compliant curb ramps will be replaced at select intersections.

Environmental Documents: Level 1b CEE, approved on October 29, 2014, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties document, approved on August 29, 2014.

Proposed Use of Section 4(f)/2002 Resource: The proposed installation of design-build ADA ramps will occur within the boundaries of properties eligible for or listed on the NRHP. The effected eligible or listed historic resources within the project boundary are Laurel Hill Cemetery, Dobson Mills Steel Heddle Manufacturing Company, Saint Joseph's House for Homeless Industrious Boys, Chestnut Hill Branch of the Pennsylvania Railroad, Pennsylvania Railroad from Philadelphia to New York, North Pennsylvania Railroad (Philadelphia to Bethlehem), SEPTA R-5; Conrail North Penn Line, Kensington/Allegheny Historic District, Philadelphia, Georgetown and Norristown Railroad, Norristown Junction Railroad, Simon Muhr School and Kensington YWCA. The Department and the contractor for the project will coordinate the ADA ramp design at locations, which are adjacent to historic properties or within the Historic District with the Department's Cultural Resource Professional and Pennsylvania Historical and Museum Commission to ensure that the proposed project plans and specifications conform with the Secretary of the Interior's standards for the Treatment of Historic Properties and Guidelines for Rehabilitation of Historic Buildings.

• **SR 3002, Section A02—Ridgeway Township, Elk County.**

Project Description: This project consists of the replacement of the existing structure over Big Mill Creek at the existing location. The roadway alignment will be shifted to the north to accommodate half-width construction.

Environmental Documents: BRPA CEE, approved on December 8, 2014, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or waterfowl Refuges, State Forest Land and State Game Land document, approved on December 3, 2014.

Proposed Use of Section 4(f)/2002 Resource: Sandy Beach Recreational Park (Park) is a 108.3-acre parcel owned and managed by Ridgeway Township. The Park's recreational facilities are located along the south side of SR 3002 in the project's southeastern quadrant. The proposed 9-foot shift in alignment will require the permanent acquisition of 0.123 acre of slope easement along the north side of SR 3002. The slope easement and required temporary closure of the western Park access will not adversely affect the qualities, activities, features or attributes of the Park.

• **SR 7301, Section 606—City of Philadelphia, Philadelphia County.**

Project Description: This project consists of the replacement of the existing 41st Street Bridge over Amtrak's Harrisburg line (at Amtrak milepost MP 2.88). The existing bridge was closed to traffic on November 25, 1994, and traffic is currently being detoured to 42nd Street. The bridge will be replaced along the existing horizontal alignment and approximate vertical alignment with minimal approach work.

Environmental Documents: Level 1b CEE, approved on December 10, 2014, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties document, approved on November 24, 2014.

Proposed Use of Section 4(f)/2002 Resource: The Parkside Historic District, listed on the NRHP, is approximately 97 acres and bound by the Penn-Central Railroad, North 38th Street, Girard, Parkside and Belmont Avenues. This project includes the installation of ADA compliant curb ramps within the boundaries of the historic district. The contractor will be required to submit the plans for the ADA curb ramps to the Pennsylvania Historical and Museum Commission to determine if they are in accordance with the Secretary of Interior's Standards for the Treatment of Historic Properties.

R. SCOTT CHRISTIE, PE,
Deputy Secretary for
Highway Administration

[Pa.B. Doc. No. 15-886. Filed for public inspection May 8, 2015, 9:00 a.m.]

FISH AND BOAT COMMISSION

Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be

submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

The following application to stock triploid grass carp in waters having a surface area of greater than 5 acres is currently undergoing staff review:

| <i>Applicant</i> | <i>Water</i> | <i>Location of Water</i> | <i>Description of Water</i> | <i>Nature of Vegetation to be Controlled</i> |
|----------------------------------|---|--|---|--|
| Don Henderson and Louis Bellucci | Locklin Pond 41.4451046 -75.2804739 | Lakeville, Lake Township, Wayne County | 69-acre lake which discharges into Purdy Creek, a tributary to Lake Wallenpaupack | Cabombaceae <i>Cabomba</i> —80% of all vegetation in Locklin Pond. Common name: Fanwort |

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 15-887. Filed for public inspection May 8, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

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

| <i>Final Reg. No.</i> | <i>Agency/Title</i> | <i>Received</i> | <i>Public Meeting</i> |
|-----------------------|---|-----------------|-----------------------|
| 16A-5212 | Bureau of Professional and Occupational Affairs Schedule of Civil Penalties—Optometrists | 4/24/15 | 5/28/15 |
| 16A-5126 | State Board of Nursing Continuing Education; Reporting of Crimes and Discipline | 4/24/15 | 5/28/15 |

JOHN R. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-888. Filed for public inspection May 8, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for Plan Approval of a Mutual-to-Stock Conversion and Subsequent Acquisition of Control

ARI Mutual Insurance Company (ARI), a Pennsylvania domiciled mutual property insurance company, submitted a plan of conversion which provides for conversion from a mutual property insurance company to a stock property insurance company. The filing, received on April 10, 2015, was made under the Insurance Company Mutual-to-Stock Conversion Act (40 P. S. §§ 911-A—929-A).

In conjunction with the mutual-to-stock conversion, AmTrust Financial Services, Inc., a Delaware corporation, submitted a request for approval to acquire control of all of the capital stock of ARI upon consummation of the previously-referenced conversion. The acquisition filing, received on April 15, 2015, was made under Article XIV of

The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

The filings are available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. After first scheduling an appointment, consumers may also view the application and supplemental documents at the Department’s Harrisburg office, which can be reached at (717) 787-0877.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department within 45 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-889. Filed for public inspection May 8, 2015, 9:00 a.m.]

MedAmerica Insurance Company; Rate Increase Filing for Long Term Care Form 14515-PA

MedAmerica Insurance Company is requesting an average increase of 20% on the following LTC Series: 14515-PA.

This increase will impact 292 policyholders in this Commonwealth.

Unless formal administrative action is taken prior to July 23, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-890. Filed for public inspection May 8, 2015, 9:00 a.m.]

Medical Care Availability and Reduction of Error Fund; Assessment Refund

The Insurance Department (Department), Medical Care Availability and Reduction of Error (MCARE) Fund, by Theodore G. Otto, III, Executive Director, under section 712 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.712) and the Settlement Agreement between the MCARE Fund and the Pennsylvania Medical Society, the Hospital & Healthsystem Association of Pennsylvania and the Pennsylvania Podiatric Medical Association (Settlement Agreement), notifies all health care providers (HCP) who paid an MCARE assessment for years 2009, 2010, 2011, 2012 and 2014 (there was no projected year-end balance in 2013) that the process for implementing the Settlement Agreement began April 1, 2015.

The HCPs who paid their own assessments do not need to do anything at this time other than keep their address current with their licensing authority. If another person or entity (Payor) paid an assessment on behalf of an HCP, and the HCP wishes to have that assessment refund come to the Payor, the HCP needs to complete the request

form available on the MCARE Fund's web site at www.insurance.pa.gov/mcare. Additional information about the refund process is also available on the web site. Questions may be addressed to the MCARE Refund Service Center, Monday through Friday between 8 a.m. and 5 p.m. at (717) 231-6400 or ra-in-McareRefundCtr@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-891. Filed for public inspection May 8, 2015, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Robinson I. and Frachely Peralta; file no. 15-198-182035; Progressive Casualty Insurance Company; Doc. No. P15-04-019; May 28, 2015, 9:30 a.m.

The following hearings will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Ejike Chukwukere; file no. 15-198-180501; Progressive Advanced Insurance Company; Doc. No. P15-03-007; June 2, 2015, 9 a.m.

Appeal of Richard Loik; file no. 15-130-181263; Progressive Specialty Insurance Company; Doc. No. P15-03-020; June 2, 2015, 10 a.m.

Appeal of Gerald and Kathleen Andris; file no. 15-188-181536; Erie Insurance Exchange; Doc. No. P15-03-014; June 2, 2015, 11 a.m.

Appeal of Joan M. Randazzo and David Hatchigian; file no. 15-198-182115; GEICO Casualty Company; Doc. No. P15-03-021; June 2, 2015, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce docu-

mentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-892. Filed for public inspection May 8, 2015, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the companies' termination of the insureds' homeowners policy. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Helen L. Hicks; file no. 15-188-181265; Property & Casualty Insurance Company of Hartford; Doc. No. P15-04-011; June 2, 2015, 2 p.m.

Appeal of Robert Berg; file no. 15-119-182480; CSAA Affinity Insurance Company; Doc. No. P15-04-007; June 2, 2015, 3 p.m.

Appeal of Michael D. Nelling; file no. 15-130-182722; Liberty Mutual Fire Insurance Company; Doc. No. P15-04-018; June 3, 2015, 9 a.m.

Appeal of Estate of Bernice Henson; file no. 15-119-181838; State Farm Fire & Casualty Insurance Company; Doc. No. P15-03-013; June 3, 2015, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues

presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-893. Filed for public inspection May 8, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of Act 155 of 2014

Public Meeting held
April 23, 2015

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

Implementation of Act 155 of 2014; M-2014-2448825

Final Implementation Order

By the Commission:

On October 22, 2014, Governor Corbett signed into law Act 155 of 2014 (Act 155), which amends Chapters 5, 14, 22 and 28 of Title 66 of the *Pennsylvania Consolidated Statutes* (Public Utility Code). In particular, Act 155 amends Chapters 22 and 28 of the Public Utility Code to allow the Pennsylvania Public Utility Commission (Commission) to establish annual fees to fund the Commission's oversight of Natural Gas Suppliers (NGSs) and Electric Generation Suppliers (EGSs). On December 18, 2014, the Commission issued a Tentative Implementation Order (December 18th Order) which proposed a methodology by which the Commission will establish annual fees related to the reasonable costs incurred by the Commission for its oversight of NGS and EGS firms pursuant to the Public Utility Code. That Order also addressed the proposed adjustments to the Commission's assessment calculation to account for the fees collected by the Commission pursuant to the Federal Unified Carrier Registration (UCR) Act.

This Final Implementation Order will set forth the methodology by which the Commission will establish such fees for NGSs and EGSs, as well as address the treatment of UCR fees. The precise fees for each EGS and NGS firm will be calculated and charged at the time the Commission issues its annual assessments under Section 510 of the Public Utility Code, 66 Pa.C.S. § 510.

In response to the December 18th Order, the Commission received comments from the Retail Energy Supply Association; EQT Energy, LLC; Noble Americas Energy Solutions LLC; the Pennsylvania Independent Oil & Gas Association; WGL Energy Services, Inc.; FirstEnergy Solutions Corp.; the National Energy Marketers Association;

UGI Energy Services, LLC; the Industrial Energy Consumers of Pennsylvania, Duquesne Industrial Intervenor, Met-Ed Industrial Users Group, Penelec Industrial Customer Alliance, Penn Power Users Group, Philadelphia Area Industrial Energy Users Group, PP&L Industrial Customer Alliance, and West Penn Power Industrial Intervenor (collectively, the Industrial Customers Groups); and Dominion Retail, Inc.; Shipley CHOICE, LLC, Rhoads Energy Corporation, and AMERIGreen Energy (collectively, the Natural Gas Supplier Parties). On February 23, 2015, Representative Robert W. Godshall filed a letter with Chairman Robert F. Powelson regarding the Commission's proposals set forth in the December 18th Order.¹ These comments and letter solely addressed NGS and EGS issues. No comments were filed with respect to our proposed treatment of UCR funds for assessment purposes.

NGSs and EGSs Annual Fees

As set forth in the December 18th Order, Act 155 amends Chapters 22 and 28 of the Public Utility Code to allow the Commission to establish annual fees to fund the Commission's oversight of NGSs and EGSs. Specifically, Act 155 adds Section 2208(h) and Section 2809(g) to the Public Utility Code. These new sections of the Public Utility Code authorize the Commission to establish annual fees for NGS and EGS firms, and read as follows:

The commission may establish, by order or rule, on a reasonable cost basis, fees to be charged for annual activities related to the oversight of natural gas suppliers. 66 Pa.C.S. § 2208(h).

The commission may establish, by order or rule, on a reasonable cost basis, fees to be charged for annual activities related to the oversight of electric generation suppliers. 66 Pa.C.S. § 2809(g).

This new statutory language neither specifies nor excludes any particular cost allocation method or fee structure. Rather, the guiding principles to be applied are that the annual fees must be computed "on a reasonable cost basis" and must be "related to the oversight of [NGSs and EGSs]." 66 Pa.C.S. §§ 2208(h) and 2809(g). In addition, we note that Sections 2208(h) and 2809(g) allow the Commission to establish the annual fees by order, which the Commission will do to allow for establishment of the annual fee for fiscal year 2015-2016 and each year thereafter.

Treatment of Direct Costs

In the December 18th Order, the Commission proposed basing a portion of the annual fee to be charged to NGSs and EGSs on the direct hours of staff time that are allocated to NGS and EGS oversight activities. In the Commission's judgment, this approach is consistent with the "reasonable cost basis" requirement of Act 155. The Commission already has specific billing cost center codes currently in use by employees for hours directly attributable to NGS and EGS activities to determine the direct costs attributable to NGS and EGS firms.

Many of the commentators to the December 18th Order do not oppose the Commission's allocation of direct costs to NGS and EGS firms. In its comments, the Retail Energy Supply Association (RESA) only requested that the Commission "establish clear direction to its timekeepers to ensure that only those costs directly related to the oversight of suppliers be captured" in the direct cost portion of the annual fee. RESA Comments at 9. The

¹ Although such letter was filed after the comment filing deadline, the Commission considered this letter as no party or entity, including the Commission, was prejudiced by this delay.

Commission has and will continue to take all reasonable measures necessary, including the establishment of time codes specific to the NGS and EGS groups, to ensure that Commission staff is appropriately capturing costs related to the oversight of suppliers in the direct cost portion of the annual fee established herein.

Treatment of Indirect Costs

In the December 18th Order, the Commission proposed basing a portion of the annual fee to be charged to NGSs and EGSs on indirect costs incurred by the Commission. Specifically, the Commission proposed allocating indirect costs to NGSs and EGSs based on their gross intrastate operating revenues, using the methodology set forth in Section 510 of the Public Utility Code, 66 Pa.C.S. § 510.

Indirect costs typically include costs that cannot be attributable to any single or multi-industry group, but nonetheless are necessary to accomplish the Commission's regulatory duties. Indirect costs must be allocated to various public utility groups in accordance with the requirements of Section 510 of the Public Utility Code. Therefore, it is also appropriate to assign indirect costs to NGS and EGS firms to properly reflect the cost of regulation of these firms.

Although indirect costs must be allocated to NGS and EGS groups to appropriately cover the cost of oversight of these industry groups, the Commission agrees with many of the parties² who commented on the December 18th Order that the Commission should not base indirect cost allocation on NGS and EGS gross intrastate operating revenues, as set forth in 66 Pa.C.S. § 510 for public utilities. The Commission recognizes that using the 66 Pa.C.S. § 510 methodology to allocate indirect costs to NGS and EGS firms results in those firms being assigned a significant portion of the Commission's total indirect costs. Indeed, using intrastate revenues to allocate indirect costs would, for NGS and EGS firms, result in an allocation of indirect costs that far exceeds the direct costs of regulation. As such, the Commission agrees with many of the commentators that indirect costs should not be allocated to NGS and EGS firms based on the traditional 66 Pa.C.S. § 510 methodology used for public utilities.

Rather, a reasonable approach to allocating indirect costs to NGSs and EGSs is to base this allocation on the ratio of NGS/EGS costs to total Commission direct costs. In particular, the Commission will calculate these indirect costs by multiplying (a) the ratio of NGS or EGS direct costs to total Commission direct costs by (b) the total Commission indirect costs. In formula form, the calculation would read as follows:

$$\frac{(\text{NGS or EGS Direct Costs} / \text{Total Commission Direct Costs}) * \text{Total Commission Indirect Costs}}{\text{EGS Indirect Costs}} = \text{NGS or EGS Indirect Costs}$$

To illustrate this formula, if the percentage of direct costs attributable to the EGS group (e.g. \$1.4 million) in relation to the total amount of Commission direct costs (e.g. \$38 million), is 3.6%, the indirect costs allocated to the EGS group will be 3.6% of the total indirect costs of the Commission. Accordingly, if the total indirect costs of the Commission are \$14 million, the allocation of indirect costs to the EGS group would be \$504,000 (\$14 million x 0.036).

This indirect cost methodology is designed on a "reasonable cost basis" and results in an allocation of indirect

² See generally, comments of RESA; EQT Energy, LLC; Noble Americas Energy Solutions, LLC; Industrial Customer Groups; Natural Gas Supplier Parties; the Pennsylvania Independent Oil & Gas Association; and the National Energy Marketers Association.

costs that is “related to the oversight” of NGSs and EGSs as this methodology specifically relates the amount of indirect costs to the reporting of direct costs by Commission staff. As staff time spent on supplier activities increases and/or decreases, the amount of indirect costs the Commission spends on staff responsibilities related to the oversight of suppliers would also logically increase and/or decrease. Therefore, this indirect cost methodology will correlate with the direct time spent by Commission staff on supplier activities, thus making this methodology compliant with the “related to the oversight” language of Act 155.

As set forth in the December 18th Order, the Commission will then combine these indirect costs and direct costs attributable to NGSs and EGSs to compute the total costs of regulatory oversight of NGS and EGS groups in accordance with 66 Pa.C.S. §§ 2208(h) and 2809(g). The Commission will use this total cost allocation as a percentage to determine actual budget year costs for NGS and EGS groups. Accordingly, using the example above, the resulting total costs of \$1.904 million for EGS firms (\$1.4 million in direct costs plus \$504,000 in indirect costs) would then be used to determine the proportion of the Commission’s approved budget for the 2015-16 fiscal year that is recoverable from the EGS group.

Total Cost Allocation

Once the total costs of regulatory oversight of EGS and NGS firms are computed based on direct and indirect costs, the next step is to determine the means by which the total costs are to be collected or assessed to each individual EGS and NGS firm. In the December 18th Order, the Commission proposed to base the individual annual fee on gross intrastate operating revenues. Under this approach, the allocation rate itself would be the same for each EGS and NGS firm, but the dollar amount of the annual fee would depend on the gross intrastate revenues of the firm. This is the approach the Commission will use for NGS and EGS firms as this approach avoids a “one size fits all” fee mechanism that would penalize small firms and new entrants to the market.³

By basing the direct and indirect costs allocation and resulting annual fee to be charged to each individual NGS or EGS on the entity’s gross intrastate operating revenues, the Commission is ensuring that each entity is paying its fair share of such assessment. Entities with smaller intrastate revenues will pay less than entities with larger intrastate revenues. As such, this methodology reasonably avoids a “flat” fee being charged to individual NGSs and EGSs, which vary greatly in size and intrastate revenues.

In order to implement this approach to the allocation of total costs, the Commission will use the gross intrastate operating revenues currently reported by NGS and EGS firms to the Commission on or before April 30th of each year pursuant to 52 Pa. Code § 62.110 (relating to NGS annual reporting requirements) and 52 Pa. Code § 54.39(b) (relating to EGS annual reporting requirements). NGSs and EGSs can access the “Natural Gas Supplier Annual Report Form” and the “Electric Choice Annual Report” on the Commission’s website.

Minimum Fee

As noted in the December 18th Order, the Commission is aware of the unique nature of registered NGSs and

EGSs who serve as “brokers.” That is, NGS and EGS brokers may not necessarily report gross intrastate operating revenues for the Commission to use as a basis for determining their reasonable share of the annual fee. However, the Commission does incur costs associated with regulating brokers. As such, the Commission will charge each individual NGS and EGS, including those who serve as “brokers,” a minimum \$350 fee,⁴ regardless of reported gross intrastate operating revenues.⁵

The total minimum flat fee collected from all NGSs and EGSs will be subtracted from the total cost of NGS/EGS regulatory oversight for the fiscal year. For instance, if the Commission collects a total combined minimum fee of \$200,000 from all NGSs and EGSs, the total cost of regulatory oversight (direct costs plus indirect costs) will be reduced by \$200,000 before the total fee allocation by gross intrastate revenues is calculated. As such, each individual NGS and EGS will pay a minimum fee of \$350 in addition to their portion of the adjusted (to remove the total collected minimum fee amount) total cost of oversight based on gross intrastate operating revenues.⁶

Annual Fee Computation Summary

In summary, by this Order, the Commission will combine direct and indirect costs to establish the NGS and EGS total costs of regulatory oversight. The annual fee for each individual NGS or EGS within these groups will be based on: (1) the direct costs incurred based on employee time sheet data and (2) an allocation of indirect costs based on the ratio of NGS/EGS costs to total Commission direct costs. Individual NGS or EGS firms will be charged a rate based on the particular entity’s total gross intrastate operating revenues. Further, each NGS and EGS shall pay a minimum \$350 fee, regardless of reported gross intrastate operating revenues. The total of all NGS and EGS fees computed in this manner will be designed to equal the total reasonable cost of their regulatory oversight for the fiscal year.

Treatment of Federally-Established UCR Fees

UCR fees collected by the Commission from UCR carriers are established pursuant to the Federal UCR Act. 49 U.S.C. § 14504a. Those funds are dedicated to motor carrier safety and enforcement programs. 49 U.S.C. § 14504a(e). The Commission is preempted by federal law from assessing UCR carriers and, instead, is authorized under the UCR Act to collect a capped UCR fee amount. 49 U.S.C. § 14504a(c); *Regency Transportation Group, Ltd. v. Pa. Pub. Util. Comm’n*, 44 A.3d 107, 111-112 (2012). As such, the UCR fees are similar to the other fees and amounts that can be used to offset the Commission’s appropriation under Section 510 in order to determine the proper amount assessable to public utilities. 66 Pa.C.S. § 510.

In the December 18th Order, the Commission proposed to offset the total amount of the assessment to be allocated, pursuant to Section 510 of the Public Utility Code (66 Pa.C.S. § 510), among the passenger and property utility groups by the amount of UCR fees already collected from those groups. Similarly, the Commission proposed to exclude the gross intrastate operating rev-

⁴ This \$350 minimum fee is reasonable as it is similar in amount to the fees the Commission currently charges for similar utility applications and filings and will provide some minimal level of cost support for total costs of regulating this industry.

⁵ The Commission is aware that some EGS or NGS firms may be licensed with the Commission as both “generation suppliers” and as “brokers.” In these situations, such NGS or EGS firms will only be charged one minimum fee per firm rather than per license.

⁶ Under this approach, an EGS “broker” reporting no gross intrastate operating revenues will pay the minimum fee of \$350. However, an EGS reporting intrastate operating revenues will pay the minimum fee of \$350 plus a portion of the total EGS oversight costs (based on gross revenues).

³ Of the \$7.2 billion in annual intrastate revenues reported by the 370 active EGSs in their annual reports to the Commission for calendar year 2013, \$5.6 billion (or approximately 78%) is attributable to only 18 EGSs. Similarly, of the \$874.7 million in annual intrastate revenues reported by the 164 NGSs for calendar year 2013, \$826.5 million (or 94%) is attributable to only 15 NGSs.

enues of UCR property and passenger carriers from the assessment calculation since those revenues are not assessable. The Commission notes that it received no comments in response to its proposals regarding the treatment of UCR funds.

Accordingly, by this Order, the Commission will offset the total amount of the assessment to be allocated, pursuant to Section 510, among the passenger and property utility groups by the amount of UCR fees collected from those groups. The Commission will also exclude the gross intrastate operating revenues of UCR property and passenger carriers from the assessment calculation. However, as with the annual fees for EGS and NGS firms, the precise assessment factor for each passenger and property carrier will be calculated and charged at the time the Commission issues its annual assessments under Section 510 of the Public Utility Code, 66 Pa.C.S. § 510.

Conclusion

Act 155 amends Chapters 22 and 28 of the Public Utility Code to allow the Commission to establish annual fees to be charged for annual activities related to the Commission's oversight of NGSs and EGSs. This fee methodology proposed herein is reasonable as it: (1) bases direct costs on the direct hours of staff time that are allocated to NGS and EGS oversight activities; (2) equitably allocates indirect costs based on the ratio of NGS/EGS costs to total Commission direct costs; (3) allocates the resulting overall annual fee to be charged to each individual NGS or EGS based on the entity's gross intrastate operating revenues, thereby ensuring that each entity is paying its fair share of such assessment; and (4) charges a minimum fee to each individual NGS and EGS to account for "brokers" who do not report gross intrastate revenues.

Additionally, we will apply UCR funds to offset the assessment charges to the passenger and property carrier utility groups as well as exclude the gross intrastate operating revenues of UCR carriers within those groups from the assessment calculation.

Therefore,

It Is Ordered That:

1. By this Final Implementation Order, the Commission hereby adopts the methodology set forth herein for establishing annual fees related to our oversight of Natural Gas Suppliers and Electric Generation Suppliers as permitted by Act 155 of 2014.

2. The precise annual fees for each Natural Gas Supplier and Electric Generation Supplier will be calculated and charged at the time the Commission issues its annual assessments under Section 510 of the Public Utility Code, 66 Pa.C.S. § 510.

3. The Commission will apply UCR funds to offset the assessment charges to the passenger and property carrier utility groups as well as exclude the gross intrastate operating revenues of UCR carriers within those groups from the assessment calculation.

4. The precise assessment factor for each passenger and property carrier will be calculated and charged at the time the Commission issues its annual assessments under Section 510 of the Public Utility Code, 66 Pa.C.S. § 510.

5. A copy of this Final Implementation Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at www.puc.pa.gov.

6. A copy of this Final Implementation Order be served on all Natural Gas Suppliers and Electric Generation

Suppliers; all parties who commented on the December 18, 2014 Tentative Implementation Order; and the transportation associations.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-894. Filed for public inspection May 8, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 26, 2015. 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-2015-2458016. Carolyn Hart (44 West Steigel Street, Manheim, Lancaster County, PA 17545) persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2015-2468903. Abbey Trans, Inc. (1240 Manor Drive, Warminster, PA 18974-2103) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, in wheelchair and stretcher vans, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return.

A-2015-2477233. MBS Limousine Services, Inc. (17 Powell Lane, Upper Darby, PA 19082) to transport as a common carrier, by motor vehicle, persons in limousine service, from points in Delaware County to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2015-2478208. La Mexicana Express Service, LLC (500 South 15th Street, Reading, Berks County, PA 19602) for the right to transport as a common carrier, by motor vehicle, persons in limousine service, between points in Berks County, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Kenneth A. Olsen, Esquire, 33 Philhower Road, Lebanon, NJ 08833.

A-2015-2478732. Wilmer D. Zimmerman (311 Reinholds Road, Denver, Lancaster County, PA 17517) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Berks, Lancaster and Lebanon, to points in

Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-895. Filed for public inspection May 8, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due May 25, 2015, 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. Oddy Transportation Service, Inc.; Docket No. C-2015-2455988

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 Oddy Transportation Service, Inc., (respondent) is under suspension effective October 24, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 6248 Pine Street, Philadelphia, PA 19143-1028.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 03, 1991, at A-00109796.
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-00109796 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: 1/8/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott 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. Acord 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.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Saint Cab, Inc.;**
Docket No. C-2015-2456189

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 Saint Cab, Inc., (respondent) is under suspension effective October 24, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 5020 Saul Street, Philadelphia, PA 19124.
3. That respondent was issued a Certificate of Public Convenience by this Commission on January 24, 1996, at A-00112474.
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-00112474 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: 1/13/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott 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. Acord 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.

**Pennsylvania Public Utility Commission; Bureau of
 Investigation and Enforcement v. Karam Cab Co.;**
Docket No. C-2015-2456895

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 Karam Cab Co., (respondent) is under suspension effective October 24, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 7112 Seaford Road, Upper Darby, PA 19082.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 16, 1999, at A-00115341.

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-00115341 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: 1/13/2015

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and En-
 forcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise

all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott 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. Acord 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.

**VEHICLE INSPECTION BUREAU
 COMPLAINT FORM**

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Jetway Transport, Inc., t/a Mainline Taxi, A-00122951;
 Docket No. C-2015-2470361**

COMPLAINT

The Pennsylvania Public Utility 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 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:

Jetway Transport, Inc., t/a Mainline Taxi
 908 Dekalb Pike
 Bridgeport, PA 19405

Authorized Officer Performing Investigation: E/O John Allen #29

Date and Time: 3/23/2015 at 3 pm

On the date and at the time described on page one of this Complaint, the following violations were disclosed:

52 Pa. Code § 29.313(c)—Failed to carry a legible, completed log sheet in taxi.

\$50

66 Pa.C.S. § 1501—Failed to furnish/maintain safe and reasonable service or facilities for the proper safety of patrons and public.

\$500

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine respondent the sum of \$550 for the illegal activity described in this Complaint and order any other remedy as the Commission may deem appropriate.

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 the 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: 04/17/2015

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott 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 paying the full civil penalty within 20 days. Your check or money order for the civil penalty must include the Complaint's docket number in the memo line. It should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 15-896. Filed for public inspection May 8, 2015, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Transfer Application for Limousine Service in the City of Philadelphia

Permanent authority to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket No. A-15-04-01 and published on May 9, 2015, in the *Pennsylvania Bulletin*. The company has applied to transfer the rights held by Sean McDonough t/a Northstar Executive Transportation, CPC No. 1010274-07, to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Countywide Transportation Service, Inc., 370 Crooked Lane, King of Prussia, PA 19406. *Attorney:* David P. Temple, Esq., 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by May 26, 2015. The nonrefundable protest filing fee is \$2,500 payable to the PPA by certified check or money order. The application is available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m. Monday to Friday (contact Christine Kirlin, Esq. to make an appointment) or may be inspected at the business address of the applicant.

VINCENT J. FENERTY, Jr.,
 Executive Director

[Pa.B. Doc. No. 15-897. Filed for public inspection May 8, 2015, 9:00 a.m.]

Motor Carrier Transfer Application for Medallion Taxicab Service in the City of Philadelphia

Permanent authority to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket No. A-15-04-04 and published on May 9, 2015, in the *Pennsylvania Bulletin*. The company has applied to transfer and approve the sale of rights for Medallion Nos. P-0344 and P-0771 held by Odyssey Trans, Inc., CPC No. 1013681-01, to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

K&T Transport, Inc., 2301 Church Street, Philadelphia, PA 19124.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by May 26, 2015. The nonrefundable protest filing fee is \$2,500 payable to the PPA by certified check or money order. The application is available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m. Monday to

Friday (contact Christine Kirlin, Esq. to make an appointment) or may be inspected at the business address of the applicant.

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 15-898. Filed for public inspection May 8, 2015, 9:00 a.m.]

Motor Carrier Transfer and Sale of Securities Application for Limousine Service in the City of Philadelphia

Permanent authority to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket No. A-15-04-12 and published on May 9, 2015, in the *Pennsylvania Bulletin*. The applicants have applied to approve the transfer and sale of 100% of the securities held in Dream Limousine Driving Services, LLC, CPC No. 1029920-07, holder of limousine rights to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Gilles A. Bernard, 1301 Glen Echo Drive, Huntington Valley, PA 19006; **Jucara A. DaCruz**, 1301 Glen Echo Drive, Huntington Valley, PA 19006. *Attorney*: David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by May 26, 2015. The nonrefundable protest filing fee is \$2,500 payable to the PPA by certified check or money order. The application is available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m. Monday to Friday (contact Christine Kirlin, Esq. to make an appointment) or may be inspected at the business address of the applicants.

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 15-899. Filed for public inspection May 8, 2015, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 15-044.P, Annual Draw Down for Paving Asphalt, until 2 p.m. on Wednesday, May 27, 2015. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 15-900. Filed for public inspection May 8, 2015, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 15-030.1, Pier 78 Marine Repairs Phase 1, until 2 p.m. on Thursday, June 11, 2015. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 15-901. Filed for public inspection May 8, 2015, 9:00 a.m.]

STATE REAL ESTATE COMMISSION

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Mark A. Robins, Respondent; Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Carl Friedel and Everyrental, Respondents

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Mark A. Robins, Respondent; Doc. No. 0252-56-14; File Nos. 13-56-00312, 13-56-00369, 13-56-01759 and 13-56-11182; Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Carl Friedel and Everyrental, Respondents; Doc. No. 0254-56-14; File Nos. 13-56-01760 and 13-56-11181

Notice to Mark A. Robins and Everyrental:

On April 28, 2015, a Proposed Adjudication and Order was issued in the previously-referenced matter. The Proposed Order assessed a civil penalty of \$40,000 to be paid within 30 days of the date of the State Real Estate Commission's (Commission) Final Order in this matter, against Mark A. Robins, license no. RS104701A, of Wayne, Delaware County. The Proposed Order shall be effective as a Final Order in accordance with 1 Pa. Code § 35.226(a)(3) (relating to final orders) in 40 days unless a brief on exceptions is filed within 30 days in accordance with 1 Pa. Code § 35.211 (relating to procedure to except to proposed report) or the Commission initiates a review in accordance with 1 Pa. Code § 35.226(a)(2).

Individuals may obtain a copy of the order by writing to the Prothonotary, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649.

This proposed adjudication and order is a proposed decision issued in this matter by a hearing examiner for the Department of State (Department) in accordance with the General Rules of Administrative Practice and Procedure in 1 Pa. Code § 35.207 (relating to service of proposed reports). A participant who wishes to appeal all or part of the hearing examiner's proposed report to the Commission must file exceptions with the Prothonotary of the Department at the previously listed address, within

30 days after the date of service by publication, and in accordance with the General Rules of Administrative Practice and Procedure in 1 Pa. Code §§ 35.211—214 (relating to exceptions to proposed reports). Failure to file a brief on exceptions within the time allowed under the General Rules of Administrative Practice and Procedure in 1 Pa. Code §§ 35.211—214 shall constitute a waiver of all objections to the proposed report.

JOSEPH TARANTINO, Jr.,
Chairperson

[Pa.B. Doc. No. 15-902. Filed for public inspection May 8, 2015, 9:00 a.m.]
