

PENNSYLVANIA BULLETIN

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January—June 2017

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

No. 512, July 2017

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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 2017.

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THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Hearing

A Petition for Reinstatement to the active practice of law has been filed by MARIA DEL SOL MORELL and will be the subject of a hearing on September 12, 2017, before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District I Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 1601 Market St., Suite 3320, Philadelphia, PA 19103 Phone 215-560-6296, on or before August 25, 2017. In accordance with Board Rule § 89.274(b), since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 17-1077. Filed for public inspection June 30, 2017, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Regulation of Motor Carriers of Passengers and Property; Advance Notice of Proposed Rulemaking

Public Meeting held
June 14, 2017

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

Rulemaking for Title 52 of the Pennsylvania Code Pertaining to Regulation of Motor Carriers of Passengers and Property; L-2017-2604692

Advance Notice of Proposed Rulemaking Order

By the Commission:

The Commission's regulations and policy statements governing motor carriers of passengers and property, including household goods, are found at 52 Pa. Code Subpart A, Chapter 3, and Subpart B, Chapters 21 through 41. In recent years, the Commission's oversight of these industries has changed in response to federal preemption mandated by the Federal Aviation Authorization Act of 1994, the Transportation Equity Act for the 21st Century, P.L. 105-178, and the passage of P.L. 1222, No. 164 (Act 164). Further, these industries have responded to changes mandated by market forces.

In light of these changes, the Commission has determined that it is appropriate to reexamine its regulations governing the motor carrier industry. Toward this end, we are initiating this Advance Notice of Proposed Rulemaking. We encourage members of the regulated industry, the public, and any other interested parties to file comments with the Commission. The comments should include specific section references to the Commission regulations. Comments should delineate the rationale for the proposed change as well as specific proposed language for the regulations.

As a starting point, our review of the regulations indicates that revisions may be beneficial in the following areas:

1. Fuel Surcharge.

The fuel surcharge currently applies only to household goods carriers and is adjusted annually. We question whether it is appropriate to maintain a generic fuel surcharge, or whether the fuel surcharge should be contained in the carrier's particular tariff.

2. Fines and Assessments.

The Commission expends considerable resources addressing de minimus delinquent assessments and fines. We question whether alternative procedures, as opposed to our current complaint procedures, may be appropriate to address these limited circumstances. In particular, we request comments on whether there are any more efficient procedures to address de minimus delinquent assessments and fines that continue to provide the due process required under law.

3. Granting of Provisional Authority.

Commission regulations currently provide for Emergency Authority and Emergency Temporary Authority. 52 Pa. Code §§ 3.383—3.385. We question whether the procedure for granting these types of authorities should be revised to allow applicants to operate while an application for permanent authority is processed due to protests.

4. Web-based Training.

The Commission solicits input on whether the Commission should provide web-based training for new motor carriers or continued training for existing motor carriers. If so, what aspects of the Commission's motor carrier application, assessment and other regulatory processes should be covered?

5. 52 Pa. Code Chapter 32—Motor Carrier Insurance.

- Chapter 32 governs Commission motor carrier insurance requirements. The current limits of coverage have been in place for a significant period of time. We question whether these limits should be adjusted.

- The Commission currently requires Form E insurance certificates to be filed with the Commission by the insurer or the insured's broker. However, an insurer or broker may fail to file Form E certificate despite a motor carrier's best efforts. The Commission questions whether to allow and rely upon motor carriers themselves to file Form E certificates to avoid such situations. We note that any changes would need to address the public protections afforded in our current Form E process which presently requires the insurance carrier to guarantee that the motor carrier has the coverage that is required under Pennsylvania law and the Commission's orders and regulations. See *Ins. Corp. of N.Y. v. Antrom*, 2008 Pa. Super. LEXIS 5616 (Pa. Super. Ct. Dec. 3, 2008).

6. 52 Pa. Code Chapter 37—Safety Code for Transportation of Property and Passengers.

The regulations in Chapter 37 govern the Commission's safety requirements for motor carriers. The Commission solicits input as to whether any updates or other changes should be made to these regulations.

7. 52 Pa. Code Chapter 41—General Orders, Policy Statement and Guidelines on Transportation Utilities.

Chapter 41 covers the Commission's policy statements for transportation. The Commission is soliciting input as to whether any provisions contained therein should be modified or codified in the form of a regulation. For example, should Section 41.14 be promulgated as a regulation, and if so, what specific language should it contain? In particular, if entry standards are to be promulgated as regulations, what specific standards would be necessary to specify as to, for example, operational fitness and financial fitness and would this limit the Commission's discretion in the granting of motor carrier applications?

8. Other Considerations.

The Commission is soliciting input as to whether any regulations need to be modified in light of Act 164 of 2016, Act 85 of 2016, providing for the regulation of Transportation Network Companies (TNCs), as well as the recent regulatory change which eliminated the requirement for motor common carrier applicants to establish need for service. Final Rulemaking Amending 52 Pa. Code Chapters 1, 3, 5, 23 and 29 to Reduce Barriers

to Entry for Passenger Motor Carriers, Docket No. L-2015-2507592 (Final Rulemaking Order entered October 27, 2016).

9. *P-00940884; Regulation of Property Carriers.*

Per our order at Docket No. P-00940884, we revised our oversight of property carriers due to the Federal Aviation Authorization Act of 1994. Within the context of a prior rulemaking at Docket No. L-00950106, we modified our regulations consistent with the federal preemption of the Federal Aviation Authorization Act of 1994. The Commission solicits comment if any further regulatory changes are needed, beyond the changes already in place.

10. *P-00981458; Regulation of Group and Party Carriers.*

Per our order at Docket No. P-00981458, we revised our oversight of charter bus carriers due to the Transportation Equity Act for 21st Century, P.L. 105-178. Within the context of the prior rulemaking at Docket No. L-2015-2507592, we modified our regulations consistent with the federal preemption of the Transportation Equity Act for 21st Century. The Commission solicits comment if any further regulatory changes are needed, beyond the changes already in place.

Due to the comprehensive nature of this rulemaking and the sheer number of regulatory sections which are open for review, interested parties will be given sixty (60) days from the date of publication of the Advance Notice of Proposed Rulemaking in the *Pennsylvania Bulletin* for

the submission of comments. The Commission is committed to completing any revisions to its regulations in a timely fashion; *Therefore,*

It Is Ordered That:

1. A rulemaking proceeding is hereby initiated at this docket to consider the revision of the regulations appearing in Title 52 of the *Pennsylvania Code*, relating to the Commission's rules governing the passenger and property carrier industries.

2. This Advance Notice of Proposed Rulemaking be published in the *Pennsylvania Bulletin*.

3. Interested parties shall have 60 days from the date of publication in the *Pennsylvania Bulletin* of the Advance Notice of Proposed Rulemaking to file written comments.

4. Comments should include, where appropriate, a numerical reference to the existing regulation(s) which the comment(s) address, the proposed language for revision, and a clear explanation for the recommendation.

5. Comments referencing Docket No. L-2017-2604692 be submitted to the Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120. The Commission's contact person is Assistant Counsel Joseph Cardinale, (717) 787-5558.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-1078. Filed for public inspection June 30, 2017, 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 June 20, 2017.

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

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-16-2017	Meridian Bank Malvern Chester County Application for approval to merge Meridian Bank, Malvern, with and into Meridian Interim Bank, Malvern. The merger will facilitate the proposed reorganization of Meridian Bank, Malvern, into a bank holding company structure whereby Meridian Bank will become the wholly-owned subsidiary of Meridian Corporation, Malvern, a new holding company in formation.	Filed
6-20-2017	Penn Community Bank Doylestown Bucks County Application for approval to merge Cheltenham Hills Savings Bank, Abington, with and into Penn Community Bank, Doylestown.	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-8-2017	First Columbia Bank and Trust Co. Bloomsburg Columbia County	400 Walnut Street Danville Montour County	Opened
6-14-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	4885 McKnight Road Pittsburgh Allegheny County	Filed
6-14-2017	Somerset Trust Company Somerset Somerset County	117 South Walnut Street Ligonier Westmoreland County	Filed
6-20-2017	Asian Bank Philadelphia Philadelphia County	6509 Castor Avenue Philadelphia Philadelphia County	Filed

Branch Discontinuance

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-9-2017	CNB Bank Clearfield Clearfield County	3046 Main Street Madera Clearfield County	Closed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 17-1079. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Amendment to the 2014 Annual Action Plan; Substantial Amendments to the 2015 and 2016 Annual Action Plans; Public Meeting

The Department of Community and Economic Development (Department) is amending the Commonwealth's 2014, 2015 and 2016 Annual Action Plans to add the competitive grantees for the Community Development Block Grant (CDBG), HOME and Emergency Solutions Grant (ESG) programs, since they have been awarded. This action requires no citizen comment. A public comment period to review the proposed substantial amendment to the Annual Action Plans for Federal Fiscal Years (FY) 2015 and 2016 is from July 2, 2017, through August 1, 2017.

Annually the Department prepares the Action Plan which outlines the method of distribution for Federal funding received by the Department. The 2015 and 2016 Action Plans for these funds were finalized and submitted to the United States Department of Housing and Urban Development (HUD) for review on October 8, 2015, and December 22, 2016, respectfully. The Department is proposing changes to the method of distribution to the HOME Program for both years, which according to the Commonwealth's Citizen Participation Plan for the Consolidated Plan, constitute a significant change in the distribution of funds under the HOME Program and thus necessitate a substantial amendment to the original Action Plan. In addition, the Commonwealth is making a minor change to their Neighborhood Stabilization Program (NSP) method of distribution that only constitutes an amendment in 2015 and 2016, not requiring additional citizen participation.

The proposed amendments are:

2014—Addition of competitively funded projects for CDBG, HOME and ESG

2015—Addition of competitively funded projects for CDBG, HOME and ESG, changes in the method of distribution for NSP

2016—Addition of competitively funded projects for ESG, change in the method of distribution for NSP

The proposed Substantial Amendment includes:

2015—

a. Increase Pennsylvania Housing Finance Agency's (Agency) HOME award to no more than 50% of the Commonwealth's total 2015 HOME allocation. This will bring the total allocation to the Agency to no more than \$6,857,254. This allows for additional allocations to their multi-family rental program that allows the Commonwealth to meet its commitment deadline.

b. Open the eligible applicants to allow all of the Commonwealth's HOME participating jurisdictions to the Agency's apply for funding under the State program, including PennHOMES program, following set parameters. Refer to Substantial Amendment for more detail.

2016—In addition to the two items listed under 2015 Substantial Amendment, the following changes are being made:

a. Eliminate the previous requirement of demonstration of Targeting, Leveraging and Impact for all projects applying for HOME directly through the Department. The Department will encourage that these priorities are still achieved, although it is no longer a principle requirement for funding.

b. The Department will prioritize awards to applicants focused on a set of activities. See Substantial Amendment for further details.

c. Increase maximum allowable HOME Program awards to those rental projects (new construction or rehabilitation, or both) of less than ten total units that do not exceed the maximum current year HOME per subsidy limits.

d. Initiate, through a set aside of not more than \$2 million the Department's Pilot Initiative to address rehabilitation needs of residential property deferred by local Weatherization Programs due to substandard property conditions. Four weatherization agencies have been targeted and identified for this Pilot Initiative—Lawrence County Community Action Program, Schuylkill County Community Action Program, SEDA-COG and Central Pennsylvania Community Action Program.

The Substantial Amendment to the Action Plans and supporting documentation are available for a 30-day public comment period and can be viewed on the Department's web site at <http://dced.pa.gov/>. The text is available to sight and hearing-impaired persons using technological assisted devices on the Department's web site at the previously listed link. A translation into Spanish will also be available on the Department's web site for citizen comment. The final version of the Substantial Amendment will be submitted to HUD no later than August 14, 2017. The amendments do not require additional citizen comment and will be approved with the submission of the plan to HUD. For the 2014 Action Plan amendment, this will be by September 1, 2017.

Persons who would like to provide written comment on the draft amendments or the Substantial Amendment to the 2015 and 2016 Action Plans may e-mail comments to RA-DCEdcdbg&homequestions@pa.gov or mail to the attention of Megan Snyder, Department of Community and Economic Development, Center for Compliance Monitoring and Training, 400 North Street, 4th Floor, Harrisburg, PA 17120. Comments must be received before 4 p.m. on August 1, 2017.

Public Meeting

The public meeting for the Substantial Amendments will be conducted electronically in conjunction with the public hearing for the 2017 Annual Action Plan by means of the Internet on Thursday, July 27, 2017. Access to the discussion on the Internet will occur between 10 a.m. and 11 a.m. This more widely available computer access will replace the onsite public meeting. The format will be more accessible than an in person meeting because those who wish to make comment or discuss policy may participate directly from an electronic device or from a computer located at a public library.

Any individual or organization may give testimony or comments by means of the Internet about the proposed changes to the HOME method of distribution for 2015 and 2016 funding. The Commonwealth encourages public participation in this process.

Individuals who wish to participate must register in advance. Contact Megan L. Snyder at (717) 720-7404 to receive registration instructions for the Internet based

meeting at least 24 hours prior to the meeting date. During the meeting, if support is required, call (717) 787-5327. The meeting will be shortened if there is no one to testify or there is minimal response.

Persons with a disability or limited English proficiency who wish to participate in the public meeting should contact Megan L. Snyder, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD at (717) 346-0308 to discuss how the Department can accommodate their needs.

Written Comments

Written testimony, instead of Internet testimony, must be submitted by 4 p.m. on Wednesday, August 2, 2017. Persons who would like to provide written comment on the draft Substantial Amendment to the 2015 or the 2016 Action Plan may e-mail comments to RA-DCEDcdbg&homequestions@pa.gov or mail to the attention of Megan L. Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Harrisburg, PA 17120. Written testimony or comments on the amendments may be taken at the same mailbox at any time.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 17-1080. Filed for public inspection June 30, 2017, 9:00 a.m.]

Request for Applications

The Department of Community and Economic Development (Department) announces a request for applications to provide those interested in submitting proposals (application) for the subject procurement sufficient information to prepare and submit applications for the Department's consideration on behalf of the Commonwealth to select a service provider in Mifflin County and Juniata County for the Community Services Block Grant (CSBG) program. The Department will post the announcement on its web site at <http://dced.pa.gov>. The CSBG is a Federal anti-poverty block grant that funds the operations of a state-administered network of local agencies. The CSBG provides core funding to local agencies to reduce poverty, revitalize low income communities and to empower low income families to become self-sufficient.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 17-1081. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Property

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry (Bureau), and John Young et al. are proposing to negotiate an exchange of property interests in West Branch, Portage and Homer Townships, Potter County.

John Young et al. proposes to convey 3,391.518 acres of oil, gas and mineral rights underlying existing State forest lands administered by the Elk and Susquehannock State Forest Districts in Portage and Homer Townships. In return, the Bureau proposes to convey 2,949.72 acres of oil, gas and mineral rights underlying private property in West Branch Township. An environmental review was conducted by the Bureau regarding the exchange, and the review was approved by the State Forester.

As is the policy of the Department, the public is hereby notified of this exchange. A 30-day period for public inquiry or comment, or both, will be in effect beginning July 1, 2017, and ending July 30, 2017. Oral or written comments or questions concerning this proposed exchange may be addressed to Ryan Szuch, Bureau of Forestry, Planning Section, P.O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-2980, rszuch@pa.gov. Oral and written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 17-1082. Filed for public inspection June 30, 2017, 9:00 a.m.]

Proposed Exchange of Property and Boundary Compromise Agreement

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry, and Granville Hunting Club are proposing to negotiate an exchange of property interests in Mifflin and Juniata Counties.

A warrant vacancy had been known to exist for many years between two tracts of State forest land on the south side of Blue Mountain in Juniata County. When surveyors investigated the situation further they found that the vacancy extended over the mountain into Mifflin County. The Granville Hunting Club thought they had clear title to part of the vacancy and also to lands claimed by the Commonwealth since 1930. The deed overlap with the Commonwealth occurs on the ridgetop of Blue Mountain. The proposed compromise agreement would resolve the deed overlap in favor of the Commonwealth; the existing boundary would be honored. Most of the vacancy, near Minehart Run, would go to Granville Hunting Club (117.76 acres). The Commonwealth would acquire a portion of the vacancy in Licking Creek, on the south side of Blue Mountain and also on the north slope of the front mountain, near Granville (110.44 acres total to the Commonwealth). The Licking Creek vacancy is key because it joins two parts of the Tuscarora State Forest and includes most of the Vincent Tram road in that area. The exchange is of value to the Commonwealth because it cleans up a title issue, honors the current boundary and provides the Commonwealth with a key connector.

As is the policy of the Department, the public is hereby notified of this exchange and boundary compromise agreement. A 30-day period for public inquiry or comment, or

both, will be in effect beginning July 1, 2017, and ending July 30, 2017. Oral or written comments or questions concerning this proposed exchange may be addressed to Ryan Szuch, Planning Section, Bureau of Forestry, P.O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-2980, rszuch@pa.gov. Oral and written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 17-1083. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0218600 (Sewage)	Leonard Single Residence STP 310 Spang Road Baden, PA 15005-2540	Somerset County Middlecreek Township	Laurel Hill Creek (19-E)	Yes
PA0254258 (Sewage)	Hohman SRSTP 2632 Big Sewickley Creek Road Sewickley, PA 15143	Allegheny County Franklin Park Borough	UNT to East Branch Big Sewickley Creek (20-G)	Yes
PA0218243 (Sewage)	Hobaugh SRSTP 401 Red Arrow Road Ligonier, PA 15658-2744	Westmoreland County Ligonier Township	Trout Run (18-C)	Yes
PA0218987 (Sewage)	Vaccarello SFTF Fox Road, Apollo, PA 15613	Westmoreland County Washington Township	Swale to Poke Run (18-B)	Yes
PA0110922 (Sewage)	Camp Allegheny STP 100 Camp Allegheny Drive Stoystown, PA 15563-8823	Somerset County Stonycreek Township	Calendars Run (18-E)	Yes
PA0217816 (Sewage)	Sunnydale Gardens MHP STP PO Box 168 Connellsville, PA 15425-0168	Westmoreland County East Huntingdon Township	Unnamed Tributary to Jacobs Creek (19-D)	Yes
PA0217271 (Sewage)	Kilbuck Run STP 1719 Roosevelt Road Pittsburgh, PA 15237	Allegheny County Ohio Township	Kilbuck Run (20-G)	Yes
PA0254525 (Sewage)	Hillcrest Crossing MHP PO Box 2192 Malvern, PA 19355	Westmoreland County Lower Burrell City	Chartiers Run (18-A)	Yes
PA0216925 (Sewage)	Monongalia Co. Mine/ Hughes Hollow 46226 National Road St Clairsville, OH 43950	Greene County Wayne Township	Unnamed Tributary to Hoovers Run (19-G)	Yes
PA0204714 (Sewage)	New Horizons Foundation Campground 145 New Horizons Drive Clymer, PA 15728-7928	Indiana County Cherryhill Township	Unnamed Tributary to Penn Run (18-D)	Yes
PA0217174 (Sewage)	Ernst SRSTP 268 Harrison Road Elizabeth, PA 15037-3037	Allegheny County Lincoln Borough	Unnamed Tributary to Wylie Run (19-C)	Yes
PA0216879 (Sewage)	Calandrellas Inc. STP 231 2nd Avenue Avonmore, PA 15618-1203	Westmoreland County Bell Township	Unnamed Tributary to Wolford Run (18-B)	Yes
PA0254321 (Sewage)	German Township Sewage Authority STP 2 Long Street McClellandtown, PA 15458-0287	Fayette County German Township	Monongahela River (19-C)	Yes
PA0216666 (Sewage)	Cumberland Contura Prep Plant STP PO Box 1020 158 Portal Road Waynesburg, PA 15370-3020	Greene County Whiteley Township	Whiteley Creek (19-G)	Yes
PA0098523 (Sewage)	Glen Meadow MHP STP 305 Oberdick Drive McKeesport, PA 15135	Washington County Amwell Township	Little Tenmile Creek (19-B)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0083305— IW	TE Connectivity Corporation— Brodbecks Building # 6 MS 038-34 PO Box 3608 Harrisburg, PA 17105	York County/ Springfield Township	Krebs Valley Road/7-H	Y
PA0083887— SEW	Brad Shover/Brush Creek Country Estates 225 Pine Hill Road Landisburg, PA 17040	Bedford County/ East Providence Township	Brush Creek/11-C	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?
PA0102555 (Sewage)	Rocco A Defranco SRSTP 1593 Silver Creek Road Johnsonburg, PA 15845	Elk County Jones Township	Silver Creek (17-A)	Yes

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

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

PA0255114, Storm Water, SIC Code 5093, **Greenstar Pittsburgh, LLC**, 4100 Grand Avenue, Pittsburgh, PA 15225. Facility Name: 4100 Grand Ave. This facility is located in Neville Township, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge untreated stormwater runoff.

The receiving stream(s), Ohio River, is located in State Water Plan watershed 20-G 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 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD _{5-Day})	XXX	XXX	XXX	XXX	30.0	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	120.0	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	15.0	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0028711, Sewage, SIC Code 4952, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurry, PA 15317-3415. Facility Name: Brush Run STP. This existing facility is located in Peters Township, **Washington 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), Brush Creek, is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Cadmium, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	Report	XXX	XXX	Report	Report	XXX
Copper, Total	Report	XXX	XXX	Report	Report	XXX
Cyanide, Free	Report	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Zinc, Total	Report	XXX	XXX	Report	Report	XXX
4,6-dinitro-o-cresol	Report	XXX	XXX	Report	Report	XXX
3,3-Dichlorobenzidine (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Pentachlorophenol (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Acrolein	Report	XXX	XXX	Report	Report	XXX
1,3-Dichloropropylene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Benzene	Report	XXX	XXX	Report	Report	XXX
Benzo(a)Anthracene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(a)Pyrene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(k)Fluoranthene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
3,4-Benzofluoranthene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Carbon Tetrachloride	XXX	XXX	XXX	Report	Report	XXX
Chlorodibromomethane (µg/L)	XXX	XXX	XXX	Report	Report	XXX
1,1,1,2-Tetrachloroethane (µg/L)	XXX	XXX	XXX	Report	Report	XXX
1,1,2-Trichloroethane	Report	XXX	XXX	Report	Report	XXX
1,2-Dichloroethane (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane	Report	XXX	XXX	Report	Report	XXX
Chloroform	Report	XXX	XXX	Report	Report	XXX
Chrysene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene	Report	XXX	XXX	Report	Report	XXX
Hexachlorobutadiene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Indeno(1,2,3-cd)Pyrene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Phenanthrene	Report	XXX	XXX	Report	Report	XXX
Tetrachloroethylene	Report	XXX	XXX	Report	Report	XXX
Vinyl Chloride (µg/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Cadmium, Total (µg/L)	XXX	XXX	XXX	0.484	0.754	XXX
Chromium, Hexavalent	0.183	XXX	XXX	0.011	0.018	XXX
Copper, Total	0.283	XXX	XXX	0.017	0.027	XXX
Cyanide, Free	0.083	XXX	XXX	0.005	0.009	XXX
Zinc, Total	2.435	XXX	XXX	0.146	0.229	XXX
4,6-dinitro-o-cresol	0.233	XXX	XXX	0.014	0.022	XXX
3,3-Dichlorobenzidine (µg/L)	XXX	XXX	XXX	0.041	0.063	XXX
Pentachlorophenol (µg/L)	XXX	XXX	XXX	0.523	0.816	XXX
Acrolein	0.016	XXX	XXX	0.001	0.002	XXX
1,3-Dichloropropylene (µg/L)	XXX	XXX	XXX	0.659	1.0280	XXX
Benzene	0.033	XXX	XXX	0.002	0.003	XXX
Benzo(a)Anthracene (µg/L)	XXX	XXX	XXX	0.007	0.011	XXX
Benzo(a)Pyrene (µg/L)	XXX	XXX	XXX	0.007	0.011	XXX
Benzo(k)Fluoranthene (µg/L)	XXX	XXX	XXX	0.007	0.011	XXX
3,4-Benzofluoranthene (µg/L)	XXX	XXX	XXX	0.007	0.007	XXX
Carbon Tetrachloride (µg/L)	XXX	XXX	XXX	0.446	0.695	XXX
Chlorodibromomethane (µg/L)	XXX	XXX	XXX	0.775	1.209	XXX
1,1,1,2-Tetrachloroethane (µg/L)	XXX	XXX	XXX	0.329	0.514	XXX
1,1,2-Trichloroethane	0.016	XXX	XXX	0.001	0.002	XXX
1,2-Dichloroethane (µg/L)	XXX	XXX	XXX	0.736	1.149	XXX
Dichlorobromomethane	0.016	XXX	XXX	0.001	0.002	XXX
Chloroform	0.183	XXX	XXX	0.011	0.017	XXX
Chrysene (µg/L)	XXX	XXX	XXX	0.007	0.011	XXX
Dibenzo(a,h)Anthracene (µg/L)	XXX	XXX	XXX	0.007	0.011	XXX
Hexachlorobutadiene (µg/L)	XXX	XXX	XXX	0.853	1.330	XXX
Indeno(1,2,3-cd)Pyrene (µg/L)	XXX	XXX	XXX	0.007	0.011	XXX
Phenanthrene	0.016	XXX	XXX	0.001	0.002	XXX
Tetrachloroethylene	0.016	XXX	XXX	0.001	0.002	XXX
Vinyl Chloride (µg/L)	XXX	XXX	XXX	0.048	0.076	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.16
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	417.0	625.5	XXX	25.0	37.5	50
May 1 - Oct 31	333.6	500.4	XXX	20.0	30.0	40
Biochemical Oxygen Demand (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	500.4	750.6	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	75.1	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	33.4	XXX	XXX	2.0	XXX	4
1,4-Dioxane	Report	XXX	XXX	Report	Report Daily Max	XXX
Bromide	Report	XXX	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

The EPA Waiver is not in effect.

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

PA0030571, Sewage, SIC Code 8361, **New Life Youth & Family Service**, 585 Freeman School Road, Schwenksville, PA 19473. Facility Name: New Life STP. This existing facility is located in Lower Salford Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0225 MGD:

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

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

- No Stormwater to STP
- Obtain Necessary Property Rights
- Proper sludge Disposal
- Disconnect When Public Sewers Available
- Small Stream discharge
- Notification of Available Operator

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

The EPA Waiver is in effect.

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

PA0025381, Sewage, SIC Code 4952, **Saxton Borough Municipal Authority Bedford County**, 1002 Branch Street, Saxton, PA 16678-8739. Facility Name: Saxton Borough STP. This existing facility is located in Liberty Township, **Bedford County**.

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

The receiving stream(s), Raystown Branch Juniata River, is located in State Water Plan watershed 11-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.64
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	125	200	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	150	225	XXX	30.0	45.0	60
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	10.0	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	7,306	XXX	XXX	XXX	XXX
		Total Annual				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
		974	XXX	XXX	XXX	XXX
		Total Annual				

* 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 not in effect.

PA0088421, Sewage, SIC Code 8811, **Gibson Patrick J**, 2887 Chaneysville Road, Clearville, PA 15535-8828. Facility Name: Gibson Residence. This existing facility is located in Southampton Township, **Bedford County**.

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

The receiving stream(s), Town Creek, is located in State Water Plan watershed 13-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0261599, Sewage, SIC Code 6514, **Kurt V & Delores A Herzberg**, 25 Grandview Drive, Duncannon, PA 17020. Facility Name: Herzberg Residence SRSTP. This existing facility is located in Tell Township, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary to Trough Spring Branch, is located in State Water Plan watershed 12-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

PA0028983, Sewage, SIC Code 4952, **McVeytown Borough Authority**, 10 N Queen St., PO Box 321, McVeytown, PA 17051-0321. Facility Name: McVeytown STP. This existing facility is located in McVeytown Borough, **Mifflin County**.

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

The receiving stream(s), Juniata River, is located in State Water Plan watershed 12-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.085 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	17	28	XXX	25.0	40.0	50
Biochemical Oxygen Demand (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	21	31	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

Parameter	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX

	<i>Mass Units (lbs/day)</i>		<i>Effluent Limitations</i>			
	<i>Report</i>	<i>XXX</i>	<i>XXX</i>	<i>Concentrations (mg/L)</i>		<i>XXX</i>
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

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

- eDMR use requirement
- Solids Management
- Stormwater prohibition
- Chlorine optimization
- Notification of designated operator
- Hauled-in waste restriction

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

The EPA Waiver is in effect.

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

PA0232939, Sewage, SIC Code 4952, **Larry D & Victoria A Guenot**, 122 Bucktail Lane, Moshannon, PA 16859-9305. Facility Name: Larry D & Victoria A Guenot. This proposed facility is located in Burnside Township, **Centre County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single residence sewage treatment plant. The system will replace the existing malfunctioning on lot system.

The receiving stream(s), Unnamed Tributary to Sevenmile Run, is located in State Water Plan watershed 8-D 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 0.0006 MGD.

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3636.

The EPA Waiver is in effect.

PA DEP Central Office: Bureau of Clean Water, Rachael Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8184, Telephone: 717.787.8184.

PA0270741, Pesticides, SIC Code 4959, **Pennsylvania Department of Environmental Protection (PA DEP) Vector Management Program**, PO Box 1467, Harrisburg, PA 17105.

Description of Existing Activity: The application is for a new NPDES permit for proposed discharges associated with the application of pesticides to control or suppress black flies and mosquitoes carrying West Nile Virus, statewide. Direct applications to waters are generally completed by the black fly program using biological pesticides. Applications near water are anticipated for the West Nile Virus program using both biological and chemical pesticides.

The receiving stream(s) are located throughout Pennsylvania and may vary year to year as a result of surveillance activities. PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. The permit authorizes discharges to receiving streams statewide. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects.

Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan. The proposed permit also contains a schedule of pesticides and maximum doses authorized under the permit.

You may make an appointment to review the DEP files on this case by calling Bureau of Clean Water at 717-787-5017. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is not in effect.

III. QM 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.

QM Permit No. 3517404, Sewerage, **Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033.

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

Description of Proposed Action/Activity: The project is for the replacement of two existing pumps at the Parrott Avenue pump station. The existing pumps will be replaced with two dry pit submersible pumps with a rated capacity of 300 gallons per minute each at 66 feet of total dynamic head. There is no increase in design capacity. Check valves, gate valves, pipes and fittings will also be replaced between the pumps and where the piping exits the building housing the pumps.

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

QM Permit No. 6797407. Amendment No. 4, Sewerage, **Jackson Township Sewer Authority**, 439 Roth's Church Road, Spring Grove, PA 17362.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a project consisting of replacing influent pumps, adding a pre-equalization basin, expanding the hydraulic capacity of the plant to 0.6 MGD to 0.8 MGD with the addition of a 4th treatment basin, adding an additional aerobic digester, and switching from chlorine disinfection to UV disinfection.

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

QM Permit No. 4317406, Sewerage, **Unity Presbyterian Church**, 1857 Mercer West Middlesex Road, Mercer, PA 16137.

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

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

QM Permit No. WQG01251701, Sewerage, **Daniel Marsh**, 9690 Fillinger Road, Cranesville, PA 16410.

This proposed facility is located in Elk Creek Township, **Erie County**.

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

QM Permit No. 3717401, Sewerage, **New Castle DPP LLC**, 9010 Overlook Boulevard, Brentwood, TN 37027-5242.

This proposed facility is located in Slippery Rock Township, **Lawrence County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility.

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

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

Carbon County Conservation 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>
PAD130006	First Northern Bank & Trust Co. 4th St and Lafayette Ave. Palmerton, PA 18071	Carbon	Mahoning Township	Mahoning Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450028	E. R. Linde Construction Corp. 9 Collan Park Honesdale, PA 18431	Monroe	Paradise Township	Swiftwater Creek (HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140020	Jeff Byers 2197 Hightech Road State College, PA 16803	Centre	Benner Twp	UNT-Buffer Run HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180009	Abner Fisher 212 Brungard Lane Mill Hall, PA 17751	Clinton	Porter Twp	UNT to Cedar Run HQ-CWF

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

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD630014	First Pennsylvania Resource, LLC 33 Terminal Way Suite 431A Pittsburgh, PA 15219	Washington County	Donegal Township	Buck Run (HQ-WWF); UNT to Buck Run (HQ-WWF)

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

PAG-12	CAFOs
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CAFO Notices of Intent Received

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

NPDES Permit No. PAG124843, CAFO, Hummel Family Farms LLC, 3493 Middle Road, Middleburg, PA 17842-8693.

This existing facility is located in Center Township, **Snyder County**.

Description of size and scope of existing operation/activity: Hummel Family Farms, LLC is an existing CAFO consisting of 182.96 acres of crop lands, 42.56 acres of woodlands and buildings and a swine finishing facility with 4,800 finishing swine.

The receiving stream, Unnamed Tributary of North Branch Middle Creek, is in watershed 6-A and classified for: Cold Water Fishes and Migratory Fishes.

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

STATE CONSERVATION COMMISSION

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

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

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

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

basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

CAFO NMP

PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
R.W. Sauder Inc. Hegins Valley Layer Complex 824 Church Rd Hegins, PA 17938	Schuylkill	1	4,153.56	Poultry (Layers)	N/A	Renewal
Haas Farm Stephen & Virginia Haas 15 Haas Road Klingerstown, PA 17941	Schuylkill	1,612	540	Poultry (Layers)	N/A	Renewal
Misty Glen Properties LP Leon Snyder 230 Poplar Road Fleetwood, PA 19522	Lebanon	81.3	1,800	Poultry— Layers	NA	New
Farm Address: 150 Hain Ave. Lebanon, PA 17046						
Malcom and Rosanna Rudolph Granite Ridge Farms 200 Ginzel Road New Oxford, PA 17350	Adams	302	718.63	Swine	NA	Renewal
Hanover Shoe Farms, Inc. PO Box 339 2310 Hanover Pike Hanover, PA 17331	Adams	2,725	792.01	Horses	NA	Renewal
Joel Martin 2077 Mountain Road Manheim, PA 17545	Lancaster	208.8	81.88	Ducks	HQ	Renewal
James Showers 767 Grey Hill Road New Columbia PA 17856	Union	105.12	387.64	Swine Beef Horse	HQ	Renewal
Drew Remley 1170 Salt Spring Road Roaring Branch, PA 17765	Tioga	437.5	1,583.56	Hog/Beef	Salt Spring Run—HQ Brain Creek—HQ French Lick Run—HQ	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

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

Application No. 1717506—Construction—Public Water Supply.

Applicant	Pike Township Municipal Authority
Township/Borough	Pike Township
County	Clearfield
Responsible Official	Richard Neeper, Chairman 326 Water Plant Rd. Curwensville, PA 16833
Type of Facility	Public Water Supply
Consulting Engineer	John Mazich, Project Engineer Uni-Tec Consulting Engineers, Inc. 2007 Cato Ave. State College, PA 16801
Application Received Date	6/12/2017
Description of Action	Replace existing Jo-Lin above ground fiberglass enclosed pump station with a concrete block building enclosed system with a skid mounted package pump system.

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

Permit No. 0217531, Public Water Supply.

Applicant	Pittsburgh Water & Sewer Authority Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222
[Township or Borough]	City of Pittsburgh
Responsible Official	Robert Weimar, Interim Executive Director Pittsburgh Water & Sewer Authority Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222
Type of Facility	Aspinwall water treatment plant
Consulting Engineer	Pittsburgh Water & Sewer Authority Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222
Application Received Date	June 15, 2017
Description of Action	Addition of ferric chloride at the Aspinwall water treatment plant.

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

Permit No. 366W013-T2-MA5, Public Water Supply.

Applicant	Aqua PA Western Area
Township or Borough	Coolspring Township
County	Mercer
Responsible Official	Zach Martin
Type of Facility	Water Treatment Plant
Consulting Engineer	Robert Horvat/Entech Engineering
Application Received Date	June 12, 2017
Description of Action	Improvements to water supply tank

Permit No. 6188505-T1-MA1, Public Water Supply.

Applicant	Rocky Ridge Village LLC
Township or Borough	Sandycreek Township
County	Venango
Responsible Official	Ryan Williams, President
Type of Facility	Mobile Home Park
Consulting Engineer	Steven Halmi/Deiss & Halmi Engineering
Application Received Date	June 16, 2017
Description of Action	New interior coating on existing water storage tank.

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. 3013501WMP6, Minor Amendment.

Applicant	Southwestern Pennsylvania Water Authority 1442 Jefferson Road Jefferson, PA 15334
[Township or Borough]	Center Township
Responsible Official	Timothy Faddis, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road Jefferson, PA 15334
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	June 20, 2017
Description of Action	Installation of the Iron Rock Road meter vault/bulk water station.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

Sinking Springs Farm, 2825 Susquehanna Trail, York, PA 17406, Manchester Township, **York County**. Geo-Technology Associates, Inc., 3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Susquehanna Real Estate, LP, 140 East Market Street, York, PA 17401, submitted a Final Report concerning remediation of site soils and groundwater contaminated with gasoline released from underground storage tanks. The Report is intended to document remediation of the site to meet the Site Specific Standard.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGM044-NE003. Revolution Recovery Lehigh Valley, LLC, 7333 Milnor Street, Philadelphia, PA 19136. A General Permit Determination of Applicability for the processing of wood and construction/demolition material for beneficial use as mulch, soil erosion control material, aggregate material in construction, animal bedding, and alternative fuel at a site located in the City of Allentown, **Lehigh County**. The application for determination of applicability was received on June 8, 2017 and deemed administratively complete by the Regional Office on June 20, 2017.

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

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application for Determination of Applicability Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

General Permit Application No. WMGR081SE006. NAR Electronics Holding Group Inc., 1500 Industry Road, Suite R, Hatfield, PA 19440. This application is for determination of applicability (DOA) under General Permit No. (WMGR081SE006) for the processing of waste electronics at the NAR Hatfield PA Warehouse located in Hatfield Township, **Montgomery County**. The applica-

tion for determination of applicability was accepted as administratively complete by the Southeast Regional Office on June 16, 2017.

Comments concerning the application should be directed to the Waste Management Program Manager, DEP, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25

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

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

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

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

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

15-0010E: ArcelorMittal Plate, LLC (139 Modena Road, Coatesville, PA 19320; Attn: Mr. Ray Ajalli), for the replacement of two Ladle Preheater burners associated with Source ID 229 in Title V Operating Permit No. 15-00010. ArcelorMittal Plate, LLC is proposing the replacement of the burners on Ladle Preheaters “B” and “D”, which are currently rated at 10 MMBtu/hr each, with new burners rated at 12.0-MMBtu/hr each, at their facility located in the City of Coatesville, **Chester County**. This facility is a Title V facility. Ladle Preheaters “B” and “D” have been removed from Source ID 229 and are now under Source ID 229B. Ladle Preheaters “B” and “D” will be subject to short-term limits of 113.0 lbs/MMcf of natural gas for NO_x and 84.0 lbs/MMcf of natural gas for CO. Potential annual emissions of NO_x will be equal to or less than 11.52 TPY. Potential annual emissions of CO will be equal to or less than 8.58 TPY. Potential annual emissions of PM, VOC, SO_x, and HAP will all be less than 1.0 TPY. In addition, the NO_x emission limit for Ladle Pre-Heater (4575-10-B) (Source ID 229A) has been changed from 0.11 lb/MMBtu to 113.0 lbs/MMcf of natural gas for consistency with the CO limit and the limits for Ladle Preheaters “B” and “D”. The Plan Approval will contain monitoring, recordkeeping, and work practice requirements designed to keep Source IDs 229A and 229B operating within the allowable emissions and 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.

17-00001F: NRG REMA LLC (250 Power Plant Drive, Shawville, PA 16873) has submitted a plan approval application requesting Plantwide Applicability Limits (PALs) for their Shawville Generating Station to the Department of Environmental Protection (Department). The Shawville Generating Station facility is located in

Bradford Township, **Clearfield County**, and a PAL is requested for these pollutants, as follows: PM_{2.5}, PM₁₀, SO₂, NO_x, CO, VOCs, lead, particulate matter, sulfuric acid mist, and GHGs. The facility is major stationary source/facility under the Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) programs.

The Department's review of the information submitted by NRG REMA LLC indicates that each of the requested PALs and associated monitoring, recordkeeping, and reporting comply all applicable regulatory requirements pertaining to PALs pursuant to the NNSR and PSD programs, as in 25 Pa. Code § 127.218 and 40 CFR 52.21(aa). The requested PALs conform with the applicable requirement pertaining to setting the 10-year PAL, as specified under 25 Pa. Code § 127.218(f) and 40 CFR 52.21(aa)(6).

The PALs will apply to all sources in operation at the Shawville Generating Station facility during the PAL effective period. To date, the sources that will be subject to the PALs upon issuance of Plan Approval No: 17-00001F include the following as specified in the plan approval application: the utility boilers no. 1 through 4 (Source IDs 031 through 034); the startup generator-engines no. 5 through 7 (Source IDs P101 through P103); the emergency auxiliary power generator-engines for utility boilers (Source IDs P104 and P120); the fire water pump engines (Source ID P106); the plant haul roads and ash disposal facility (Source IDs F01 and F03); the parts washing stations (Source ID P121); combustion sources used for space heating (Source ID 038), the new cooling tower installation (Source ID P201), and the VOC-containing storage tanks as listed in Section G of Title V Operating Permit No: 17-00001.

The following is a list of the conditions the Department intends to place in the plan approval to verify compliance with the applicable regulatory requirements pertaining to the PAL requests, as specified in 25 Pa. Code § 127.218 and 40 CFR 52.21(aa). The monthly determinations of 12-month rolling total emissions shall include emissions from all sources at all times of operation including from startups, shutdowns, and malfunctions. The conditions found below that make reference to Source IDs 031 are also included in the proposed plan approval for Source IDs 032, 033 and 034 except for the emission factors in some conditions for Source IDs 032, 033 and 034 may be different than the emission factors found below for Source ID 031.

1. In accordance with the plantwide applicability limit (PAL) provisions of 25 Pa. Code § 127.218(k)(2), if the owner or operator of the facility submits a timely and complete application to renew the PAL permit, the PAL will continue to be effective until the revised permit with the renewed PAL is issued. Pursuant to 25 Pa. Code § 127.218(k)(4), the Department may renew the PAL unchanged if the emissions are below 80% of the PAL level solely due to reduced utilization. The Department may reopen the PAL in accordance with 25 Pa. Code § 127.218(i)(1) or (2), as necessary.

2. This condition hereby amends the Title V Operating Permit No: 17-00001 to delete conditions # 069 under Source IDs 031 through 034 as these utility boilers are no longer subject to 40 CFR Part 63 Subpart UUUUU according to 40 CFR 63.9983 and to the notification of cessation of MATS applicability dated August 12, 2016, from the permittee.

3. At least 60 calendar days prior to commencing an EPA reference method testing program, a test protocol

shall be submitted to the Department for review and approval. At least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the appropriate Regional Office. Complete test reports shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an EPA reference method test program. All submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual. All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

4. [25 Pa. Code §§ 127.12b and 127.218]

For each storage tank containing volatile organic compounds (VOCs), the permittee shall keep records of the calculations used to determine the tank's potential emission rate, in units of tons per year, as well as the supporting documentation. These calculations shall be included in the 12-month rolling total emissions to verify compliance with the VOCs PAL.

5. The permittee shall monitor the emissions of each PAL pollutant from all emissions units in accordance with the applicable requirements under 25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12).

6. Pursuant to 25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13), the permittee shall comply with the following recordkeeping requirements as specified in (a) and (b) of this permit condition. These records shall be retrievable onsite.

(a) The permittee shall retain a copy of the records necessary to determine compliance with a requirement in 25 Pa. Code § 127.218 and 40 CFR 52.21(aa) and of each PAL, including a determination of the 12-month rolling total emissions for each emissions unit, for 5 years.

(b) The permittee shall retain a copy of the following records for the duration of the PAL effective period and 5 years after the PAL permit expires:

(1) A copy of the PAL permit application (application for Plan Approval No: 17-00001F) and applications for revisions to the PAL permit; and

(2) Each annual certification of compliance and the data relied on in certifying the compliance.

7. Pursuant to 25 Pa. Code § 127.218(m)(10) and 40 CFR 52.21(aa)(12)(vii), the permittee shall record maximum potential emissions without considering enforceable emissions limitations or operational restrictions for an emissions unit during a period of time that there is no monitoring data, unless another method for determining emissions during these periods is incorporated herein.

8. (a) The permittee shall submit semiannual reports to the Department. The reports shall contain for each PAL a determination of the 12-month rolling total emissions for each emissions unit as well as the data relied upon, including the quality assurance and quality control data, in calculating the monthly and annual PAL pollutant emissions.

(b) The semiannual reports shall also contain all the following information as required in 25 Pa. Code § 127.218(ii)(A) and (D) through (G) and 40 CFR 52.21(aa)(14)(a) and (d) through (g):

(1) The identification of owner and operator and the permit number;

(2) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period;

(3) The number, duration, and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken;

(4) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, and whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method as approved by the Department;

(5) A signed statement by the responsible official (as defined by 25 Pa. Code § 121.1) certifying the truth, accuracy, and completeness of the information provided in the report.

(c) The semiannual reports shall be submitted within 30 days of the end of each reporting period. The semiannual reports for the July 1 through December 31 reporting period shall be submitted on or before January 30th and the semiannual reports for the January 1 through June 30 reporting period shall be submitted on or before July 30th.

9. The permittee shall report malfunctions, excess emissions or deviation from the permit requirements in accordance with the Department specifications and timeframes.

10. [25 Pa. Code §§ 127.12b and 127.218]

The emissions from a new source that requires a plan approval shall be the minimum attainable through the use of Best Available Technology (BAT). A physical change or change in method of operation at an existing emissions unit will not be subject to BAT requirements of 25 Pa. Code Chapter 127 unless the emissions unit is modified so that the fixed capital cost of new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new emissions unit.

11. (a) Pursuant to 40 CFR 52.21(aa) and 25 Pa. Code § 127.218, each of the following Plantwide Applicability Limits (PALs) in (a)(1) through (a)(10) of this permit condition is effective on the issuance date of Plan Approval 17-00001F:

(1) The emissions of PM_{2.5}, including fugitive emissions, from all emissions units shall be less than 1,177.7 tons in any 12 consecutive month period.

(2) The emissions of PM₁₀, including fugitive emissions, from all emissions units shall be less than 1,270.3 tons in any 12 consecutive month period.

(3) The emissions of sulfur dioxide (SO₂), including fugitive emissions, from all emissions units shall be less than 27,503.3 tons in any 12 consecutive month period.

(4) The emissions of NO_x (expressed as NO₂), including fugitive emissions, from all emissions units shall be less than 7,427.7 tons in any 12 consecutive month period.

(5) The emissions of CO, including fugitive emissions, from all emissions units shall be less than 472.9 tons in any 12 consecutive month period.

(6) The emissions of VOCs, including fugitive emissions, from all emissions units shall be less than 45.7 tons in any 12 consecutive month period.

(7) The emissions of lead, including fugitive emissions, from all emissions units shall be less than 0.9 ton in any 12 consecutive month period.

(8) The emissions of particulate matter (filterable fraction only), including fugitive emissions, from all emissions units shall be less than 957.2 tons in any 12 consecutive month period.

(9) The emissions of sulfuric acid mist, including fugitive emissions, from all emissions units shall be less than 154.2 tons in any 12 consecutive month period.

(10) The emissions of GHGs (expressed as CO₂e), including fugitive emissions, from all emissions units shall be less than 3,682,115.0 tons in any 12 consecutive month period.

(b) The PALs shall have an effective period of 10 years from the issuance date of Plan Approval No: 17-00001F. Each PAL shall expire at the end of the PAL effective period, unless a complete application according to 25 Pa. Code § 127.218(k)(3) and 40 CFR 52.21(aa)(10)(iii) is submitted to the Department at least 6 months prior to, but not earlier than 18 months prior to the PAL's expiration date, (10 years from Plan Approval No: 17-00001F Issuance).

Upon expiration of a PAL, the permittee is subject to the requirements specified in 25 Pa. Code § 127.218(j) and 40 CFR 52.21(aa)(9) for that pollutant.

(c) If an application to renew each PAL is submitted according to the requirements in 25 Pa. Code § 127.218(k) and 40 CFR 52.21(aa)(10) then the PALs shall continue to be effective until the revised permit with the renewed PALs is issued.

(d) For each month during the first 11 months from the PAL effective date, the permittee shall show that the sum of the preceding monthly emissions of each PAL pollutant from the PAL effective date for each emissions unit is less than the applicable PAL. For each month during the PAL effective period after the first 12 months of establishing a PAL, the permittee shall show that the sum of the monthly emissions of each PAL pollutant from each emissions unit for the previous 12 consecutive months, expressed as a 12-month rolling total, is less than the applicable PAL. The calculations of monthly emissions for each emissions unit shall include emissions from all periods of operation including startups, shutdowns and malfunctions, as well as fugitive emissions if any.

12. An increase to a PAL during the PAL effective period is subject the requirements in 25 Pa. Code § 127.218(l) and 40 CFR 52.21(aa)(11).

13. Prior to reactivation of the operations associated with Source ID F01, or Source ID F03, the permittee shall satisfy all applicable requirements pertaining to the proposed reactivated source under 25 Pa. Code Chapter 127, Subchapter B. The proposed reactivated source(s) shall be treated as new source(s) in accordance with 25 Pa. Code § 127.11(a).

14. [25 Pa. Code §§ 127.12b and 127.218(m)(7) and 40 CFR 52.21(aa)(12)(iv)]

The permittee shall operate continuous emissions monitoring systems (CEMS) to determine NO_x, SO₂ and CO₂ emissions from Source ID 031 in any calendar month and 12 consecutive month period, in units of tons. Installation, operation and maintenance of the CEMS shall comply with all applicable requirements as specified in the terms and conditions in the Title V Operating Permit (DEP Auth ID: 988474) and in Plan Approval No: 17-

00001G. Each certified CEMS shall sample, analyze and record data at least every 15 minutes while Source ID 031 is in operation including periods of startup, shutdown and malfunction.

15. [25 Pa. Code §§ 127.12b and 127.218(m)(9) and 40 CFR 52.21(aa)(12)(vi)]

At all times of operation, the permittee shall continuously monitor the amount of each fuel combusted in Source ID 031.

(a) The natural gas fuel flowmeter shall comply with the applicable requirements in Appendix D to 40 CFR Part 75. A gas flowmeter used for commercial billing of natural gas is not required to meet the certification requirements of section 2.1.5 of Appendix D or the quality assurance requirements of section 2.1.6 of Appendix D under the circumstances specified in paragraphs (a) through (e) under section 2.1.4.2 of Appendix D.

(b) The amount of No. 2 oil combusted shall be determined according to the requirements in section 2.1.4 of Appendix D to 40 CFR Part 75 (or equivalent as determined by the Department).

(c) The amount of pulverized bituminous coal or pulverized bituminous coal/synfuel combusted shall be monitored according to the terms and conditions of the Title V Operating Permit (DEP Auth ID: 988474).

16. [Authority for this permit condition is also derived from 25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

The permittee shall keep monthly records of the amount of each fuel combusted in Source ID 031 in each calendar month and the total heat input, in units of MMBtu (HHV), for each fuel from the amount combusted in each calendar month, as well as the supporting documentation.

17. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

The permittee shall keep records of the CO_{2e} emissions from Source ID 031 in any calendar month. The CO_{2e} emissions shall be determined in accordance with the applicable requirements under 40 CFR Part 98.

18. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the PM_{2.5} emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The PM_{2.5} emission calculations shall be determined monthly using the total heat input from natural gas fuel usage in the previous calendar month and the 0.0075-pound PM_{2.5} per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (-are) representative of highest potential emissions at all operating points is (-are) developed, as approved by the Department.

(b) The permittee shall keep records of the PM_{2.5} emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The PM_{2.5} emission calculations shall be determined monthly using the 0.011-pound PM_{2.5} per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the PM_{2.5} emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The PM_{2.5} emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.042-pound PM_{2.5} per MMBtu

emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of PM_{2.5} from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the PM_{2.5} emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of PM_{2.5} from the boiler associated with Source ID 031 to verify compliance with the PM_{2.5} PAL, as well as the supporting information and data.

19. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the PM₁₀ emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The PM₁₀ emission calculations shall be determined monthly using the total heat input from natural gas fuel usage in the previous calendar month and the 0.0075-pound PM₁₀ per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(b) The permittee shall keep records of the PM₁₀ emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The PM₁₀ emission calculations shall be determined monthly using the 0.024-pound PM₁₀ per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the PM₁₀ emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The PM₁₀ emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.054-pound PM₁₀ per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of PM₁₀ from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the PM₁₀ emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of PM₁₀ from the boiler associated with Source ID 031 to verify compliance with the PM₁₀ PAL, as well as the supporting information and data.

20. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the particulate matter emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The particulate matter emission calculations shall be determined monthly using the total heat input from natural gas fuel usage in the previous calendar month and the 0.0019-pound particulate matter per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(b) The permittee shall keep records of the particulate matter emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The particulate matter emission calculations shall be determined monthly using the 0.014-pound particulate matter per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the particulate matter emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The particulate matter emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.032-pound particulate matter per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of particulate matter from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the particulate matter emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of particulate matter from the boiler associated with Source ID 031 to show compliance with the particulate matter PAL, as well as the supporting information and data.

21. [25 Pa. Code § 127.12b and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the CO emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The CO emission calculations shall be determined monthly using the total heat input from natural gas fuel usage in the previous calendar month and the 0.08-pound CO per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(b) The permittee shall keep records of the CO emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The CO emission calculations shall be determined monthly using the 0.08-pound CO per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the CO emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The CO emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.024-pound CO per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of CO from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the CO emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of CO from the boiler associated with Source ID 031 to show compliance with the CO PAL, as well as the supporting information and data.

22. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the VOCs emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The VOCs emission calculations shall be determined monthly using the total heat input from natural gas fuel usage in the previous calendar month and the 0.0054-pound VOCs per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(b) The permittee shall keep records of the VOCs emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The VOCs emission calculations shall be determined monthly using the 0.0015-pound VOCs per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the VOCs emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The VOCs emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.00014-pound VOCs per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of VOCs from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the VOCs emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of VOCs from the boiler associated with Source ID 031 to show compliance with the VOCs PAL, as well as the supporting information and data.

23. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the lead emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The lead emission calculations shall be determined monthly using the 0.00000049 (4.9E-7)-pound lead per MMBtu emission factor and the total heat input from natural gas fuel usage in the previous calendar month.

(b) The permittee shall keep records of the lead emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The lead emission calculations shall be determined monthly using the 0.000009 (9.0E-6)-pound lead per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the lead emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The lead emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.0000066 (6.6E-6)-pound lead per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of lead from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the lead emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of lead from the boiler associated with Source ID 031 to show compliance with the lead PAL, as well as the supporting information and data.

24. [25 Pa. Code §§ 127.12b and 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep records of the sulfuric acid mist emissions from Source ID 031 in any calendar month, while it is using natural gas as fuel to operate. The sulfuric acid mist emissions shall be calculated monthly using the conversion constant equal to 3,063, the fuel impact factor equal to 0.01, and the SO₂ emissions, in units of tons, in each calendar month as determined by the CEMS.

(b) The permittee shall keep records of the sulfuric acid mist emissions from Source ID 031 in any calendar month, while it is using No. 2 oil as fuel to startup. The sulfuric acid mist emission calculations shall be determined monthly using the 0.000006 (6.0E-6)-pound sulfuric acid mist per MMBtu emission factor and the total heat input from No. 2 oil fuel usage in the previous calendar month.

(c) The permittee shall keep records of the sulfuric acid mist emissions from Source ID 031 in any calendar month, while it is using coal as fuel to operate. The sulfuric acid mist emission calculations shall be determined monthly using the total heat input from coal fuel usage in the previous calendar month and the 0.013-pound sulfuric acid mist per MMBtu emission factor until such time that the stack testing is conducted and site-specific emission factor(s) that is (are) representative of highest potential emissions at all operating points is (are) developed, as approved by the Department.

(d) The emission of sulfuric acid mist from the boiler associated with Source ID 031 in each calendar month shall be determined monthly by the sum of the sulfuric acid mist emission calculations for all fuels.

(e) The permittee shall keep records of the 12-month rolling total emissions of sulfuric acid mist from the boiler associated with Source ID 031 to show compliance with the sulfuric acid mist PAL, as well as the supporting information and data.

25. (a) No later than 180 days after the issuance date of Plan Approval No: 17-00001F, the permittee shall conduct stack testing on Source ID 031 for particulate matter (filterable fraction only), PM_{2.5} (filterable and condensable fractions), PM₁₀ (filterable and condensable fractions), CO, and VOCs while Source ID 031 combusts natural gas at maximum routine operating conditions, to determine site-specific emissions factors for these PAL pollutants in accordance with 25 Pa. Code § 127.218(m)(9)(iii) and 40 CFR 52.21(aa)(12)(vi)(c).

(b) Additionally, the stack testing shall be conducted to demonstrate that the monitored fuel usage parameter and each of these PAL pollutant emissions rates have a linear correlation at all operating points of Source ID 031 and thus, the emission factors used as part of the determinations of 12-month rolling total emissions of these pollutants are the highest potential emissions at all operating points in accordance with 25 Pa. Code § 127.218(m)(11) and 40 CFR 52.21(aa)(12)(viii).

(c) If a linear correlation is not demonstrated at all operating points for any of these PAL pollutants, as required in paragraph (b) of the permit condition, the permittee shall operate Source ID 031 within the designated range of use for the emission factor or determine compliance with the PAL for the operating points that did not have a linear correlation based on the highest potential emissions reasonably estimated at such operating points, as determined by the Department. The latter requires that the permittee provide for each pollutant supporting justification and data that demonstrate the highest potential emissions in the stack test report for approval by the Department, and the revised emission calculations for determining compliance with the PAL.

(d) If requirements in this permit condition under (c) are not satisfied, then the permittee is in violation of the PAL permit in accordance with the applicable requirements pertaining to emission factors, as specified under 25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)(vi), and with 25 Pa. Code § 127.218(m)(11)(ii) and 40 CFR 52.21(aa)(12)(viii)(b).

(e) After the completion of the stack testing required above, subsequent Department-approved stack testing shall be conducted at least one time in each 5-year calendar period in accordance with the requirements in paragraphs (a) through (c) of this permit condition.

(f) All stack sampling and testing shall be conducted using methods and procedures acceptable to the Department.

26. (a) If Source ID 031 combusts any coal as authorized per the Title V Operating Permit (DEP Auth ID: 988474), the permittee shall conduct stack testing on Source ID 031 for particulate matter (filterable fraction only), PM_{2.5} (filterable and condensable fractions), PM₁₀ (filterable and condensable fractions), CO, VOCs, sulfuric acid mist, and lead while Source ID 031 combusts coal at maximum routine operating conditions, to determine site-specific emissions factors for these PAL pollutants in accordance with 25 Pa. Code § 127.218(m)(9)(iii) and 40 CFR 52.21(aa)(12)(vi)(c).

(b) Additionally, the stack testing shall be conducted to demonstrate that the monitored fuel usage parameter and each of these PAL pollutant emissions rates have a linear correlation at all operating points of Source ID 031 and thus, the emission factors used as part of the determinations of 12-month rolling total emissions of these pollutants are the highest potential emissions at all operating points in accordance with 25 Pa. Code § 127.218(m)(11) and 40 CFR 52.21(aa)(12)(viii).

(c) If a linear correlation is not demonstrated at all operating points for any of these PAL pollutants, as required in paragraph (b) of the permit condition, the permittee shall operate Source ID 031 within the designated range of use for the emission factor or determine compliance with the PAL for the operating points that did not have a linear correlation based on the highest potential emissions reasonably estimated at such operating points, as determined by the Department. The latter requires that the permittee provide for each pollutant supporting justification and data that demonstrate the highest potential emissions in the stack test report for approval by the Department, and the revised emission calculations for determining compliance with the PAL.

(d) If requirements in this permit condition under (c) are not satisfied, then the permittee is in violation of the PAL permit in accordance with the applicable requirements pertaining to emission factors, as specified under

25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)(vi), and with 25 Pa. Code § 127.218(m)(11)(ii) and 40 CFR 52.21(aa)(12)(viii)(b).

(e) After the completion of the stack testing required above, subsequent Department-approved stack testing shall be conducted at least one time in each 5-year calendar period in accordance with the requirements in paragraphs (a) through (c) of this permit condition.

(f) All stack sampling and testing shall be conducted using methods and procedures acceptable to the Department.

27. [25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)]

At all times of operation, the permittee shall monitor the amount of No. 2 oil combusted in the combustion sources associated with Source ID 038, in units of gallons, to determine and record their No. 2 oil fuel usage in any calendar month.

28. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of all PAL pollutant emissions from the combustion sources associated with Source ID 038 in each calendar month. Each PAL pollutant emission calculations shall be determined monthly using the monthly fuel usage, the emission factor and the methodology, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of each PAL pollutant emissions from the combustion sources associated with Source ID 038 to verify compliance with the PAL, as well as the supporting information and data.

29. [25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)]

The permittee shall monitor quantity of the coal and No. 2 oil (including diesel) fuel deliveries and the ash disposal trips daily.

30. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

The permittee shall keep monthly records of the quantity of fuel deliveries and ash disposal trips and the total vehicle miles traveled in each calendar month, as well as the supporting documentation.

31. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the PM_{2.5} emissions from Source ID F01 in each calendar month. The PM_{2.5} emission calculations shall be determined monthly using the monthly total vehicle miles traveled based on quantity of fuel deliveries and ash disposal trips, the emission factors based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of PM_{2.5} from Source ID F01 to verify compliance with the PAL, as well as the supporting information and data.

32. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the PM₁₀ emissions from Source ID F01 in each calendar month. The PM₁₀ emission calculations shall be determined monthly using the monthly total vehicle miles traveled based on quantity of fuel deliveries and ash disposal trips, the emission factors based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of PM₁₀ from Source ID F01 to verify compliance with the PAL, as well as the supporting information and data.

33. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the particulate matter emissions from Source ID F01 in each calendar month. The particulate matter emission calculations shall be determined monthly using the monthly total vehicle miles traveled based on quantity of fuel deliveries and ash disposal trips, the emission factors based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of particulate matter from Source ID F01 to verify compliance with the PAL, as well as the supporting information and data.

34. [25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)]

The permittee shall continuously monitor the hours of operation of all bulldozers associated with the ash disposal operation of Source ID F03, using their non-resettable run-time meter.

35. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

The permittee shall keep monthly records of the combined total hours of the bulldozing activity associated with Source ID F03 in each calendar month.

36. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the particulate matter emissions from Source ID F03 in each calendar month. The particulate matter emission calculations shall be determined monthly using the monthly total hours of bulldozing activity, the emission factor based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of particulate matter from Source ID F03 to verify compliance with the PAL, as well as the supporting information and data.

37. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the $PM_{2.5}$ emissions from Source ID F03 in each calendar month. The $PM_{2.5}$ emission calculations shall be determined monthly using the monthly total hours of bulldozing activity, the emission factor based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of $PM_{2.5}$ from Source ID F03 to verify compliance with the PAL, as well as the supporting information and data.

38. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the PM_{10} emissions from Source ID F03 in each calendar month. The PM_{10} emission calculations shall be determined monthly using the monthly total hours of bulldozing activity, the emission factor based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of PM_{10} from Source ID F03 to verify compliance with the PAL, as well as the supporting information and data.

39. [25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)]

At all times of operation, the permittee shall monitor the amount of diesel/No. 2 oil fuel combusted in Source IDs P101, P102, P103, P104, P106 and P120, to determine and record the engines' diesel/No. 2 oil usage in any calendar month, on an individual source basis.

40. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of each PAL pollutant emissions from each engine associated with Source IDs P101, P102, P103, P104, P106 and P120 in each calendar month. Each of the PAL pollutant emission calculations shall be determined monthly using the monthly fuel usage, the emission factor and the methodology, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of each PAL pollutant from Source IDs P101, P102, P103, P104, P106 and P120 to verify compliance with the PALs, as well as the supporting information and data.

41. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

The permittee shall keep records of the supporting documentation that demonstrates the potential to emit VOCs from the wastewater treatment operation of Source ID P116 is negligible (less than 0.1 tpy).

42. [25 Pa. Code § 127.218(m) and 40 CFR 52.21(aa)(12)]

The permittee shall monitor the gallons of solvent used in Source ID P121 in each calendar month.

43. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of VOCs emissions from solvent usage in Source ID P121 in each calendar month. The VOCs emission calculations shall be determined monthly using the monthly solvent usage, the emission factor based on site-specific parameters and the methodologies, as specified in the application for Plan Approval No: 17-00001F. The application is incorporated by reference into the PAL permit and a copy of it can be obtained from the Department upon a file review request.

(b) The permittee shall keep records of the 12-month rolling total emissions of VOCs from Source IDs P121 to verify compliance with the PAL, as well as the supporting information and data.

44. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

The permittee shall keep records of the supporting documentation that demonstrates the potential to emit VOCs from the wastewater treatment operation of Source ID P201 is negligible (less than 0.1 tpy).

45. [25 Pa. Code § 127.218(n) and 40 CFR 52.21(aa)(13)]

(a) The permittee shall keep monthly records of the emissions of $PM_{2.5}$, PM_{10} , and particulate matter from Source ID P201 in each calendar month. The emission calculations shall be determined in accordance with the terms and conditions of Plan Approval No: 17-00001E.

(b) The permittee shall keep records of the 12-month rolling total emissions of $PM_{2.5}$, PM_{10} and particulate matter from Source IDs P121 to verify compliance with the PALs, as well as the supporting information and data.

Based on the findings presented above, the Department proposes to issue the plan approval for establishing the PALs. The facility is a Title V facility. If the Department determines that compliance with the plan approval conditions is satisfied, the plan approval will be incorporated into Title V Operating Permit No: 17-00001 pursuant to an administrative amendment of the permit, in accordance with 25 Pa. Code § 127.450.

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

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

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

32-00055J: Homer City Generation, L.P. (1750 Power Plant Rd., Homer City, PA 15748) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection ("Department") intends to issue Air Quality Plan Approval: PA-32-00055J to Homer City Generation, L.P. ("HCG") for the installation and/or upgrade of air cleaning devices to comply with additional Reasonably Achievable Control Technology ("RACT II") requirements for NO_x for Units 1 & 2 at Homer City Generating Station ("Homer City GS") located in Black Lick and Center Townships, **Indiana County**. HCG has also petitioned the Department, and been approved for, an alternative compliance schedule including interim NO_x emission limits under RACT II regulations.

The Department will hold a public hearing on Thursday, August 3, 2017, from 6:00—8:00 PM at Homer-Center High School Auditorium, 70 Wildcat Lane, Homer City, PA 15748 to take oral testimony regarding this Air Quality Plan Approval application. Notice of this hearing is separately published within this *Pennsylvania Bulletin*.

This authorization is subject to State regulations including RACT II regulations under 25 Pa. Code §§ 129.96, 129.97, and 129.100. Unit 1 & 2 NO_x emission limits have been reduced from (on 30-day rolling averages) 0.5 lb/MMBtu, to interim limits of:

- 0.225 lb/MMBtu during the ozone season when the SCR inlet temperature is at least 600°F.
- 0.3 lb/MMBtu outside of the ozone season when the SCR inlet temperature is at least 600°F.
- 0.4 lb/MMBtu when the SCR inlet temperature is less than 600°F. And will be reduced to final presumptive RACT II limits of:
- 0.12 lb/MMBtu when the SCR inlet temperature is at least 600°F.
- 0.40 lb/MMBtu when the SCR inlet temperature is less than 600°F.

Plan approval conditions will include the alternative compliance schedule, interim NO_x emission limits, final presumptive RACT II NO_x emission limits, and RACT II compliance demonstration and recordkeeping requirements. Compliance with presumptive RACT II NO_x emission limitations will be achieved through the installation and/or upgrade of Unit 1 & 2 low-NO_x burners and/or SCR systems. Once compliance with the Plan Approval is demonstrated, the applicant will be required to submit a Title V Operating Permit (“TVOP”) administrative amendment application or revision to a pending TVOP application in accordance with 25 Pa. Code Subchapters F and G.

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 abinder@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-32-00055J) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

HCGs’ 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 Homer City GS 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 the Department’s Southwest Regional Office File Review Coordinator at 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: David Balog, New Source Review Chief—Telephone: 814-332-6328.

43-310G: NLMK Pennsylvania Corporation (15 Roemer Boulevard, Farrell, PA 16121), for the proposed construction of process equipment related to the Walking Beam Furnace project which includes the Furnace and an Evaporative Cooling Tower in Farrell City, **Mercer County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 43-310G is for the proposed construction of process equipment related to the Walking Beam Furnace 4 project which includes the Furnace and an Evaporative Cooling Tower. Also, Furnace 1 & 2 will be shut down and Furnace 3 will be used as a backup to the new furnace. The potential emission increase due to the new sources are 181.34 tpy for NO_x, 90.67 tpy for CO, 14.25 tpy for VOC, 1.55 tpy for SO_x, 8.13 tpy for PM/PM₁₀/PM_{2.5}, and 311,502.4 tpy for CO₂(e). The emission increase for PSD analysis is 35.29 tpy for NO_x, 81.76 tpy for CO, 12.88 tpy for VOC, 1.26 tpy for SO_x, 8.13 tpy for PM/PM₁₀/PM_{2.5}, and 160,897.0 tpy for CO₂(e). The emission increase for NSR analysis is 35.29 tpy for NO_x and 11.83 tpy for VOC. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 244 (Walking Beam Furnace # 4)
 - Subject to 25 Pa. Code § 123.13
 - Subject to 25 Pa. Code § 123.21
- The permittee shall limit the emissions from Source 244 & Source 208 to the following:
 - NO_x: 70 #/mmcf
 - NO_x: 181.3 tpy based on a consecutive 12-month period
 - CO: 35 #/mmcf
 - CO: 90.7 tpy based on a consecutive 12-month period
 - VOC: 3.5 #/hr
 - VOC: 14.2 tpy based on a consecutive 12-month period
 - PM/PM₁₀/PM_{2.5}: 1.93 #/hr
 - PM/PM₁₀/PM_{2.5}: 7.8 tpy based on a consecutive 12-month period
 - SO_x: 0.39 #/hr
 - SO_x: 1.55 tpy based on a consecutive 12-month period
- The natural gas fuel usage limit is 5,181 mmcf/yr based on a consecutive 12-month period for Source 244 & Source 208.
- Stack test for NO_x, CO, VOC, & PM (filterable & condensable).
- The company shall maintain a log of all preventative maintenance inspections of the source. The

inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

- The company shall maintain a log of the following, at a minimum, from the operational inspections:
 - Completion of inspection—daily defined as at least once per calendar day, while the source is operating.
- The facility shall maintain the following records:
 - Monthly records of the fuel usage for Source 244 & Source 208.
 - 12-month rolling totals of the fuel usage for Source 244 & Source 208.
 - Monthly & 12-month rolling totals Source 244 & Source 208 for NO_x, CO, VOC, SO_x, & PM/PM₁₀/PM_{2.5} emissions.
- The permittee shall record each adjustment conducted during the annual tune-up. This record must contain, at a minimum:
 - The date of the tuning procedure.
 - The name of the service company and the technician performing the procedure.
 - The final operating rate or load.
 - The final NO_x and CO emission rates.
 - The final excess oxygen rate.
- The permittee shall perform a daily operational inspection of the source.
- The permittee shall conduct an annual tune-up in accordance with the procedures in 40 CFR 63.11223 (relating to how to demonstrate continuous compliance with the work practice and management practice standards). The annual tune-up must include, at a minimum, the following:
 - Inspection and cleaning or replacement of fuel-burning equipment, including the burners and components, as necessary, for proper operation as specified by the manufacturer.
 - Inspection of the flame pattern and adjustment of the burner, as necessary, to optimize the flame pattern to minimize total emissions of NO_x and, to the extent possible, emissions of CO.
 - Inspection and adjustment, as necessary, of the air-to-fuel ratio control system to ensure proper calibration and operation as specified by the manufacturer.
- The source shall be operated and maintained in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
- Source 245 (Cooling Tower)
 - The PM emissions shall not exceed 0.08 #/hr and 0.36 tpy based on a 12-month rolling basis.
 - The PM₁₀ emissions shall not exceed 0.08 #/hr and 0.36 tpy based on a 12-month rolling basis.
 - The PM_{2.5} emissions shall not exceed 0.08 #/hr and 0.36 tpy based on a 12-month rolling basis.

- The total dissolved solids (TDS) of the cooling tower water shall not exceed 750 ppmw. [Compliance with the #/hr limitations shall be demonstrated provided TDS concentrations do not exceed 750 ppmw.]
- The permittee shall, at a minimum once every 6-months, sample and analyze the cooling tower water for total dissolved solids (TDS) at a point which is representative of the water being evaporated to the atmosphere.
- The company shall maintain a daily log of the following:
 - Water circulation and makeup rates
- The company shall maintain records of the water sample TDS analysis.
- The permittee shall maintain and operate the source in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

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

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-310G] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

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

PLAN APPROVAL

PUBLIC HEARINGS

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

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

**32-00055J: NOTICE OF DEP PUBLIC HEARING
Homer City Generation, L.P.; Homer City Generating Station RACT II Compliance; Black Lick and Center Townships, Indiana County**

Per 25 Pa. Code § 127.48, notice is hereby given that the Department will hold a public hearing from 6:00—8:00 PM on Thursday, August 3, 2017, at Homer-Center High School Auditorium, 70 Wildcat Lane, Homer City, PA 15748. The purpose of the hearing is to take testimony concerning the Department's intent to issue Plan Approval No. 32-00055J to Homer City Generation, L.P. ("HCG") for the installation and/or upgrade of air cleaning devices to comply with additional Reasonably Achievable Control Technology ("RACT II") requirements for NO_x for Units 1 & 2 at Homer City Generating Station ("Homer City GS") located in Black Lick and Center Townships, Indiana County. HCG has also petitioned the Department, and been approved for, an alternative compliance schedule including interim NO_x emission limits under RACT II regulations. The Department is publishing a notice of intent to issue this plan approval in today's *Pennsylvania Bulletin* to allow for public comments regarding the proposed plan approval. Information on the availability of related files and documentation are included in that notice.

In accordance with 25 Pa. Code §§ 127.48 and 127.49, the Department will accept and record testimony concerning HCG's application. Those wishing to present testimony during the hearing should contact Environmental Community Relations Coordinator, Lauren Fraley, at 412.442.4203 or lfraley@pa.gov before noon on August 3, 2017, to register. Individuals who do not register may also present testimony the day of the hearing. Organizations are encouraged to designate one witness to present testimony on behalf of the organization. Persons unable to attend the public hearing can submit three copies of a written statement to the Department within 10 days thereafter. Written statements should be sent through Alan Binder via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to abinder@pa.gov; or fax to 412.442.4194. Each written statement must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (PA-32-00055J) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact Lauren Fraley or the Pennsylvania AT&T Relay Service at 1.800.654.5984 (TDD) to discuss how the Department may accommodate your needs.

OPERATING PERMITS

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

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

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

59-00005: Dominion Transmission Inc. (5000 Dominion Boulevard Glen Allen, VA 23060-3308) for renewal of the Title V operating permit for their Sabinsville Compressor station located in Clymer Township, **Tioga County**. The facility is currently operating under Title V Operating Permit 59-00005. The facility's sources include one 25.2 million Btu per hour heater; 16 natural-gas fired combustion units with a combined maximum heat input rating of 3.419 million Btu per hour; five 1,300 brake-horsepower natural-gas fired engines; two 2,000 brake-horsepower natural-gas fired engines; one 2,370 brake-horsepower natural gas-fired engine controlled by an oxidation catalyst; one 5,810 brake-horsepower natural gas-fired turbine controlled by an oxidation catalyst; eight 65 kilowatt micro-turbines; one 12.07 million Btu per hour natural gas-fired salt bath heater; one 3.0 million Btu per hour natural gas-fired boiler; one 576 brake-horsepower diesel-fired emergency engine; 20 storage tanks; emergency gas blowdown; engine transition vents; and miscellaneous sources determined to be of minor significance.

The facility has actual annual emissions of 45.57 tons of carbon monoxide, 36.11 tons of nitrogen oxides, 0.07 ton of sulfur oxides, 3.32 tons of particulate matter including particulate matter less than 10 microns in size, 3.32 tons of particulate matter less than 2.5 microns in size, 15.55 tons of volatile organic compounds, 7.75 tons of hazardous air pollutants, and 13,376.20 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 Subpart Dc, 40 CFR Part 60 Subpart JJJJ, 40 CFR Part 60 Subpart KKKK, 40 CFR Part 63 Subpart ZZZZ, 40 CFR Part 63 Subpart DDDDD, 40 CFR Part 63 Subpart YYYYY, and 25 Pa. Code Chapters 121—145. This action will also incorporate the presumptive Reasonably Available Control Technology (RACT II) requirements specified in 25 Pa. Code §§ 129.96—129.100 in accordance with the minor operating permit modification requirements of 25 Pa. Code § 127.462.

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.

18-00004: Armstrong Flooring, Inc. (325 Eagle Valley Road, Beech Creek, PA 16822) to issue a renewal Title V operating permit for their Beech Creek Plant located in Beech Creek Township, **Clinton County**. The facility is currently operating under Title V Operating Permit 18-00004. The facility's sources include two (2) natural gas-fired or # 2 fuel oil-fired boilers, one (1) small natural gas-fired water heater, one (1) 9-station rotogravure press, one (1) ink mixing and dispensing operation, one (1) make ready operation, one (1) solvent distillation operation, one (1) natural gas-fired emergency generator, one (1) # 2 oil-fired water pump, and three (3) storage tanks.

The facility has potential emissions of 21.49 tons per year of nitrogen oxides, 62.81 tons per year of sulfur oxides, 13.33 tons per year of carbon monoxide, 60.03 tons

per year of particulate matter less than 10 microns in diameter, 108.55 tons per year of volatile organic compounds, and 0.17 ton per year of total hazardous air pollutants (HAPs). The proposed Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145. The proposed permit reflects a change of ownership and includes presumptive RACT II requirements of 25 Pa. Code §§ 129.97—129.100 applicable to existing boilers, thermal incinerator, emergency generator, fire pump and storage tank in the Title V operating permit. No new sources or modifications to existing sources are included in this proposed permit. There will be no changes in actual emissions emitted from this facility due to this permit revision.

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

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

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

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

35-00007: Pennsylvania Department of Public Welfare—Clarks Summit State Hospital (1451 Hillside Drive, Clarks Summit, PA 18411-9505) intends to issue a State-Only (Natural Minor) Operating Permit for operation of their hospital located in Newton Township, **Lackawanna County**. The sources include two (2) natural gas-fired boilers, five (5) diesel-fired emergency generators, and six (6) propane-fired emergency generators. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

48-00031: Dixie Consumer Products, LLC. (605 Kuebler Road, Easton, PA 18040-9282) intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of their nonfolding sanitary food container manufacturing facility located in Forks Township, **Northampton County**. The sources include two (2) natural gas-fired boilers, eleven (11) space heaters, two (2) natural-gas fired emergency engines, one (1) diesel-fired emergency engine, two (2) flexographic printing presses, two (2) extruders, and a cup forming and scrap paper collection process. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

48-00087: Federal White Cement, Inc. (75W 21st Street, Northampton, PA 18067-1276) intends to issue a State-Only (Synthetic Minor) Operating Permit renewal for operation of their cement terminal facility located in Northampton Borough, **Northampton County**. The

sources include cement terminal silos controlled by cartridge filters. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

36-03160: GSM Industries, Inc. (3249 Hempland Road, Lancaster, PA 17601) to issue a State Only Operating Permit for the fabricated structural metal manufacturing facility located in East Hempfield Township, **Lancaster County**. The potential emissions from the facility are estimated at 12.61 tpy of VOC and 6.47 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories, 25 Pa. Code § 129.52d Surface coating processes and 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections regarding a mining permit application should contain the name, address and

telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

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

Coal Applications Received

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

Permit No. 56160101 and NPDES No. PA0279510. Berwind Coal Sales Co., 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 159.2 acres. Receiving streams: Weaver Run to Seese Run to Paint Creek/Stonycreek Watershed, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Freeport, PA on Allegheny River. Application received: May 26, 2017.

The application includes a stream encroachment to utilize an existing stream crossing for haulroad access within the barrier area of unnamed tributary to Weaver Run and a wetland encroachment to mine through and replace 0.1 acre of wetland within the drainage area of Weaver Run.

Permit No. 56090102 and NPDES No. PA0262722, PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine to change the land use from woodland to wildlife habitat in Somerset Township, **Somerset County**, affecting 83.5 acres. Receiving stream: Wells Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 7, 2017.

Permit No. 56900109 and NPDES No. PA0598887, PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface mine to change the land use from woodland to industrial/commercial on 2.0 acres; woodland to pastureland on 4.6 acres; and pastureland to industrial/commercial on 5.2 acres in Quemahoning and

Somerset Townships, **Somerset County**, affecting 48.2 acres. Receiving stream: Wells Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received: June 8, 2017.

Permit No. 56110105 and NPDES No. PA0263257. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface mine in Southampton Township, **Somerset County**, affecting 318.4 acres. Receiving streams: unnamed tributaries to the North Branch of Jennings Run; unnamed tributary to Rush Run classified for the following uses: cold water fishes and high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 13, 2017.

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

16110104. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258) Renewal of an existing bituminous surface mine in Clarion Township, **Clarion County**, affecting 11.0 acres. Receiving streams: Unnamed tributaries to the Clarion River, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is PA American Water Company. This renewal is for reclamation only. Application received: June 7, 2017.

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

17010109 and NPDES PA0243116. Forcey Coal, Inc. (475 Banion Road, Madera, PA 16661). Permit renewal on a passive treatment system of a bituminous surface coal mine located in Bigler Township, **Clearfield County** affecting 5.5 acres. Receiving stream(s): Clearfield Creek classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 30, 2017.

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

26060106 and NPDES Permit No. PA0250988. Charles L. Swenglish & Sons Coal Co., Inc. (2 Swenglish Lane, Smithfield, PA 15478). Renewal application for continued mining of an existing bituminous surface mine, located in Georges Township, **Fayette County**, affecting 529.2 acres. Receiving streams: unnamed tributaries to Rubies Run and Mtn. Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 12, 2017.

Noncoal Applications Received

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

Table 2

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

*The parameter is applicable at all times.

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

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

61110304. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803) Renewal of existing NPDES Permit No. PA0259217 in Barkeyville Borough, **Venango County**. Receiving streams: Four unnamed tributaries to East Branch Wolf Creek, one unnamed tributary to North Branch Slippery Rock Creek, both classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is the Barkeyville Municipal Authority. Application received: June 15, 2017.

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

Permit No. 66010803. Michael Pifcho, (4706 W. Nicholson Road, Tunkhannock, PA 18657), Stage I & II bond release of a quarry operation in Nicholson Township, **Wyoming County** affecting 5.13 acres on property owned by Michael Pifcho. Application received: June 12, 2017.

Permit No. 58070832. Lynn R. Powell, (1510 Kane Road, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 3.0 acres on property owned by Lynn R. Powell. Application received: June 12, 2017.

Permit No. 36820301C13 and NPDES No. PA0612171. H & K Group, Inc., (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Brecknock Township, **Lancaster County** affecting 131.7 acres, receiving stream: Black Creek, classified for the following use: High Quality—warm water fishes. Application received: May 22, 2017.

Permit No. 8275SM2C8 and NPDES No. PA0593885. Martin Limestone, Inc., d/b/a New Enterprise Stone & Lime Co., Inc., (3580 Division Highway, East Earl, PA 17519), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Earl and Ephrata Townships, **Lancaster County** affecting 261.0 acres, receiving stream: Conestoga River, classified for the following use: warm water fishes. Application received: May 30, 2017

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0236004 (Mining Permit No. 63091301), Tunnel Ridge, LLC, (2596 Battle Run Road, Triadelphia, WV 26059). A revision to the NPDES and mining activity permit for the Tunnel Ridge Mine in Donegal Township, **Washington County** to construct the Wagner Airshaft and add Outfall 001. Surface Acres Affected 9.38. Receiving stream: UNT Middle Wheeling Creek, classified for the following use: WWF. Wheeling-Buffalo Creek Watershed. The application was considered administratively complete on June 8, 2017. Application received April 25, 2017.

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

Outfall 001 discharges to: Unnamed Tributary 32469 to Middle Wheeling Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 5' 17.41" Long: 80° 29' 15.27") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	9.0 Max	-
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mOs/kg)	-	Report	Report	-
Selenium	(mg/L)	-	Report	Report	-
Alkalinity, total (as CaCO ₃)	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO ₃)	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO ₃)	(mg/l)	0.0	-	-	-

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as

relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a

concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-884. West Marlborough Township, 1300 Doe Run Road, Coatesville, PA 19320, West Marlborough Township, **Chester County**, ACOE Philadelphia District.

To restore, construct, and maintain approximately 1,000 linear feet in and along the 100-year floodplain of Buck Run (TSF, MF), also known as, Rokeby Road Stream Bank Restoration Project.

The proposed work will include the installation of fish habitat structures, stream bank stabilization, and floodplain restoration. The site is located near the intersection of Rokeby and Springdell Roads (Coatesville, PA, USGS Map, Latitude: 39.92666; Longitude: -75.83673).

E15-885. Chesterbrook Trust Parcel 1 Master Association, c/o Castlebrook Management, 1770 E. Lancaster Avenue, Paoli, PA 19301, Tredyffrin Township, **Chester County**, ACOE Philadelphia District.

To restore, and maintain approximately 820 linear feet in and along the 100-year floodplain of Wilson Run (a tributary to Valley Creek EV, MF). The proposed work will include the removal of an existing obstruction (a small rock dam), stream bank stabilization, and minor channel relocation and floodplain grading, providing a more naturalized and stable floodplain area. Also, to construct and maintain a 35.16 ft. long by 8 ft. wide pedestrian bridge with stone toe protection designed to maintain the existing channel cross section area and clearance for the 100-year flood, providing access to an existing trail and open space.

The site is located between Heyward Ave, and Wilson Farm Park (Valley Forge USGS map; Lat: 40.071793; Long -75.44892).

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

E02-1758. Montour Trail Council, 304 Hickman St., Suite # 3, Bridgeville, PA 15017, in South Park Township, **Allegheny County**, U.S. Army Corps of Engineers, Pittsburgh District.

To construct and maintain a 16-foot wide pedestrian bridge across Piney Fork Creek (TSF) having a 41-foot span and a 16-foot approximate underclearance. The project is part of the Montour Trail Phase 8F project and is located approximately 20 feet upstream of the Piney Fork Road (S.R. 3014) bridge crossing (Glassport, PA Quadrangle, Latitude: 40°16'39"; Longitude: -79°58'32").

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

E06-714: Borough of Topton, 205 South Callowhill Street, Topton, PA 19562 in Topton Borough, **Berks County**, U.S. Army Corps Engineers Philadelphia District (Topton, PA quadrangle, Latitude 40.501037, Longitude -75.702578).

To 1) install and maintain rock vanes in 5 locations permanently impacting approximately 840 linear feet of Toad Creek (HQ-CWF, MF), 2) install and maintain biolog and rock deflectors in 8 locations permanently impacting approximately 380 linear feet of Toad Creek (HQ-CWF, MF), 3) install and maintain rip rap bank protection in 4 locations permanently impacting approximately 255 linear feet of Toad Creek (HQ-CWF, MF), 4) perform culvert and bank protection maintenance at 2 locations impacting approximately 100 linear feet of Toad Creek (HQ-CWF, MF), 5) replace and maintain a pedestrian bridge impacting approximately 40 linear feet of Toad Creek (HQ-CWF, MF), 6) repair and maintain stream bank protection at 2 locations impacting approximately 300 linear feet of Toad Creek (HQ-CWF, MF), 7) to install and maintain 2 concrete stream bank stabilization walls impacting approximately 130 linear feet of Toad Creek (HQ-CWF, MF), and 8) install and maintain bank grading permanently impacting approximately 6,500 square feet of the floodway of Toad Creek (HQ-CWF, MF), all beginning at Latitude 40.497987 N; Longitude 75.704241 W and continuing to Latitude 40.503983 N; Longitude 75.700498 W in Toad Creek (HQ-CWF, MF) Topton Borough, Berks County, and all for the purpose of stream restoration/enhancement of Toad Creek and implementation of the Borough's Master Plan.

E06-712: UGI Utilities Inc., 225 Morgantown Road, Reading, PA 19611 in Centre Township and Shoemakersville Borough, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

1) To install and maintain approximately 1,100 linear feet of 8-inch high pressure and 200 feet of 8-inch medium pressure gas pipeline within the floodway and floodplain of and beneath the Schuylkill River (WWF) (Latitude: 40°29'41.54", Longitude: -75°58'15.78").

2) to install and maintain a high pressure to medium pressure regulator station within the floodplain of the Schuylkill River for the purpose of connecting the existing Miller Street facility (Centre Township) to the existing Main Street facility (Shoemakersville Borough).

No wetlands will be impacted by this project.

E22-636: Lower Paxton Township, 425 Prince Street, Harrisburg, PA 17109 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

1) To install and maintain approximately 135 linear feet of 24-inch diameter, SLCPP from a Type-D headwall to a Type-M inlet and

2) to install and maintain approximately 29 linear feet of 18-inch SLCPP in an unnamed tributary to Beaver

Creek (WWF, MF) (Latitude: 40°19'19.6", Longitude: -76°46'30.2") for the purpose of alleviating storm flooding.

Approximately 40 sq. ft. of wetlands will be impacted by this project.

E06-718: Reading Area Water Authority, 1801 Kutztown Rd, Reading, PA 19604 in Birdsboro Borough, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a 16-inch water main permanently impacting 190 square feet of Hay Creek (CWF, MF) and 60 square feet of Exceptional Value Wetlands Latitude 40.2663100; longitude -75.8061690. In addition, the project proposes five separate General Permit 5 registrations to install and maintain a 16 inch water permanently impacting

- 1) 1,953 square feet of Angelica Creek (CWF, MF) Latitude 40.3108590; Longitude -75.9239070,
- 2) 4.5 square feet of a UNT to Schuylkill River (WWF, MF) Latitude 40.2686040; Longitude -75.8228860,
- 3) 10.5 square feet of a UNT to Schuylkill River (WWF, MF) Latitude 40.2687010; Longitude -75.8280380,
- 4) 9 square feet of a UNT to Schuylkill River (WWF, MF) Latitude 42.2714150; Longitude -75.8340640,
- 5) 15.75 square feet of a UNT to Schuylkill River (WWF, MF) Latitude 40.2682410; Longitude -75.8203460,

all For the purpose of providing water to the Birdsboro Power facility.

E22-631: Lower Paxton Township Authority, 425 Prince Street, Harrisburg, PA 17109 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain

- 1.) replace and maintain a 15 inch sanitary sewer line permanently impacting 726 square feet of Paxton Creek and its floodway and 292 square feet of PFO wetlands,
- 2.) replace and maintain a 15 inch sanitary sewer line permanently impacting 1,003 square feet of Paxton Creek and its floodway and 401 square feet of PFO wetlands,
- 3.) replace and maintain an 18 inch sanitary sewer line permanently impacting 1,777 square feet of Paxton Creek and its floodway,
- 4.) replace and maintain an 18 inch sanitary sewer line permanently impacting 4,367 square feet of PFO wetland,
- 5.) access and abandon an existing 12 inch sanitary sewer line temporarily impacting 4,600 square feet of PFO wetlands,
- 6.) replace and maintain an 18 inch sanitary sewer line permanently impacting 9,166 square feet of the flood of Paxton Creek.

For the purpose of replacing an existing sanitary sewer line (Latitude: 40°20'12.7224" N; Longitude: 77°35' 57.1634").

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

E02-1754, Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17057, South Fayette Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Place and maintain fill in 121 LF of a UNT to Coal Run (aka Coal Run UNT 17) (WWF);
2. Construct and maintain a 439' × 4.5' culvert in a UNT to Coal Run (aka Coal Run UNT 16) (WWF);
3. Construct and maintain a 266' × 3' culvert in a UNT to Coal Run (aka Coal Run UNT 13) (WWF);
4. Construct and maintain a 616' × 3' culvert in a UNT to Coal Run (aka Coal Run UNT 14) (WWF);
5. Place and maintain fill in 38 LF of a UNT to Coal Run (aka Coal Run UNT L) (WWF).
6. Construct and maintain a 2,282' × 4.5' culvert in Coal Run (WWF);
7. Relocate and maintain 1,324 LF of Coal Run (WWF);
8. Place and maintain fill in 215 LF of a UNT to Coal Run (aka Coal Run UNT E) (WWF);
9. Place and maintain fill in 23 LF of a UNT to Coal Run (aka Coal Run UNT G) (WWF);
10. Place and maintain fill in 48 LF of a UNT to Coal Run (aka Coal Run UNT F) (WWF);
11. Place and maintain fill in 0.244 acre of PEM wetland in the Coal Run watershed (WWF);
12. Install and maintain road associated stormwater facilities and outfalls in the Coal Run watershed (WWF);
13. Place and maintain 241,149 cubic yards of fill in 0.097 acre of floodplain in the Coal Run Watershed (WWF);

In association with constructing a new section (Section 55C1-2) of the Pennsylvania Turnpike, as a component of the overall construction of a new 13.3-mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S. Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). The structures and activities requiring authorization for Section 55C1-2 in South Fayette Townships, Washington County (Canonsburg, PA Quadrangle; starting at Latitude: 40°19' 49.63" Longitude: -80° 09' 40.72"; and ending at Latitude: 40° 21' 43", Longitude: -80°13' 21") will permanently impact a total of approximately 5,372 linear feet (LF) of various watercourses, resulting in a permanent loss of 4,048 LF of regulated watercourses and 0.244 acre of wetland, and temporarily impact a total of approximately 2,571 LF of various watercourse and 0.008 acre of wetland.

To compensate for the watercourse impacts associated with Section 55C1-2 of the Southern Beltway Project, the stream mitigation plan includes the on-site relocation of 1,324 LF of stream channel, and restoration of approximately 4,048 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 53" Longitude: -80° 26' 19"). Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 7.885 acres wetlands. As compensation for these wetland impacts, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

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

E5729-090: Regency Marcellus Gas Gathering, LLC, 7000 Stonewood Drive, Suite 351, Wexford, PA 15090, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12' permanent access road with a 24" steel culvert impacting 14 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and impacting 28 square feet of a Palustrine Forested Wetland (Grover, PA Quadrangle, Latitude: 41°35'13", Longitude: -76°47'41");

2. a 14' permanent access road with a 60" × 24" box culvert with wing walls impacting 43 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and impacting 98 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'07", Longitude: -76°48'08");

3. a 12' permanent access road impacting 10 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'08", Longitude: -76°48'15");

4. a 24-inch diameter natural gas line, a 12-inch waterline and a temporary timber mat bridge impacting 512 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'18", Longitude: -76°48'21");

5. a temporary timber mat bridge impacting 1,680 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'18", Longitude: -76°48'19");

6. a temporary timber mat bridge impacting 1,666 square feet of a Palustrine Emergent Wetland (EV) (Grover, PA Quadrangle, Latitude: 41°35'18", Longitude: -76°48'21");

The project will result in 624 linear feet or 16,117 square feet of temporary stream impacts and 3,920 square feet (0.09 acre) of temporary PEM and 131 square feet (0.003 acre) of permanent PEM wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Fox Township, Sullivan County. This project is associated with permit application number E0829-115.

E0829-115: Regency Marcellus Gas Gathering, LLC, 7000 Stonewood Drive, Suite 351, Wexford, PA 15090, Canton and Leroy Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a temporary timber mat bridge impacting 340 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'23", Longitude: -76°48'12");

2. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 1,021 square feet of a Palustrine Emergent Wetland (EV) (Grover, PA Quadrangle, Latitude: 41°35'28", Longitude: -76°48'11");

3. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 84 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'30", Longitude: -76°48'07");

4. a 24-inch diameter natural gas line and a 16-inch waterline impacting 1,878 square feet of a Palustrine

Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'36", Longitude: -76°47'58");

5. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 1,095 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'37", Longitude: -76°47'53");

6. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 469 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'35", Longitude: -76°47'25");

7. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 631 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'29", Longitude: -76°47'10");

8. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 115 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'31", Longitude: -76°47'02");

9. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 75 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle, Latitude: 41°35'39", Longitude: -76°46'53");

10. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 68 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and impacting 237 square feet of an adjacent Palustrine Emergent Wetland (EV) (Grover, PA Quadrangle, Latitude: 41°35'41", Longitude: -76°46'49");

11. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 581 square feet of a Palustrine Forested Wetland (Grover, PA Quadrangle, Latitude: 41°35'46", Longitude: -76°46'39");

12. a temporary timber mat bridge impacting 913 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°35'47", Longitude: -76°46'40");

13. a 24-inch diameter natural gas line, a 16-inch and a temporary timber mat bridge impacting 83 linear feet of Lye Run (EV, MF) (Grover, PA Quadrangle, Latitude: 41°49'32", Longitude: -76°33'44");

14. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 16 linear feet of an unnamed tributary to Lye Run (EV, MF) and impacting 428 square feet of an adjacent Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'00", Longitude: -76°46'17");

15. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 71 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'02", Longitude: -76°46'18");

16. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 160 linear feet of an unnamed tributary to Lye Run (EV, MF) (Grover, PA Quadrangle, Latitude: 41°36'03", Longitude: -76°46'18");

17. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting

1,128 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'04", Longitude: -76°46'18");

18. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 2,186 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'06", Longitude: -76°46'16");

19. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 83 linear feet of an unnamed tributary to Lye Run (EV, MF) (Grover, PA Quadrangle, Latitude: 41°36'07", Longitude: -76°46'15");

20. a temporary timber mat bridge impacting 831 square feet of a Palustrine Emergent Wetland and impacting 237 square feet of a Palustrine Forested Wetland (Grover, PA Quadrangle, Latitude: 41°36'07", Longitude: -76°46'12");

21. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 77 linear feet of an unnamed tributary to Lye Run (EV, MF) and impacting 558 square feet of an adjacent Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'12", Longitude: -76°45'56");

22. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 72 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) and impacting 448 square feet of an adjacent Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'16", Longitude: -76°45'53");

23. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 70 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) (Grover, PA Quadrangle, Latitude: 41°36'17", Longitude: -76°45'52");

24. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 70 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) and impacting 411 square feet of an adjacent Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'20", Longitude: -76°45'51");

25. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 82 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) and impacting 452 square feet of an adjacent Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'23", Longitude: -76°45'49");

26. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 2,711 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'24", Longitude: -76°45'49");

27. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 4,697 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'26", Longitude: -76°45'48");

28. a 24-inch diameter natural gas line and a 16-inch waterline impacting 421 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'28", Longitude: -76°45'47");

29. a 24-inch diameter natural gas line and a 16-inch waterline impacting 2,823 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'29", Longitude: -76°45'45");

30. a temporary timber mat bridge impacting 200 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'27", Longitude: -76°45'39");

31. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 139 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) (Grover, PA Quadrangle, Latitude: 41°36'23", Longitude: -76°45'33");

32. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 72 linear feet to Pine Swamp Run (EV, MF) (Grover, PA Quadrangle, Latitude: 41°36'12", Longitude: -76°45'18");

33. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 1,740 square feet of a Palustrine Emergent Wetland (Grover, PA Quadrangle, Latitude: 41°36'12", Longitude: -76°45'17");

34. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 135 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°36'25", Longitude: -76°44'52");

35. a temporary timber mat bridge impacting 185 square feet of a Palustrine Emergent Wetland (Shunk, PA Quadrangle, Latitude: 41°36'29", Longitude: -76°44'49");

36. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 113 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°36'33", Longitude: -76°44'48");

37. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 1,046 square feet of a Palustrine Forested Wetland (Shunk, PA Quadrangle, Latitude: 41°36'48", Longitude: -76°44'43");

38. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 22 linear feet of an unnamed tributary to Pine Swamp Run (EV, MF) and impacting 342 square feet of an adjacent Palustrine Forested Wetland (Shunk, PA Quadrangle, Latitude: 41°36'48", Longitude: -76°44'43");

39. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 373 square feet of a Palustrine Forested Wetland (Shunk, PA Quadrangle, Latitude: 41°36'58", Longitude: -76°44'40");

40. a temporary timber mat bridge impacting 101 square feet of a Palustrine Forested Wetland (Shunk, PA Quadrangle, Latitude: 41°36'59", Longitude: -76°44'39");

41. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 5,313 square feet of a Palustrine Forested Wetland (Shunk, PA Quadrangle, Latitude: 41°36'59", Longitude: -76°44'37");

42. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 445 square feet of a Palustrine Emergent Wetland (Shunk, PA Quadrangle, Latitude: 41°36'58", Longitude: -76°44'27");

43. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 74 linear feet of an unnamed tributary to Rollinson Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°37'01", Longitude: -76°44'21");

44. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 142 linear feet of an unnamed tributary to Rollinson Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°36'56", Longitude: -76°43'52");

45. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 87 linear feet of an unnamed tributary to Rollinson Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°36'55", Longitude: -76°43'52");

46. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 741 square feet of a Palustrine Scrub-Shrub Wetland (Shunk, PA Quadrangle, Latitude: 41°36'55", Longitude: -76°43'51");

47. a temporary timber mat bridge impacting 646 square feet of a Palustrine Forested Wetland (Shunk, PA Quadrangle, Latitude: 41°36'54", Longitude: -76°43'51");

48. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 94 linear feet of an unnamed tributary to Rollinson Run (EV, MF) and impacting 168 square feet of an adjacent Palustrine Scrub-Shrub Wetland (Shunk, PA Quadrangle, Latitude: 41°37'03", Longitude: -76°43'27");

49. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 5,733 square feet of a Palustrine Emergent Wetland and impacting 3,328 square feet of a Palustrine Scrub-Shrub Wetland (Shunk, PA Quadrangle, Latitude: 41°37'05", Longitude: -76°43'24");

50. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 322 square feet of a Palustrine Emergent Wetland (Shunk, PA Quadrangle, Latitude: 41°37'06", Longitude: -76°43'18");

51. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting

97 square feet of a Palustrine Emergent Wetland (Shunk, PA Quadrangle, Latitude: 41°37'27", Longitude: -76°42'53");

52. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 89 square feet of a Palustrine Emergent Wetland (Shunk, PA Quadrangle, Latitude: 41°37'45", Longitude: -76°42'53");

53. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 49 linear feet of Little Schrader Creek (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°37'46", Longitude: -76°42'53");

54. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 107 linear feet of Swamp Run (EV, MF) and impacting 167 square feet of an adjacent Palustrine Scrub-Shrub Wetland (Shunk, PA Quadrangle, Latitude: 41°38'16", Longitude: -76°42'23");

55. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 82 linear feet of an unnamed tributary to Turnip Patch Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°39'15", Longitude: -76°41'20");

56. a 24-inch diameter natural gas line, a 16-inch waterline and a temporary timber mat bridge impacting 76 linear feet of McCraney Run (EV, MF) (Shunk, PA Quadrangle, Latitude: 41°39'23", Longitude: -76°40'54");

The project will result in 2,273 linear feet or 13,504 square feet of temporary stream impacts and 32,670 square feet (0.75 acre) of temporary PEM, 4,404 square feet (0.10 acre) of PSS and 9,233 square feet (0.21 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Canton and Leroy Township, Bradford County. This project is associated with permit application number E5729-090.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0205419 (Industrial)	Carpenter Powder Products Inc. 682 Mayer Street Bridgeville, PA 15017	Allegheny County Collier Township	Chartiers Creek (20-F)	Yes

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?
PA0060984 (Sewage)	Benton Springs LLC 241 Brian Lane Dalton, PA 18414	Lackawanna County Benton Township	Unnamed Tributary of South Branch Tunkhannock Creek (4-F)	Yes
PAS212212 (Storm Water)	Endless Mountain Stone SR 1021 PO Box 273 Susquehanna, PA 18847	Susquehanna County Oakland Township	Unnamed Tributary of Drinker Creek (4-E)	Yes
PA0061336 (Industrial)	PA American Water Co. Nesbitt Division 100 N Pennsylvania Avenue Wilkes-Barre, PA 18701-3503	Luzerne County Pittston Township	Trout Creek (5-A)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0266426 (SEW)	Donna M. Stroup 1123 Shippen Dam Road Millersburg, PA 17061	Upper Paxton Township Dauphin County	UNT of Susquehanna River in Watershed(s) 6-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0032492 (Sewage)	Bald Eagle State Park 149 Main Park Road Howard, PA 16841-3508	Centre County Liberty Township	Bald Eagle Creek (9-C)	No

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0101079 (Sewage)	Oak Tree Country Club 60 Clubhouse Drive West Middlesex, PA 16159	Mercer County Shenango Township	Unnamed Tributary to Shenango River (20-A)	Yes

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

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

NPDES Permit No. PA0027111, Sewage, **New Kensington City Municipal Sanitary Authority**, 120 Logans Ferry Road, New Kensington, PA 15068-2004.

This existing facility is located in New Kensington City, **Westmoreland 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. PA0104442, Sewage, SIC Code 4952, **Breakneck Creek Region Authority**, 1166 Mars Evans City Road, Mars, PA 16046-1180.

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

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

NPDES Permit No. PA0264920, Storm Water, SIC Code 2951, **Commercial Asphalt Supply Inc.**, 161 Plain Grove Road, Valencia, PA 16059-1523.

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

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

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

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

WQM Permit No. 1116406 A-1, Sewage, SIC Code 4952, **Southmont Borough**, 148 Wonder Street, Johnstown, PA 15905.

This proposed facility is located in Southmont Borough, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers in the Phase 2 Area of Southmont Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1117401, Sewage, **Franklin Borough**, 1125 Main Street, Johnstown, PA 15909.

This proposed facility is located in Franklin Borough, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers in the Phase 2 Area of Franklin Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1116408, Sewage, **Johnstown Redevelopment Authority**, 401 Washington Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective interceptor in the Horner Street and Ohio Street Area of the City of Johnstown.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1116407, Sewage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers in the Horner Street and Ohio Street Areas of the City of Johnstown.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. WQG01561701, Sewage, SIC Code 8811, **Joseph J. Mazzarese**, PO Box 337, Jerome, PA 15937.

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

Description of Proposed Action/Activity: The applicant proposes to construct a small flow treatment facility consisting of septic tank/dosing tank, subsurface sand filter, and chlorination with dichlorination.

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

WQM Permit No. 2216404, Sewerage, **Donna M. Stroup**, 1123 Shippen Dam Road, Millersburg, PA 17061.

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

Description of Proposed Action/Activity:

This permit approves the construction and operation of sewage facilities consisting of:

- Two 1,500-gallon two-compartment rectangular septic tanks.
- A common 1,000-gallon watertight concrete processing tank with Biotube effluent filter and a simplex 1/2 Hp effluent pump.
- Two AX20 AdvanTex Filter Pods.
- 3 gpm UV disinfection system located in an 18" disinfection chamber
- 3" effluent pipeline

WQM Permit No. 4417201, CAFO, **Goss Family Farm CAFO**, 123 Decatur Road, Mcclure, PA 17841.

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

Description of Proposed Action/Activity:

This permit approves the construction of manure storage facilities consisting of:

A fourth swine barn, featuring an underbarn concrete manure storage facility. The facility is proposed and designed according to Pa. Code § 83.351 minimum standards for the design, construction, location, operation, maintenance, and removal from service.

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

WQM Permit No. 1412201 A-1, Industrial, SIC Code 4953, **PA DOT Engineering District 2 0**, 1924 Daisy Street, Clearfield, PA 16830.

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

Description of Proposed Action/Activity: Amendment issued which incorporates WQM # 1406202 and requires groundwater monitoring.

WQM Permit No. 1773403 A-2, Sewage, SIC Code 4952, **Sandy Township Clearfield County**, PO Box 267, DuBois, PA 15801-0267.

This existing facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Installation of a tablet feed dechlorination unit.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510003	United States of America 4th Naval District 4921 South Broad Street Building 1 Philadelphia, PA 19112	Philadelphia	City of Philadelphia	Delaware River WWF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480010	3355 High Point, LLC c/o Mr. Lou Pektor 559 Main Street 3rd Floor Bethlehem, PA 18018	Northampton	Hanover Township	Monocacy 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>
PAD520002	PPL Electric Utilities Corporation 2 North 9th Street GENN 4 Allentown, PA 18101	Pike County Wayne County	Blooming Grove Township & Palmyra Township Palmyra Township	Middle Creek (HQ-CWF, MF) Wallenpaupack Creek (HQ-WWF, MF) Lackawaxen River (HQ-TSF, MF) Decker Creek (HQ-CWF, MF) Gates Run (HQ-CWF, MF) Blooming Grove Creek (HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140015	G.M. McGrossin Inc. 2780 Benner Pike Bellefonte, PA 16823	Centre	Benner Twp	Spring Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD260004	Boy Scouts of America 1275 Bedford Avenue Pittsburgh, PA 15219	Fayette County	Wharton Township	Little Sandy Creek (HQ-CWF)
PAD260005	National Park Service 1 Washington Parkway Farmington, PA 15437	Fayette County	Wharton Township	Great Meadows Run (HQ-CWF)
PAD630001	North Strabane Township Municipal Authority 1929B Route 519 South Canonsburg, PA 15317	Washington County	North Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)
PAD630005	Eddy Homes Company, Inc. 242 Station Street Bridgeville, PA 15017	Washington County	Peters Township	Little Chartiers Creek (HQ-WWF)

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

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

List of NPDES and/or Other General Permit Types

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

PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Archbald Borough Lackawanna County	PAC350010	New Ventures Realty, Inc. 411 Deer Run Drive Archbald, PA 18403	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Whitehall Township Lehigh County	PAC390008	Lehigh Valley Cars 3880 Lehigh Street Whitehall, PA 18052	Coplay Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Upper Saucon Township Lehigh County	PAC390015	US Home Corporation d/b/a Lennar Corporation 2465 Kuser Road Floor 3 Hamilton, NJ 08690	UNT to Laurel Run (CWF, MF)	Lehigh County Conservation District 610-391-9583
Smithfield Township and Delaware Water Gap Borough Monroe County	PAC450002	Pennsylvania Department of Transportation District 5-0 1002 Hamilton Street Allentown, PA 18101	Cherry Creek (CWF, MF) Brodhead Creek (TSF, MF)	Monroe County Conservation District 570-629-3060

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Mount Pleasant Township Adams County Issued	PAC010017	Merle A. Herr, Owner Agsalt Property LLC 31285 Highway 27 Guy Mills, PA 16327	UNT South Conewago Creek (WWF, MF) UNT Brush Run (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Snake Spring Township County Issued	PAC050011	Snake Spring Township Municipal Authority 624 PennKnoll Road Everett, PA 15537	UNT Raystown Branch Juniata River (WWF, MF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900 x4
Southampton Township Cumberland County Issued	PAC210011	D & A Rine, LLC 19 Independence Drive Shippensburg, PA 17257	Burd Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Lower Swatara Township Dauphin County Issued	PAC220013	Susquehanna Area Regional Airport Authority 1 Terminal Drive Middletown, PA 17057	Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

<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>
Derry Township Dauphin County Issued	PAC220030	Hershey Trust Co. and Hershey U-Gro, LP 100 Mansion Road East Hershey, PA 17033 PO Box 516 Hanover, PA 17331	UNT Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Monroe Township Juniata County Issued	PAC340006	Keith Yarger JCSD 54 Main Street Richfield, PA 17086	West Branch Mahantango (TSF, MF)	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059 717.436.8953 x5
Walker Township Juniata County Issued	PAC340010	Gerald Fulkroad 4481 William Penn Highway Mifflintown, PA 17059	UNT Juniata River (WWF, MF)	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059 717.436.8953 x5
West Lampeter Township Lancaster County Issued	PAC360062	Willow Valley Associates, Inc. 200 Willow Valley Square Lancaster, PA 17602	UNT Mill Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Warwick Township Lancaster County Issued	PAC360068	TOA Lititz Land LP 201 King of Prussia Road Suite 370 Radnor, PA 19087	Bachman Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
West Lampeter Township Lancaster County Issued	PAC360036	Terry Sweigart 1600 Book Road Lampeter, PA 17537	Mill Creek, Pequea Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Mount Joy Township Lancaster County Issued	PAC360043	Scott Sweigart 555 Mountain Home Road Sinking Springs, PA 19608	UNT Donegal Creek (CWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Manheim Township Lancaster County Issued	PAC360063	Brent Brubaker 129 Dearing Drive Boalsburg, PA 16827	Bachman Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Warwick Township Lancaster County Issued	PAC360070	Lititz Reserve LLC 474 Mounty Sidney Road Lancaster, PA 17602	Lititz Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5

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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>
East Hempfield Township Lancaster County Issued	PAC360087	Bob Riahi 2130 Marietta Avenue Lancaster, PA 17603	UNT Little Conestoga Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Leacock Township Lancaster County Issued	PAC360081	Alido Group LP PO Box 375 Intercourse, PA 17534	Watson Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Eden Township Lancaster County Issued	PAC360012	Richard Albright 14 Deer Ford Road Lancaster, PA 17601	Bowery Run (HQ, CWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
East Earl Township Lancaster County Issued	PAC360090	PPL Electric Utilities 2 North 9th Street Allentown, PA 18101	Mill Creek Cedar Creek UNT Cedar Creek UNT Conestoga River Conestoga River Little Conestoga River (CWF, WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Clay Township Lancaster County Issued	PAC360098	Rachel Martin 218 West Girl Scout Road Stevens, PA 17578	UNT Middle Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Brecknock Township Lancaster County Issued	PAC360107	John Zimmerman 1087 Silver Hill Road Narvon, PA 17555	Muddy Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5

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

<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>
Huston Twp Clearfield Cnty	PAC170008	Penfield DPP, LLC c/o Jason Horowitz 9010 Overbrook Brentwood, TN 37027	Bennett Branch CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
City of DuBois Clearfield Cnty	PAC170007	City of DuBois 16 W. Scribner Ave DuBois, PA 15801	Sandy Lick Creek TSF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Town of Bloomsburg Columbia Cnty	PAC190005	Bloomsburg Univ LC East Parking Lot 918 Lightstreet Rd. Bloomsburg, PA 17815	Kinney Run	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X102

<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>
Muncy Twp Lycoming Cnty	PAC410006	Glenn Schultz Muncy Green, LP 229 Huber Village Blvd Westerville, OH 43081	Carpenters Run WWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
City of Williamsport Lycoming Cnty	PAC410010	Steve Kouse 99 Grey Fox Dr Montoursville, PA 17754	W.B. Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Washington Twp Snyder Cnty	PAC550006	Coy Weller 798 White Top Road Middleburg, PA 17842	UNT Susquehanna Creek CWF UNT Middlecreek CWF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110
Gregg Twp Union Cnty	PAC600014	Vito Mazzanato 776 Bull Run Crossing Lewisburg, PA 17837	White Deer Hole Creek WWF, TSF Trib 19334 to W. Branch of Susquehanna River WWF, MF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
West Mifflin Borough	PAC020090	Borough of West Mifflin 1020 Lebanon Road West Mifflin, PA 15122	Monongahela River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Municipality of Monroeville and Plum Borough	PAC020086	Peoples Natural Gas Company, LLC 225 North Shore Drive Pittsburgh, PA 15212	Piersons Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Plum Borough	PAC020063	Massarelli Demolition Fill and Borrow Site 3404 Universal Road Pittsburgh, PA 15235	UNT to Little Plum Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Marshall Township	PAC020087	The Keystone Shooting Center, LLC 11091 Route 99 Edinboro, PA 16412	UNT to Brush Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Municipality of Monroeville	PAC020044	Vasa Enterprises, LLC 4057 Old William Penn Highway Murrysville, PA 15668	Thompson Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Neville Township	PAC020065	Neville Property Trumbull Corporation 225 North Shore Drive Pittsburgh, PA 15212	Upper Ohio River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Hampton Township	PAC020081	Mr. Eugene Ciavarra 3284 Harts Run Road Glenshaw, PA 15116	UNT to Little Pine Creek (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
South Fayette Township	PAC020098	Bursca Frontgate 3109 Washington Pike Bridgeville, PA 15017	Coal Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAC020089	Housing Authority of the City of Pittsburgh 200 Ross Street Ninth Floor Pittsburgh, PA 15219	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Pine Township	PAC020083	Pine Development Company 7202 McKnight Road Pittsburgh, PA 15237	UNT to Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Moon Township	PAC020034-1	Robert Morris University 300 Grant Drive Moon Township, PA 15108	Narrows Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
South Fayette Township	PAC020067	BPM Land Associates, LLC 1595 Smith Township Road Atlasburg, PA 15004	UNT to Millers Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Ross Township	PAC020069	LRC Northway Mall Acquisitions, LLC 1585 Frederick Boulevard Akron, OH 44320	UNT to Girty's Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Scott Township	PAC020043	Baptist Homes Society 489 Castle Shannon Boulevard Pittsburgh, PA 15234	Scrubgrass Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Moon Township	PAC020118	Continental Real Estate Companies 150 East Broad Street Columbus, OH 43215	UNT to Flaugherty Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Moon Township and Findlay Township	PAC020001-2	Allegheny County Airport Authority Landslide Terminal Fourth Floor Mezzanine Pittsburgh, PA 15231	Montour Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Kennedy Township	PAC020116	Albert Geisler 1989 McKees Rocks Road McKees Rocks, PA 15136	UNT to Chartiers Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
South Fayette Township	PAC020078	Newbury Development Associates, LP 1263 Newbury Highland Bridgeville, PA 15017	Chartiers Creek (WWF) Millers Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Industry Borough	PAC040016	Shell Chemical Appalachia, LLC 2601 Midland Beaver Road Industry, PA 15052	Ohio River (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Brighton Township	PAC040017	Third Street Beaver Associates, LLC Evergreen Circle Beaver, PA 15009	UNT to Two Mile Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Center Township	PAC040018	Central Valley School District 160 Baker Street Extension Monaca, PA 15061	Moon Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Cambria Township	PAC110006	Peoples TWP, LLC 1201 Pitt Street Pittsburgh, PA 15221	UNTs to California Run (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Cambria Township	PAC110010	Peoples TWP, LLC 1201 Pitt Street Pittsburgh, PA 15221	Elk Creek (CWF) UNTs to Elk Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Reade Township	PAC110016	Reade Township Municipal Authority 1032 Skyline Drive Blandburg, PA 16619	UNTs to Muddy Run (CWF) UNTs to Clearfield Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Georges Township	PAC260007	Thomas A. Rich P.O. Box 208 Smithfield, PA 15478	Muddy Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
East Mahoning Township	PAC320005	PTV 1004, LLC 1563 Woodward Drive Extension, Greensburg, PA 15601	Pine Run (CWF)	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751
Rayne Township	PAC320009	Ligonier Construction Company, Inc. P.O. Box 277 Laughlintown, PA 15655	Crooked Creek (CWF)	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751
Rayne Township	PAC320009(1)	Ligonier Construction Company, Inc. P.O. Box 277 Laughlintown, PA 15655	Crooked Creek (CWF)	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751
Elk Lick Township	PAC560003	YMCA of Greater Pittsburgh 254 Deer Valley Road Fort Hill, PA 15540	McClintock Run (CWF) Cove Run (CWF)	Somerset Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Robinson Township	PAC630033	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Harrisburg, PA 17057	UNT to Little Raccoon Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Smith Township	PAC630035	Union Electric Steel Corporation 31 Union Electric Road Burgettstown, PA 15021	UNT to Raccoon Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Paint Township Clarion County	PAC160004	Shippenville (322) DPP LLC Shippenville, PA	UNT to Paint Creek CWF	Clarion County Conservation District 217 S. 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
City of Erie Erie County	PAC250022	MercyHurst University 501 East 38th Street Erie, PA 16546	Mill Creek WWF; MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
North East Township Erie County	PAC250007	Cathedral Church of God 5335 Route 89 North East, PA 16428	Unnamed Tributary to Sixteen Mile Creek WWF; WWF, F, E, AWS	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

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>
West Mifflin Borough Allegheny County	PAR806134	Allegheny County Airport Authority Pgh Int Airport Landside Term 4th Floor Mezz PO Box 12370 Pittsburgh, PA 15231-0370	Thompson Run, Unnamed Tributary to Streets Run, and Unnamed Tributary to Monongahela River—19-C and 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Penn Township Westmoreland County	PAG036169	Triumvirate Environmental of Pittsburgh, Inc. 200 Innerbelt Road Somerville, MA 02143-4456	Tributary 37319 to Brush Creek—19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-04

<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>
Conemaugh Township Somerset County	PAG046466	Joseph J. Mazzaresse PO Box 337 Jerome, PA 15937	Unnamed Tributary of Quemahoning Creek—18-E	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

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/ Earl Township	PAG073507	New Holland Borough 436 East Main Street New Holland, PA 17557	New Holland Borough Wastewater Treatment Plant 555 South Custer Avenue New Holland, PA 17557	DEP—SCRO—Clean Water Program 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Dauphin County/ Jackson Farm	PAG08	Amerigreen, Inc. 96 Commerce Drive PO Box 170 Wyomissing, PA 19610	Tim Wilbert Farm 1	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Dauphin County/ Jackson Township	PAG08	Amerigreen, Inc. 96 Commerce Drive PO Box 170 Wyomissing, PA 19610	Tim Wilbert Farm 2	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-10

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Sewickley Township and South Huntingdon Township Westmoreland County	PAG106202	Tenaska Pennsylvania Partners, LLC 601 Technology Drive Suite 100 Canonsburg, PA 15317	Sewickley Creek and Unnamed Tributary to Buffalo Run both WWF both 19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-12

<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>
Brothersvalley Township Somerset County	PAG126103	Pennwood Farms 262 Sugar Grove School Road Berlin, PA 15530	Buffalo Creek (19-F)	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Brothersvalley Township Somerset County	PAG126103	Pennwood Farms 262 Sugar Grove School Road Berlin, PA 15530	Buffalo Creek (19-F)	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.

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Jerrel Brubaker 269 Meeting House Lane Lewisburg, PA 17837	Union	850.8 Acres	673.25	Swine and Poultry	N/A	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4617506, Minor Amendment. Public Water Supply.

Applicant	Audubon Water Company 2650 Eisenhower Drive Norristown, PA 19403
Township	Lower Providence
County	Montgomery
Type of Facility	PWS
Consulting Engineer	Hudson-Evans Mill Environmental, LLC 101 Fellowship Road Chester, PA 19425
Permit to Construct Issued	June 16, 2017

Permit No. 0917513, Minor Amendment. Public Water Supply.

Applicant	Warrington Township
Township	Warrington
County	Bucks
Type of Facility	PWS

Consulting Engineer	Carrol Engineering Corporation Penn's Greene, Suite 100 949 Easton Road Warrington, PA 18976-1880
Permit to Operate Issued	June 16, 2017

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

Permit No. 2400104, Operations Permit. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
[Borough or Township]	Kingston Township
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Mr Peter J Lusardi PE GHD 1240 N Mountain Rd Harrisburg PA 17112

Permit to Operate Issued	6/5/2017
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Permit No. 3390090-E1, Operations Permit. Public Water Supply.

Applicant	MHC Green Acres LP Equity Lifestyle Properties 8785 Turkey Ridge Road Breinigsville, PA 18031-2042
[Borough or Township]	Upper Macungie Township
County	Lehigh
Type of Facility	PWS
Consulting Engineer	Mr John R Poff PE Light-Heigel & Associates Inc 430 E Main St Palmyra, PA 17078

Permit to Operate Issued	June 8, 2017
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Application No. 4517503MA, Public Water Supply.

Applicant	Brodhead Creek Regional Authority 410 Mill Creek Road East Stroudsburg, PA 18301
[Township or Borough]	Tobyhanna Township Monroe County
Responsible Official	Kenneth R. Brown 410 Mill Creek Road East Stroudsburg, PA 18301
Type of Facility	PWS
Consulting Engineer	Max E. Stoner, PE Glance Associates, Inc 3705 Trindle Road Camp Hill, PA 17011
Permit Issued Date	06/16/2017

Application No. 2451203, Public Water Supply.

Applicant	Barth Rubin Pennsylvania 940 Station PO Box 301 East Stroudsburg, PA 18301
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[Township or Borough] Tobyhanna Township
Monroe County

Responsible Official Rubin Barth, Owner
PO Box 301
East Stroudsburg, PA 18301

Type of Facility PWS

Consulting Engineer Russell D. Scott, PE
RKR Hess, A Division of UTRS,
Inc.
112 N. Courtland Street
East Stroudsburg, PA 18301

Permit Issued Date 06/02/2017

Permit No. 2400104, Operation Permit, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
(Midway Manor Well Station)
1 Aqua Way
White Haven, PA 18661

Municipality Kingston Township

County **Luzerne**

Type of Facility PWS

Consulting Engineer Jonathan W. Morris, P.E.
GHD
326 East 2nd Street
Bloomsburg, PA 17815

Permit to Operate Issued June 20, 2017

Permit No. 3917505 MA, Public Water Supply.

Applicant **City of Allentown**

[Township or Borough] Allentown City
Lehigh County

Responsible Official Craig W. Messinger
Interim Public Works Director
641 South 10th Street, 3rd Floor
Allentown, PA 18103

Type of Facility Public Water Supply

Consulting Engineer Michael T. Brown, PE
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106

Permit Issued 06/19/2017

Application No. 3517503MA, Public Water Supply.

Applicant **PA American Water Company**
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] City of Scranton
Lackawanna County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Paul J. Mourt, PE
Mott MacDonald
The Public Ledger Building
Suite 1040
150 S. Independence Mall West
Philadelphia, PA 19106

Permit Issued 05/31/2017

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

Permit No. 5616501, Public Water Supply.

Applicant **Borough of Garrett**
307 Municipal Road
PO Box 218
Garrett, PA 15542

[Borough or Township] Summit Township and
Garrett Borough

County **Somerset**

Type of Facility Well

Consulting Engineer The EADS Group
450 Aberdeen Drive
Somerset, PA 15501

Permit to Construct Issued June 2, 2017

Permit No. 0217521, Public Water Supply.

Applicant **Municipal Authority of
Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] White Oak Borough

County **Allegheny**

Type of Facility White Oak Tank mixer

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

Permit to Construct Issued June 12, 2017

Permit No. 0217522, Public Water Supply.

Applicant **Municipal Authority of
Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] City of McKeesport

County **Allegheny**

Type of Facility Renzie # 2 tank mixer

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

Permit to Construct Issued June 12, 2017

Permit No. 2617511, Public Water Supply.

Applicant **Municipal Authority of
Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] South Connellsville Borough

County **Fayette**

Type of Facility Gibson # 1 tank mixer

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

Permit to Construct Issued June 12, 2017

Permit No. 2617512, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Hempfield Township
 County **Westmoreland**
 Type of Facility West Pointe tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 12, 2017
 Issued

Permit No. 2617510, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] East Huntingdon Township
 County **Westmoreland**
 Type of Facility Ruffsdale tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 12, 2017
 Issued

Permit No. 6517518, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Bell Township
 County **Westmoreland**
 Type of Facility Truxal Tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 14, 2017
 Issued

Permit No. 6517517, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Penn Township
 County **Westmoreland**
 Type of Facility North Jeannette Tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 14, 2017
 Issued

Permit No. 6517516, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Hempfield Township
 County **Westmoreland**
 Type of Facility Adamsburg # 2 Tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 14, 2017
 Issued

Permit No. 6517515, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Hempfield Township
 County **Westmoreland**
 Type of Facility Adamsburg # 1 Tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 14, 2017
 Issued

Permit No. 6517514, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Allegheny Township
 County **Westmoreland**
 Type of Facility Vandergrift # 2 Tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 14, 2017
 Issued

Permit No. 6517513, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] Allegheny Township
 County **Westmoreland**
 Type of Facility Vandergrift # 1 Tank mixer
 Consulting Engineer Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Permit to Construct June 14, 2017
 Issued

Permit No. 2617515, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility East Greensburg # 2 Tank mixer

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

Permit to Construct Issued June 14, 2017

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5260036) South Huntingdon Township, **Westmoreland County** on June 12, 2017 for the operation of facilities approved under Construction Permit # 2617504MA.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID # 5300017) Center Township, **Greene County** on June 12, 2017 for the operation of facilities approved under Construction Permit # 3016501.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID # 5300017) Jefferson Township, **Greene County** on June 12, 2017 for the operation of facilities approved under Construction Permit # 3016513MA.

Operations Permit issued to: **Aqua Filter Fresh, Inc.**, One Commerce Drive, Pittsburgh, PA 15239, (PWSID # 5026504) Plum Borough, **Allegheny County** on June 16, 2017 for the operation of facilities approved under Construction Permit # 5026504MA2.

Operations Permit issued to: **Stallion Oilfield Construction, LLC**, 950 Corbindale Road, Suite 400, Houston, TX 77024, (PWSID # 5306607) Carmichaels Borough, **Greene County** on June 16, 2017 for the operation of facilities approved under Construction Permit # 5306607.

Permit No.0217509MA, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
Hersheypark, PA 17033

[Borough or Township] California Borough

County **Washington**

Type of Facility California water storage tank painting

Consulting Engineer Pennsylvania American Water Company
800 West Hersheypark Drive
Hersheypark, PA 17033

Permit to Construct Issued June 16, 2017

WATER ALLOCATIONS

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

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

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

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

WA3-1012, Water Allocations. **Brady's Bend Township Water and Sewer Authority**, 697 State Route 68, East Brady, PA 16028, **Armstrong County**. The right to purchase 37,000 gallons of water per day from Petroleum Regional Valley Water Authority.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Bradford	City Hall 24 Kennedy Street Bradford, PA 16701	McKean

Plan Description: The approved plan provides for Phase 3 upgrades to the wastewater treatment plant. These upgrades include a new chlorine building with 2 new gas chlorinators, 2 new aerobic digesters, an outfall diffuser, a maintenance/vehicle storage building, conversion of sand beds to reed beds for sludge handling/dewatering, 2 new waste activated sludge pumps, the replacement of 5 boundary meters, and HVAC/electrical/architectural changes. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Middletown Township	27 N. Pennell Road PO Box 157 Lima, PA 19037	Delaware

On May 16, 2017, the Southeast Regional Office approved a revision to the Middletown Township Official Sewage Facilities Plan for the Franklin Mint Development. The project is located on Baltimore Pike at Pennell Road, in Middletown Township, Delaware County.

The Franklin Mint Development is comprised of 3 parcels: the Pennell Road Parcel, the Granite Parcel, and the Mint Parcel.

The Pennell Road Parcel will contain the existing post office, a new Wawa convenience store with gas pumps, and a new bank.

The Granite Parcel will be improved with a 120-room hotel and three retail/restaurant pad sites.

The Mint Parcel currently contains the Pennsylvania State Police barracks, the Franklin Mint building, and the Pennell House, among other buildings. A new Pennsylvania State Police barracks will be constructed. The Franklin Mint building will be redeveloped into office space. The Pennell House will be relocated within the site and will be used as a dwelling or museum. In addition, the Mint Parcel will be improved with 302 dwellings (48 single-family homes, 71 carriage homes, 159 townhouse units, and 24 stacked townhouse units) and 120,750 square feet of office space in 1 to 2 new office buildings.

The adjacent SEPTA parcel is located west of the proposed development. A new train station is proposed at this site.

The total project flow is 124,524.5 gallons of sewage per day. Sewage flows will be conveyed via the proposed Baltimore Pike Collector Sewer ("BPCS") to the proposed extension of the Chester Creek Interceptor ("CCI") and ultimately to DELCORA's Chester-Ridley Creek Pump Station, which conveys flows to DELCORA's Western Regional Wastewater Treatment Facility. This approval also authorizes the construction of the BPCS and Phase 3 of the CCI.

In addition, the following pump stations will be decommissioned and flows will be rerouted to the BPCS or CCI Phase 3: Franklin Mint Pump Station, Parkmount Pump Station, Hunter Street Pump Station, and Lenni Pump Station.

Finally, the following pump stations will be diverted to the BPCS: Wawa Dairy Pump Station, Granite Farms Pump Station, and Fair Acres Pump Station.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania*

Bulletin. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Sternberg Property, 8111 Wertman Road, Weisenberg Township, **Lehigh County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Arieh Sternberg, 8111 Wertman Road, Fogelsville, PA 18051, submitted a Final Report concerning remediation of site soils contaminated with benzene, ethylbenzene, cumene, MTBE, naphthalene, toluene, 1,2,4-TMB, and 1,3,5-TMB. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate

and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Lehigh Valley Industrial Park, LLC Slag Bank 2, 530 East Third Street, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, Inc., 2141 Commerce Center Blvd., Bethlehem, PA 18015, submitted a Site-Specific Remedial Investigation Report and Cleanup Plan concerning the remediation of site soils contaminated with heavy metals. The Remedial Investigation Report and Cleanup Plan was approved by the Department on June 14, 2017.

Liberty Oil Bulk Plant, 801 Bridge Street, Lehighon Borough, **Carbon County**. Dover Environmental Services, 311 E. Blackwell Street, Dover, NJ 07081, on behalf of GNS Holding, LLC, 2 Madison Avenue, Larchmont, NY 10568, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on June 14, 2017.

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

Former Metallurgical Company of America (METCO) Site, 8347 Mercer Street, Pulaski Township, **Lawrence County**. R.A.R. Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 16101, on behalf of Pulaski Industrial Corporation, P.O. Box 332, 8347 Mercer Street, Pulaski, PA 16143, submitted a Risk Assessment Report concerning the remediation of site soil contaminated with arsenic, cadmium, cobalt, lithium, manganese, mercury, nickel and site groundwater contaminated with antimony, arsenic, cadmium, lead, lithium, manganese, molybdenum, nickel, vanadium, chromium VI, cobalt, and silver. The Report was approved by the Department on May 25, 2017.

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

Mainline DG, 614 Main Street, **Johnstown Cambria County**. Tetra Tech, 661 Anderson Drive, Foster Plaza 7, Pittsburgh, PA 15220 on behalf of Mainline DG Johnstown LLC, 118 16th Ave. South, Nashville, TN 37203 has submitted a Final Report concerning the remediation of site soils contaminated with lead, arsenic, benzo(a)pyrene, benzene, 1,2,4 trimethyl benzene, 1,3,5 trimethyl benzene and groundwater contaminated with benzene, trichloroethene, 1,2,4 trimethyl benzene, 1,3,5 trimethyl benzene, lead, mercury, iron, manganese, benzo(a)anthracene. The Final Report was approved by the Department on June 14, 2017 and attained a Site-Specific standard for soil & groundwater.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

New Applications Received

Blue Sky Transportation, LLC, 25010 Lakeland Blvd., Euclid, OH 44132. License No. PA-AH 0863. Effective May 31, 2017.

Renewal Applications Received

Select Transportation, Inc., 5055 Nike Drive, Hilliard, OH 43026. License No. PA-AH 0469. Effective Jun 15, 2017.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

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

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

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

York Hospital, 1001 S George St, York, PA 17405. License No. PA-HC 0017. Effective Jun 15, 2017.

Renewal Applications Received

York Hospital, 1001 S George St, York, PA 17405. License No. PA-HC 0017. Effective Jun 15, 2017.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Notice of Draft Permit prepared under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

PAD067098822; Cycle Chem, Inc., 550 Industrial Drive, Lewisberry, PA 17339-9534.

A draft Permit Modification for RCRA Part B Permit Number PAD067098822 has been prepared by the Department that will allow Cycle Chem to receive and store PCB (polychlorinated biphenyl) waste at its facility in Fairview Township, **York County** prior to transfer of the PCB waste to an ultimate disposal facility.

Persons interested in obtaining more information about the permit application and draft permit may contact the PA DEP Southcentral Regional Office, Waste Management Program at (717) 705-4706. A copy of the permit application, draft permit and fact sheet are available for review at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

All persons wishing to comment on any of the draft permit conditions or the permit application should submit the comments in writing by August 15, 2017 to John Oren, P.E., Permitting Chief, PA DEP, Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Comments should include all reasonably available references, factual grounds and supporting material.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Revoked Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 300852. Pottstown Industrial Investments LLC, 1020 West High Street, Stowe, PA 19464-6800. This permit has been revoked in response to the permittee's request for final closure certification and revocation of permit numbers 300852 for the Former Flagg Brass Landfill, a closed residual waste landfill located at 1020 West High Street in the Borough of Pottstown and West Pottsgrove Township, **Montgomery County**. Final closure certification and revocation of permits were approved in the Southeast Regional Office on April 12, 2017.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection ("DEP") Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

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

Permit No. 300987. Talen Energy, 835 Hamilton Street, Suite 150, Allentown, PA 18101, Derry Township, **Montour County**. The Permit renewal is for the operation of the existing Montour SES Ash Area No. 3. The permit was approved by Northcentral Regional Office on June 13, 2017.

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

AIR QUALITY

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.

GP14-23-0131: Delaware County Crematory (52 S. 4th Street, Lansdowne, PA 19150) On June 14, 2017 for a human crematory in Upper Darby, **Delaware County**.

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

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

GP5-58-032A: Susquehanna Gathering Company 1, LLC (1429 Oliver Road, New Milford, PA 18837) on June 8, 2017 the general operating permit GP5 issued for the operation of natural gas compressor station at the facility located in Oakland Township, **Susquehanna County**.

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

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

GP5-14-330B: ARD Operating, LLC (33 West Third Street, Suite 300, Williamsport, PA 17701) on May 25, 2017, for the change of ownership and continued operation of one (1) 690 bhp Caterpillar model G3508TA-ULB four-stroke, lean-burn natural-gas-fired compressor engine equipped with an Emit Technologies model ELH-3050Z-1010F-21X20-24 oxidation catalyst, one (1) J.W. Williams 30 MMscf/day dehydration unit with 0.65 MMBtu/hr reboiler, one (1) 16,800-gallon produced water tank, one (1) 1,000-gallon lube oil tank, one (1) 500-gallon waste oil tank and various fugitive emissions under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Tract 231 Compressor Station located in Boggs Township, **Centre County**.

GP5-41-724A: ARD Operating, LLC (33 West Third Street, Suite 300, Williamsport, PA 17701) on May 25, 2017, for change of ownership and authorization to continue operation one (1) 1,380 bhp Caterpillar model G3516TA-ULB four-stroke ultra-lean-burn natural-gas-fired compressor engine equipped with oxidation catalyst, one (1) 35 MMscf/day J.W. Williams dehydration unit equipped with a 0.75 MMBtu/hr natural-gas fired reboiler and flash tank, one (1) 195 bhp Caterpillar G3306TA four-stroke lean-burn natural-gas-fired emergency engine equipped with oxidation catalyst, one (1) 87 bhp Capstone model C65 Microturbine generators, two (2) 16,800-gallon produced water tanks, two (2) 500-gallon lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank and one (1) 1,000-gallon waste oil tank pursuant to the General Plan Approval and/or

General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Vargo Compressor Station located in Cascade Township, **Lycoming County**.

GP5-18-193B: ARD Operating, LLC (33 West Third Street, Suite 300, Williamsport, PA 17701) on May 25, 2017, for the change of ownership and continued operation of three (3) 1,380 bhp Caterpillar model G3516TA four-stroke lean-burn natural-gas fired compressor engines each equipped with an Emit Technologies oxidation catalyst, two (2) 87 bhp Capstone model G65 Microturbine generators, one (1) 40 MMscf/day Valerus model GLY-DEHY-750 dehydration unit equipped with a 0.75 MMBtu/hr natural-gas fired reboiler, two (two) 16,800-gallon produced water tanks, two (2) 500-gallon engine lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank and one (1) 1,000-gallon waste oil tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the COP Tract 285 Compressor Station in Grugan Township, **Clinton County**.

GP5-41-633A: ARD Operating, LLC (33 West Third Street, Suite 300, Williamsport, PA 17701) on May 30, 2017, for change of ownership and authorization to continue operation of three (3) 1,380 bhp Caterpillar model G3516TA four-stroke ultra-lean-burn natural-gas-fired compressor engines equipped with oxidation catalysts, one (1) 50 MMscf/day J.W. Williams dehydration unit equipped with a 1.0 MMBtu/hr natural-gas fired reboiler and flash tank, one (1) 35 MMscf/day J.W. Williams dehydration unit equipped with a 0.75 MMBtu/hr natural-gas fired reboiler and flash tank, one (1) 203 bhp Caterpillar G3306TA four-stroke lean-burn natural-gas-fired emergency engine equipped with oxidation catalyst, two (2) 87 bhp Capstone model C65 Microturbine generators, two (2) 16,800-gallon produced water tanks, two (2) 500-gallon lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank and one (1) 1,000-gallon waste oil tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Larry's Creek Compressor Station located in Cummings Township, **Lycoming County**.

GP5-41-700A: Regency Marcellus Gas Gathering, LLC (101 W. Third St., Williamsport, PA 17701) on June 5, 2017, for the continued operation of three (3) 1,380 bhp Caterpillar G3516B four stroke, lean burn, natural gas-fired compressor engines, each equipped with two way catalysts, one (1) 25 MMscf/day and one (1) 40 MMscf/day dehydration units, each equipped with a reboiler, condenser and flare, various storage tanks ranging in size from 520 gallons to 10,000 gallons, various fugitive emissions, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Red Bend Compressor Station located in Cogan House Township, **Lycoming County**.

GP5-17-517 Energy Corporation of America (101 Heritage Run Road, Suite 1, Indiana, PA 15701) on June 9, 2017, for authorization to continue operation of one (1) 400 bhp Waukesha F18GL (S/N C-17686/1) four-stroke lean-burn compressor engine, one (1) 50 bbl (2,100-gallon) produced fluids/waste oils storage tank, one (1) 550-gallon engine lube oil tank, and one (1) 550-gallon compressor lube oil tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Com-

pression and/or Processing Facilities (BAQ-GPA/GP-5) at the Ansonville Compressor Station located in Jordan Township, **Clearfield County**.

GP5-59-246: SWEPI LP (150 North Dairy Ashford, Houston, TX 77079) on June 5, 2017, authorize the construction and operation of the Clark Compressor Station pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5) (BAQ-GPA/GP5) located in Sullivan Township, **Tioga County**.

GP15-41-592C: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570) on June 6, 2017, for the construction of a railcar receiving operation, a truck loadout operation and two storage silos pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-15): Feed Mills, at its Muncy Mill located in Clinton Township, **Lycoming County**.

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

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

GP3-24-186B: J.M. Delullo Stone Sales—Advanced Disposal Landfill (1247 Million Dollar Hwy, Kersey, PA 15846) on June 15, 2017, for the authority to construct a new portable nonmetallic mineral processing plant consisting of 2 crushers, both rated at 250 tph, one vibratory screen rated at 20 tph, and two conveyors rated at 500 tph each powered by diesel engines authorized under a Request for Determination. (BAQ-GPS/GP3) located at their facility in Fox Township, **Elk County**.

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

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

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

09-0239: Aqua Pennsylvania, Inc. (762 West Lancaster Avenue, Bryn Mawr, PA 19010) On June 14, 2017, for the installation and operation of two diesel-fired emergency generators at their facility, located in Middle Township, **Bucks County**.

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

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

35-00071A: Millerbean Funeral Home Inc (436 Cedar Ave., Scranton, PA 18505) On June 14, 2017 for the construction and operation of a new crematory at their facility in City of Scranton, **Lackawanna County**.

48-00106A: TierPoint, LLC (3864 Courtney Street, Bethlehem, PA 18017) On June 14, 2017 for the operation of three emergency generators at their facility in Hanover Township, **Northampton County**.

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

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

28-05002Q: Letterkenny Army Depot—US Department of Defense (One Overcash Avenue, Chambersburg, PA 17201) on June 13, 2017, for the construction of two replacement paint stripping tanks in Building 377 at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**. The two paint stripping tanks to be constructed in Building 377 will replace two existing paint stripping tanks in Building 370.

36-05001L: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) on June 9, 2017, for the replacement of an existing 18.554 mmBtu/hr gas-fired burner with a 23.845 mmBtu/hr gas-fired burner in the Boardmill (ID 104) dryer at their ceiling tile plant in East Donegal Township, **Lancaster County**.

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

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

41-00001B: Transcontinental Gas Pipe Line Company, LLC (PO Box 1396, Houston, TX 77251-1396) on June 1, 2017, for the construction of a 16,000 ISO horsepower natural-gas-fired combustion turbine and a 1,065 bhp natural gas-fired emergency generator at Compressor Station 520 located in Mifflin Township, **Lycoming County**.

47-00015A: Headwaters Construction Materials, LLC (10701 South River Front Parkway, Suite 300, South Jordan, UT 184095) on June 12, 2017, for the construction of a flyash processing operation at the Montour Steam Electric Station's Area 2 Landfill located in Derry Township, **Montour County**.

41-00001C: Transcontinental Gas Pipe Line Company, LLC (PO Box 1396, Houston, TX 77251-1396) on June 13, 2017, for the application of 85.68 tons of NO_x emission reduction credits to offset contemporaneous net emissions increases at Compressor Station 520 located in Mifflin Township, **Lycoming County**.

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

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

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

09-0053C: Greif Packaging LLC (695 Louis Dr., Warminster, PA 18974-2825) On June 13, 2017 for the operation of an existing steel drum manufacturing facility in Warminster Township, **Bucks County**.

15-0110B: Pepperidge Farm Inc. (421 Boot Road, Downingtown, PA 19335-3043) On June 13, 2017 for the operation of two (2) 25-ton capacity use bins for delivery of flour in Downingtown, **Chester County**.

46-0124A: Montgomery Chemicals LLC (901 Conshohocken Road, Conshohocken, PA 19428-1054) On June 13, 2017 for the installation of a scrubber system to control methanol emissions in Plymouth Township, **Montgomery County**.

46-0013D: Clemens Food Group (2700 Funks Road, PO Box 902) On June 13, 2017 for the installation of a new inedible cooker/press (Source ID: 124) as the replacement for two (2) existing cookers in Hatfield Township, **Montgomery County**.

09-0037H: WestRock Packaging, Inc. (3001 State Road, Croydon, PA 19021-6962) On June 13, 2017 for the installation of duct work from the existing seaming Machines (Source ID 2005) to the existing Regenerative Thermal Oxidizer in Bristol Township, **Bucks County**.

15-0060G: Southeastern Chester CNTY Refuse Authority (SECCRA) (219 Street Road, West Grove, PA 1939) On June 16, 2017 for the authorization to construct a landfill expansion called the Willa Expansion and a landfill gas collection and control system in London Grove Township, **Chester Township**.

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

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

19-00007A: Transcontinental Gas Pipe Line Company, LLC (PO Box 1396, Houston, TX 77251-1396) on June 9, 2017, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from June 23, 2017 to December 20, 2017, at their Compressor Station 517 located in Jackson Township, **Columbia County**. The plan approval has been extended.

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

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

65-00986A: Tiger Door, LLC (1181 Garden Street, Greensburg, PA 15601-6417) Plan Approval Extension effective on May 28, 2017, with an expiration date of November 28, 2017, to extend the period of temporary operation for sources and controls at the Tiger Door Manufacturing Plant located in Hempfield Township, **Westmoreland County**.

Title V Operating Permits Issued 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.

23-00043: Sunoco Partners Marketing and Terminals, LP (# 4 Hog Island Ave., Philadelphia, PA 19153) On June 14, 2017 for renewal of a Title V Operating Permit for tanker ballasting operations and fugitive emissions located in Tincicum Township, **Delaware County**.

09-00027: Fres-Co System USA, Inc. (3005 State Road, Telford, PA 18969-1021) June 20, 2017 for the renewal of a Title V Operating Permit for the operation of a commercial printing facility located in West Rockhill Township, **Bucks County**.

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

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

48-00037: Chrin Brothers, Inc., Chrin Sanitary Landfill (1225 Industrial Drive, Easton, PA 18042). On June 19, 2017, the Department issued a renewal Title V Operating Permit for the landfill operations in Williams

Township, **Northampton County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The main sources at this facility consist of landfill and gas collection systems and diesel generators. The sources are controlled by flares. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

17-00001: NRG REMA LLC (121 Champion Way, Canonsburg, PA 15317) issued on June 8, 2017, a revised Title V operating permit for their Shawville Generating Station facility located in Bradford Township and **Clearfield County**. All applicable regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the revision.

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

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

TVOP-63-00096: Union Electric Steel Corporation (P.O. Box 465, Carnegie, PA 15106) Title V Operating Permit issuance date effective June 15, 2017, for their Harmon Creek Plant located in Smith Township, **Washington County**.

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

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

24-00167: E Carbon America LLC (806 Theresia Street, Saint Marys, PA 15857) on June 13, 2017, the Department renewed the Title V Operating Permit. The facility is located in the City of Saint Marys, **Elk County**. The facility manufactures Carbon and Graphite Products. The facility's emitting sources include: Gas fired Boiler, Mixers, Slug press, Baking Kilns, Graphitizing Furnaces (14), Special Impregnation Process, Electric Pusher Furnace, Storage Silos (4), Raymond Roller Mill, Hammer Mills, Blending operations, Sand Recycling system, Machining Operations, Parts Washer and, Emergency Generator. The engine for the generator is subject to the requirements of 40 CFR 63 Subpart ZZZZ pertaining to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The permit also contains the RACT II requirements of 25 Pa. Code §§ 129.96—129.100. The facility is a major facility due to emissions of VOC greater than 50 tons per year. Therefore, the facility is subject to the Title V Operating Permit requirements adopted in 25

Pa. Code Chapter 127, Subchapter G. The facility provided the actual emissions for 2015 as follows: PM less than ten microns (PM₁₀)—0.07 TPY, Oxides of Sulfur (SO_x)—4.47 TPY, Carbon Monoxide (CO)—2.00 TPY, Oxides of Nitrogen (NO_x)—2.3 TPY and, Volatile Organic Compound (VOC)—22.95 TPY.

43-00287: Jones Performance Products, Inc. (1 Jones Way, West Middlesex, PA 16159), on June 13, 2017, the Department issued the renewal of the Title V Operating Permit to operate a facility that manufactures truck and bus bodies made of fiberglass reinforced plastics. The sources at the facility include a gel coating booth, resin application booths, surface coating booths, a curing oven, and a parts washer. The facility is a Title V facility because its styrene emission from gel coating and resin application activities exceeds the 10-TPY major source threshold for single HAP. Sources for gel coating and resin application are subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) for reinforced plastic composite production (40 CFR 63, Subpart WWW). Starting with this renewal permit, sources for surface coating are subject to VOC content limits and requirements of 25 Pa. Code § 129.52d, which pertains to control of VOC emissions from surface coating of several materials that include miscellaneous plastic parts.

62-00141: National Fuel Gas Supply Corp.—Roystone Compressor Station (Route 6, Sheffield, PA 16347), on June 13, 2017, the Department issued the renewal of the Title V Operating Permit to operate a natural gas compressor station in Sheffield Township, **Warren County**. Sources of air emissions at the facility include ten natural gas-fired compressor engines, two natural gas-fired emergency generator engines, two triethylene glycol (TEG) dehydration units, a boiler, pipeline heaters, a gasoline storage tank, parts washers, and a drip fluid tank. The facility is a Title V facility because of its high potential to emit VOC and NO_x emissions, with PTEs of 72.51 TPY and 138.44 TPY, respectively. The engines at the facility are subject to 40 CFR 63 Subpart ZZZZ pertaining to National Emission Standards for Hazardous Air Pollutants (NESHAP) for stationary reciprocating internal combustion engines. As a major source of VOC and NO_x, the facility is subject to the presumptive NO_x and VOC requirements of the RACT II (25 Pa. Code §§ 129.96—129.100) promulgated on April, 23, 2016 (46 Pa.B. 2036). Compliance milestones have been established to meet the approved petition for alternative compliance schedule to have the two TEG dehydration units comply with VOC requirements of the RACT II.

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

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

OP16-00027: Philadelphia Energy Solutions Refining and Marketing LLC.—Schuylkill River Tank Farm (70th and Essington Avenue, Philadelphia, PA 19145) for the operation of a petroleum products storage tank facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include twenty-one (21) internal floater storage tanks with capacities between 2.6—4.9 million gallons; two (2) open floater tanks, each with a capacity of 4.8144 million gallons; one (1) oil-water separator; one (1) propane loading rack with flare (60,000 lbs/hr) firing propane/butane; fugitive emissions; and two (2) diesel fire pumps (one 290 hp and the other 255 hp).

V14-026: Temple University, Health Sciences Campus (3401 North Broad Street, Philadelphia, PA 19140) for the operation of a hospital, college, university, and professional school in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include the following: three (3) 74.6 MMBtu/hr boilers firing natural-gas (NG) or No. 2 fuel oil; one (1) 1.01 MMBtu/hr boiler firing NG or No. 2 fuel oil; one (1) 0.0947 MMBtu/hr boiler firing NG; four (4) fire pumps, each rated 250 kilowatt (kw) or less, firing No. 2 fuel oil; three (3) emergency generators, each rated 250 kw or less, firing natural gas; six (6) emergency generators, each rated 746 kw or greater, firing No. 2 fuel oil; and (10) emergency generators, each rated less than 500 kw, firing No. 2 fuel oil or diesel fuel.

V15-000: Inolex Chemical Company (Jackson and Swanson Streets, Philadelphia, PA 19148) for the operation of a chemical manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 52 MMBTU/hr boiler (limited to 49 MMBTU/hr), one (1) 20 MMBTU/hr boiler, one (1) 6.5 MMBTU/hr boiler, one (1) 49 MMBTU/hr boiler firing natural gas and No. 2 fuel oil, Seven (7) reactors with Vent Condensers, one (1) reactor tank, one (1) distillation column with Vent Condenser, one (1) deodorizer tank with Vent Condenser, one (1) DMAPA Scrubber and a 150 hp emergency generator.

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

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

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

39-00086: We Are Pets Inc. (9923 Old Route 22, Breinigsville, PA 18031) The Department issued on 5/2/17 a State Only (Natural Minor) Operating Permit renewal for the facility located in Weisenberg Township, **Lehigh County**. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00095: American Atelier Inc. (2132 Downyflake Ln, Allentown, PA 18102) The Department issued on 6/13/17 a State-Only (Synthetic Minor) Operating Permit renewal for the facility located in the City of Allentown, **Lehigh County**. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00096: DMS Shredding, Inc. (9 Fellows Ave, Wilkes-Barre, PA 18706-5231) The Department issued on 6/13/17 a State-Only (Natural Minor) Operating Permit renewal for the facility located in Hanover Township, **Luzerne County**. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-03059: Hill Street Veterinary Hospital (555 Hill Street, York, PA 17403-5704) on June 7, 2017, for the animal crematory unit at the facility located in Spring Garden Township, **York County**. The State-only permit was renewed.

21-05044: Dairy Farmers of America, Inc. (4825 Old Gettysburg Road, Mechanicsburg, PA 17055-4814) on June 13, 2017, for the bottled dairy beverage manufacturing facility located in Lower Allen Township, **Cumberland County**. The State-only permit was renewed.

36-03121: Cenveo Publisher Services (3575 Hempfield Road, Lancaster, PA 17601-6912) on June 6, 2017, for the commercial journal printing facility located in West Hempfield Township, **Lancaster 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.

08-00029: EPP Renewable Energy, LLC (1605 North Cedar Crest Blvd., Suite 509, Allentown, PA 18104) on June 13, 2017, was issued a renewal state only operating permit for their landfill gas to energy plant located in West Burlington Township, **Bradford County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00018: Arcos Industries LLC (1 Arcos Drive, Mount Carmel, PA 17851-2504), on May 24, 2017, was issued a renewal state only operating permit for their facility located in Mount Carmel Township, **Northumberland County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

43-00152: Wheatland Tube Mill Street Plant (134 Mill St., Sharon, PA 16146-2118), on June 13, 2017, the Department issued the renewal of the Natural Minor Permit to operate a steel pipes and tubing manufacturing facility in the City of Sharon, **Mercer County**. In this renewal, eight sources, including their associated control devices and stacks, are removed from the permit. Remaining sources at the facility include a buttweld furnace, a coating line, three boilers, nine degreasers, area space heaters, and fugitive dust emissions from unpaved and paved roads. With these sources, the facility has potential to emit 36.0, 23.0, 21.5, 7.5, and 0.2 TPY of NO_x, VOC, CO, PM₁₀, and SO_x, respectively. The facility is currently idled, with the permitted sources covered by the deactivation/reactivation and maintenance plan approved by the Department on November 2015. Starting with this renewal permit, VOC content limit and requirements of 25 Pa. Code § 129.52d applicable to the coating line at the facility supersede those from § 129.52. Because of its Natural Minor status, the facility is no longer subject to recordkeeping and reporting requirements 25 Pa. Code Chapter 135.

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.

09-00122: Arkema, Inc. (100 PA Rte. 413, Bristol, PA 19007) On June 14, 2017 for a minor modification of TVOP No. 09-00122 for the facility located in Bristol Township, **Bucks County**. The minor modification was for a reduction of the site-wide emission limits for NO_x and VOC (e.g., 99.0 tpy and 49.9 tpy, respectively) to stay below the applicability thresholds for RACT Phase II requirements. The modified TVOP includes monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating 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.

18-00001: Columbia Gas Transmission, LLC (455 Racetrack Road, Washington, PA 15301) on June 5, 2017, for their Renovo Compressor Station in Chapman Township, **Clinton County**. The minor operating permit modification included conditions to incorporate the presumptive RACT requirements pursuant to 25 Pa. Code § 129.97. Minor modification of Title V operating permit No. 18-00001 is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462.

49-00006: Viking Energy of Northumberland, LLC (20 City Square, Suite 3, Boston, MA 02129) on May 31, 2017, for their Northumberland facility in Point Township, **Northumberland County**. The operating permit was revised to incorporate a change in the Responsible Official at the facility. The Administrative Amendment of Title V operating permit No. 49-00006 is issued pursuant to 25 Pa. Code § 127.450.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

GP5-41-735: NFG Midstream Trout Run, LLC (6363 Main Street, Williamsville, NY 14221) on June 15, 2017, terminated the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Trout Run Mountain Compressor Station located in Lewis Township, **Lycing County** due to the determination that the individual sources at the facility emit air contaminants below the respective plan approval emissions exemption thresholds and the facility overall emits air contaminants below the respective operating permit emission exemption thresholds pursuant to 25 Pa. Code § 127.14. NFG Midstream is required to maintain monthly records to demonstrate that their actual emissions remain below exemption thresholds. The facility remains subject to all applicable air quality regulations specified in 25 Pa. Code Chapters 121—145.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

03981301 and NPDES No. PA0215198. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Parkwood Mine in Plumcreek, South Bend Townships, Armstrong County and Armstrong Township, **Indiana County** and related NPDES Permit from Western Allegheny Energy, LLC. No additional discharges. The application was considered administratively complete on September 20, 2016. Application received May 4, 2016. Permit issued June 15, 2017.

30031301 and NPDES No. PA0235610. Dana Mining Company of PA, LLC, (103 Corporate Drive, Suite 102, Morgantown, WV 26501). To revise the permit for the 4-West Mine in Dunkard, Perry and Whiteley Townships, **Greene County** and related NPDES Permit to add underground permit area and subsidence control area. Underground Acres Proposed 9,494.2, Subsidence Control Plan Acres Proposed 9,494.2. No additional discharge. The application was considered administratively complete on June 3, 2016. Application received December 9, 2015. Permit issued June 15, 2017.

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

Permit No. 56160102 and NPDES No. PA0279480. Transfer from Berwind Coal Sales Co., 509 15th Street, Windber, PA 15963 to Elk Resources, Inc. 30 Pounds Road, West Lebanon, PA 15783, commencement, operation and restoration of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 418.5 acres. Receiving streams: unnamed tributaries to Spruce Creek and Shade Creek to Stonycreek River, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 30, 2017. Permit issued: June 12, 2017.

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

33110104 and NPDES Permit No. PA0259144. P. and N. Coal Company, Inc. (P.O. Box 332, Punxsutawney, PA 15767) Renewal of an existing bituminous surface mine and associated NPDES permit in Union Township, **Jefferson County**, affecting 73.2 acres. Re-

ceiving streams: Little Mill Creek. This renewal is issued for reclamation only. Application received: December 8, 2016. Permit Issued: June 15, 2017.

43910102. The Ambrosia Coal & Construction Co. (P.O. Box 422, Edinburg, PA 16116) Renewal of an existing bituminous surface and auger mine in Mill Creek Township, **Mercer County**, affecting 350.0 acres. Receiving streams: Unnamed tributaries to Little Sandy Creek. Application received: March 22, 2017. Permit Issued: June 15, 2017.

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

Permit No. 54940203R4. Wilbur White Coal Company, (11 Low Road, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Butler Township, **Schuylkill County** affecting 23.7 acres, receiving stream: Mahanoy Creek. Application received: September 21, 2016. Renewal issued: June 15, 2017.

Permit No. PAM111090R. Wilbur White Coal Company, (11 Low Road, Pottsville, PA 17901), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54940203 in Butler Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: September 21, 2016. Renewal issued: June 15, 2017.

Noncoal Permits Issued

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

17170801. F. M. Smeal Enterprises (324 Bailey Road, Curwensville, PA 16833). Commencement, operation and restoration of a small noncoal industrial minerals surface mine (Shale) in Pike Township, **Clearfield County** affecting 7.0 acres. Receiving stream(s): Hogback Run classified for the following use(s): CWF. Application received: January 27, 2017. Permit Issued: June 1, 2017.

PAM217001. F. M. Smeal Enterprises (324 Bailey Road, Curwensville, PA 16833). General NPDES permit for stormwater discharge associated with mining activities on Surface Mining Permit No. 17170801 in Pike Township, **Clearfield County**. Receiving stream(s): Hogback Run classified for the following use(s): CWF. Application received: January 27, 2017. Permit Issued: June 1, 2017.

17170802. Monty L. Bloom (1573 Wallacetown Rd, Morrisdale, PA 16848). Commencement, operation and restoration of a small noncoal industrial minerals surface mine permit (topsoil) in Morris Township, **Clearfield County** affecting 3.5 acres. Receiving stream(s): Alder Run classified for the following use(s): CWF and MF. Application received: March 24, 2017. Permit Issued: May 30, 2017.

18171004. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803), authorization to extract noncoal material in Dunnstable Township, **Clinton County** to construction project First Quality Tissue—Boston 3. Receiving stream(s): Unnamed Tributary 1 to West Branch Susquehanna River classified for the following use(s): CWF, MF. Authorization approved: June 12, 2017.

PAM217008. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803) hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with General Permit 103

No. 18171004 to the following surface water(s) in Dunnstable Township, **Clinton County**. Receiving stream(s): Unnamed Tributary 1 to West Branch Susquehanna River classified for the following use(s): CWF, MF. Application received: April 20, 2017. Permit Issued: June 12, 2017.

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

Permit No. PAM111060R. J-Mar Construction, Inc., (372 Forestville Drive, Sunbury, PA 17801), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Small Noncoal Mining Permit No. 49110801 in Lower Augusta Township, **Northumberland County**, receiving stream: unnamed tributary to Susquehanna River. Application received: January 30, 2017. Renewal issued: June 16, 2017.

Permit No. 54110301. Pierson-Middleport, LLC, (P.O. Box 704, Bridgeport, NJ 08014), commencement, operation and restoration of a quarry operation in Blythe and Walker Townships, **Schuylkill County** affecting 139.92 acres, receiving stream: Schuylkill River. Application received: September 21, 2011. Permit issued: June 19, 2017.

Permit No. PAM117008. Pierson-Middleport, LLC, (P.O. Box 704, Bridgeport, NJ 08014), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54110301 in Blythe and Walker Townships, **Schuylkill County**, receiving stream: Schuylkill River. Application received: February 17, 2017. Permit issued: June 19, 2017.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Issued

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

10174102. Wampum Hardware Company (2856 Stoystown Road, Friedens, PA 15541) Blasting activity permit for a gas well pad development in Winfield Township, **Butler County**. This blasting activity permit expires on December 31, 2017. Permit Issued: June 12, 2017.

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

18174002. Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823). Blasting for Central Mountain—First Quality Tissue Project in Bald Eagle Township, **Clinton County** with an expiration date of June 30, 2018. Permit issued: June 12, 2017.

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

Permit No. 36174122. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Matt Zimmerman Chicken House in Earl Township, **Lancaster County** with an expiration date of June 6, 2018. Permit issued: June 13, 2017.

Permit No. 38174110. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Strathford Meadows in South Lebanon Township, **Lebanon County** with an expiration date of June 6, 2018. Permit issued: June 15, 2017.

Permit No. 36174121. Abel Construction Co., Inc., (PO Box 476, Mountville, PA 17554), construction blasting for Worthington Phase 2 in Manheim Township, **Lancaster County** with an expiration date of May 18, 2018. Permit issued: June 16, 2017.

Permit No. 36174123. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Esbenshade Mills in Rapho Township, **Lancaster County** with an expiration date of October 31, 2018. Permit issued: June 16, 2017.

Permit No. 46174110. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Sprogels Run in Upper Pottsgrove Township, **Montgomery County** with an expiration date of June 7, 2018. Permit issued: June 16, 2017.

Permit No. 67174110. Abel Construction Co., Inc., (PO Box 476, Mountville, PA 17554), construction blasting for Locust Run in Conewago Township, **York County** with an expiration date of June 5, 2018. Permit issued: June 16, 2017.

Permit No. 54174106. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Tulpehocken Rifle & Pistol Club in Pine Grove Township, **Schuylkill County** with an expiration date of June 12, 2018. Permit issued: June 19, 2017.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-535. DELCORA, 100 East Fifth Street, P.O. Box 999, Chester, PA 19016-0999, Rose Valley Borough, **Delaware County**, ACOE Philadelphia District.

To replace the existing Rose Valley Sewage Treatment Plants (RVSTP), and to construct and maintain a new pump station in and along the 100 year-flood plain of a UNT to Ridley Creek; work will include improvement to the RVSTP access road, and an installation of new force main for new connections with Middle Township Sewer Authority.

The site is located near 18 South Long Point Lane (Media, PA USGS map; Lat: 398912; Long: -75.3905).

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

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

E06-711: Western Berks Water Authority, 91 Water Road, Sinking Spring, PA 19608 in Lower Heidelberg Township, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District. Issued June 16, 2017.

To construct and maintain a 48-inch diameter raw water line in and along the floodway and floodplain of Tulpehocken Creek (CWF, MF) permanently impacting 41,000 square feet of floodway from grading to accommodate the line, and to construct and maintain a 48-inch diameter raw water line in and across a UNT to Tulpehocken Creek (CWF, MF) permanently impacting 20 linear feet (Latitude 40°21'53", Longitude -76°1'34") for the purpose collecting raw water from the Blue Marsh Dam impoundment. The project is located along and downstream of the Blue Marsh Dam in Lower Heidelberg Township, Berks County.

E36-959: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Ephrata Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District. Issued June 16, 2017.

To remove the existing structure and to install and maintain a 54.5 foot long, 30.5 foot wide concrete box

beam bridge having an under clearance of 5.40 feet over Indian Run (TSF, MF) (Latitude 40°12'14.76", Longitude -76°10'51.95") for the purpose of improving safety standards. No wetlands will be impacted by the activity.

E67-923: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Chanceford and Lower Windsor Townships, **York County**, U.S. Army Corps of Engineers, Baltimore District. Issued June 16, 2017.

To remove the existing structure and 1) to construct and maintain a 90.0-foot long by 34.0-foot wide concrete spread box beam bridge with an average under-clearance of approximately 17.0 feet across Fishing Creek (TSF, MF) and 2) to relocate 107 linear feet of an unnamed tributary to Fishing Creek (CWF, MF) to accommodate the new bridge structure, and 3) to impact 0.071 acre of floodway of Fishing Creek (CWF, MF), all for the purpose of replacing the existing structurally deficient bridge and improve roadway safety standards along SR 0425 in Lower Windsor Township and Chanceford Township, York County (USGS Quadrangle: Safe Harbor, PA; Latitude: 39° 56' 23"; Longitude: -76° 29' 12").

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

E63-689, A & S Landscaping, 2150 Washington Road, Canonsburg, PA 15317, Canonsburg Borough, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

Place and maintain approximately 0.3 acre of fill in the floodway with a 6' embankment having a 2:1 slope, running parallel to the Army Corps of Engineers flood protection project along the right bank side of Chartiers Creek for approximately 315 linear feet. The project is located in the southeast corner of Strabane Avenue and Chartiers Creek in Canonsburg, Washington. (Canonsburg USGS Topographic Quadrangle, Latitude: 40° 15' 20.9"; Longitude: -80° 11' 48.9"; Sub-basin 20F; Pittsburgh Corps District), in Canonsburg Borough, Washington County. This project will impact only the floodway of Chartiers Creek (WWF); no direct stream impacts are proposed.

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

E20-601, Crawford Central School District, 11280 Mercer Pike, Meadville, PA 16335. Cochranon Jr/Sr High School Football Stadium, in Cochranon Borough, **Crawford County**, ACOE Pittsburgh District (Cochranon, PA Quadrangle N: 41°, 31', 22"; W: -80°, 3', 18").

Remove the existing bleachers, concession and press box building, and storage sheds, and to construct and maintain new bleachers and building occupying a total of approximately 1,232 square feet and displacing a total of approximately 4,793 cubic feet within the 100-year flood plain of French Creek at the existing Cochranon Junior/Senior High School southwest of North Franklin Street (Cochranon, PA Quadrangle N: 41°, 31', 22"; W: -80°, 3', 18") in Cochranon Borough, Crawford County.

E25-766A, Summit Township Sewer Authority, 8890 Old French Road, Erie, PA 16509-5459. New Road Sewer Extension, in Summit Township, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 42°, 00', 57"; W: 80°, 03', 45").

To amend permit E25-766, which authorized 0.05 acre of wetland impact for the construction of the New Road Sewer Pump Station, to include installation of an addi-

tional 1,050 feet of sewer pipeline along New Road and to account for an additional 0.06 acre of wetland impact associated with the construction of the pump station through restoration and mitigation. The new pipeline will temporarily impact 0.05 acre of wetland during construction and permanently impact 0.01 acre of wetland through installation/maintenance of a manhole. The applicant proposes to mitigate for these impacts, as well as for additional unpermitted impacts associated with the New Road Pump Station, by creating approximately 0.09 acre of new wetland on the neighboring property and restoring approximately 0.05 acre of unpermitted wetland impacts at the pump station.

E42-369, Norwich Township, 3853 West Valley Road, Smethport, PA 16749. Norwich Township Phase II Wastewater Collection and Conveyance, in Norwich Township, **McKean County**, ACOE Pittsburgh District (Crosby, PA Quadrangle N: 41°, 40', 38.75"; W: 78°, 23', 22.43").

Construct and maintain a sewage collection and conveyance system consisting of approximately 43,000 linear feet of a small diameter, low pressure sewer pipeline to service residents in the Betula area of Norwich Township, McKean County (Crosby, PA Quadrangle N: 41°, 40', 38.75"; W: 78°, 23', 22.43"), including 8 pipeline crossings of wetlands installed by horizontal directional drill, 35 pipeline crossings of streams installed by horizontal directional drill (3 crossings of Potato Creek, 25 crossings of tributaries to Potato Creek, 3 crossings of Lost Run, and 1 crossing each of West Branch Potato Creek, a tributary to West Branch Potato Creek, Brewer Run and a tributary to Brewer Run), and installation of a pump station occupying approximately 170 ft² of the floodway of a tributary to Potato Creek.

E37-197, Robert L Preston Realty Company, 1500 Wilmington Road, New Castle, PA 16105. Preston Chevrolet Lot Expansion, in Neshannock Township, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 41°, 03', 57"; W: 80°, 21', 34").

Permanently fill a de minimus area (0.038 acre) of PEM wetland for the expansion of the display lot at the existing Preston Chevrolet dealership at the northeast corner of the intersection of Mitchell Road and Wilmington Road (New Castle North, PA Quadrangle N: 41°, 03', 57"; W: 80°, 21', 34") in Neshannock Township, Lawrence County.

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

E5829-117: New Milford Township, Bluestone Pipeline Company of Pennsylvania, LLC, 1429 Oliver Road, New Milford, PA 18334-7516; New Milford Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 34 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 34", Longitude: -75° 39' 48"),

2) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 36 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -75° 39' 44"),

3) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 41 lineal feet

of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 38", Longitude: -75° 39' 21"),

4) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 36 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -75° 39' 20"),

5) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 8 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -75° 39' 18"),

6) a temporary timber bridge crossing impacting 52 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -75° 39' 01"),

7) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 44 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 50' 36", Longitude: -75° 39' 01"),

8) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,420 square feet (0.08 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 39", Longitude: -75° 40' 02"),

9) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,482 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -75° 39' 59"),

10) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 817 square feet (0.02 acre) of a palustrine forested wetlands (PFO) (Harford, PA Quadrangle; Latitude: 41° 50' 35", Longitude: -75° 39' 49"),

11) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,142 square feet (0.07 acre) of a palustrine forested wetlands (PFO) (Harford, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -75° 39' 43"),

12) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 4,342 square feet (0.10 acre) of a palustrine scrub-shrub wetlands (PSS) (Harford, PA Quadrangle; Latitude: 41° 50' 35", Longitude: -75° 39' 42"),

13) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,385 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 41", Longitude: -75° 39' 08"),

14) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 280 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 41", Longitude: -75° 38' 48"),

15) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 276 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 42", Longitude: -75° 38' 47"),

16) a temporary timber mat crossing impacting 427 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 42", Longitude: -75° 38' 47"),

17) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 534 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Harford, PA Quadrangle; Latitude: 41° 50' 43", Longitude: -75° 38' 46").

The Bluestone 39-41 Loop pipeline project consists of constructing a 12" diameter steel natural gas gathering line approximately 1.6 mile (8,448 feet) long in New Milford Township, Susquehanna County. The project will result in 295 lineal feet of temporary stream impacts, 7,804 square feet (0.18 acre) of temporary wetlands impacts, and 8,301 square feet (0.19 acre) of permanent wetland impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

EA29-001: Fulton County Conservation District, 216 North Second Street, McConnellsburg, PA 17233 in Ary Township, **Fulton County**, U.S. Army Corps of Engineers, Baltimore District.

To relocate and restore 700 linear feet of Big Cove Creek (CWF, MF) by use of log roller structures, habitat logs, log vanes, toe wood, mud sills and bank grading. The project is located adjacent to the intersection of Confederate Lane and SR 0522 in Ary Township, Fulton County (Latitude: 39.920462, Longitude: -78.007750).

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

D63-102EA. Christopher D. Otis, Associate Pastor, Lakeview Christian Life Church, One Lakeview Place, Bridgeville, PA 15017-1055, Cecil Township, **Washington County**, USACOE Pittsburgh District.

Project proposes to remove the South Hills Fellowship Dam for the purpose of eliminating a threat to public safety and restoring approximately 500 feet of stream channel to a free-flowing condition. The proposed restoration project includes the installation of log and rock grade control and habitat structures, the extension of five roof drains to the channel and installation of a foot bridge. The project is located across a tributary to Chartiers Creek (WWF) (Canonsburg, PA Quadrangle, Latitude: 40.3142; Longitude: -80.1444).

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Southwestern District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

ESCGP-2 # ESX13-059-0003 (major mod)
Applicant Name EQT Production Co
Contact Person Todd Klaner
Address 2400 Ansys Dr, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Washington
Receiving Stream(s) and Classification(s) Craig Run (WWF); UNT to Craig Run (WWF)
Secondary—Craynes Run (WWFP); Craig Run (WWF)

ESCGP-2 # ESX16-125-0054
Applicant Name Range Resources
Contact Person Karl Matz
Address 3000 Town Center Blvd
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Chartiers
Receiving Stream(s) and Classification(s) UNT to Chartiers Ck (WWF); UNT to Plum Run (WWF)
Secondary—Chartiers Ck (WWF); Plum Run (WWF)

ESCGP-2 # ESG16-059-0039
Applicant Name EQT Production Co
Contact Person Renee Thomas
Address 2400 Ansys Dr, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Washington
Receiving Stream(s) and Classification(s) UNTs to Garners Run (HQ-WWF); Garners Run (HQ-WWF); Pettit Run (HQ-WWF)
Secondary—Garners Run (HQ-WWF); Browns Ck (HW-WWF); Bates Fork (HQ-WWF)

ESCGP-2 # ESG16-125-0032
Applicant Name Range Resources—Appalachia LLC
Contact Person Karl Matz
Address 3000 Town Center Blvd
City, State, Zip Canonburg, PA 15317
County Washington
Township(s) Blaine
Receiving Stream(s) and Classification(s) UNT to Buffalo Ck (HQ-WWF)
Secondary—Buffalo Ck (HQ-WWF)

ESCGP-2 # ESG16-125-0055
Applicant Name Markwest Liberty Midstream & Resources LLC
Contact Person Richard Lowry
Address 4600 J Barry Ct, Suite 500
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Hopewell
Receiving Stream(s) and Classification(s) UNTs to Brush Run (HQ-WWF)
Secondary—Brush Run (HQ-WWF)

ESCGP-2 # ESX17-007-0004
Applicant Name Penn Energy Resources, LLC
Contact Person Gregg Stewart
Address 1000 Commerce Drive, Park Place One, Suite 100
City, State, Zip Pittsburgh, PA 15275
County Beaver County
Township(s) New Sewickley Township, Rochester Township, and the Borough of Freedom
Receiving Stream(s) and Classification(s) UNT to Dutchman Run, Dutchman Run, UNTs to Crows Run, UNTs to Snake Run, Ohio River (All WWF)

ESCGP-2 # ESX16-059-0032
Applicant Name Rice Drilling B LLC
Contact Person Joseph Mallow
Address 2200 Rice Dr
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Aleppo
Receiving Stream(s) and Classification(s) UNTs to Mudlick Fork (TSF)
Secondary—Mudlick Fork (TSF)

ESCGP-2 # ESG16-005-0009
Applicant Name PennEnergy Resources LLC
Contact Person Gregg Stewart
Address 1000 Commerce Dr, Suite 100
City, State, Zip Pittsburgh, PA 15275
County Armstrong
Township(s) North Buffalo
Receiving Stream(s) and Classification(s) UNT to Buffalo Ck (HQ-CWF); Buffalo Ck (HQ-CWFP)
Secondary—Buffalo Ck (HQ-CWF); Allegheny River (WWF)

ESCGP-2 # ESX16-059-0033
Applicant Name Rice Drilling B LLC
Contact Person Joseph Mallow
Address 2200 Rice Dr
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Aleppo
Receiving Stream(s) and Classification(s) UNTs to Mudlick Fork (TSF); UNTs to South Fork Dunkard Fork (TSF)
Secondary—Mudlick Fork (TSF); South Fork Dunkard Fork (TSF)

ESCGP-2 # ESG16-059-0015
Applicant Name EQT Production Co
Contact Person Todd Klaner
Address 2400 Zenith Ridge Rd, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Center
Receiving Stream(s) and Classification(s) Browns Ck (HQ-CWF); Rush Run (HQ-CWF)

ESCGP-2 # ESG16-059-0061
Applicant Name EQT Production Co
Contact Person Todd Klaner
Address 2400 Zenith Ridge Rd, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Jefferson
Receiving Stream(s) and Classification(s) UNTs to Muddy Ck (WWF)
Secondary—Muddy Ck (WWF)

ESCGP-2 # ESX10-125-0065 (Major Modification)
Applicant Name Range Resources Appalachia LLC
Contact Person Karl Matz
Address 300 Town Center Boulevard

City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Morris
 Receiving Stream(s) and Classification(s) UNTs to Short
 Creek (TSF), Tenmile Creek (TSF)
 ESCGP-2 # ESX12-003-0007 (Major Modification)
 Applicant Name EQT Production Co
 Contact Person Todd Klaner
 Address 2400 Zenith Ridge Rd, Suite 200
 City, State, Zip Canonsburg, PA 15317
 County Allegheny
 Township(s) Forward
 Receiving Stream(s) and Classification(s) UNT to Kelly
 Run (WWF), Kelly Run (WWF)
 ESCGP-2 # ESX16-125-0051
 Applicant Name Rice Drilling B LLC
 Contact Person Joseph Mallow
 Address 2200 Rice Dr

City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) West Pike Run
 Receiving Stream(s) and Classification(s) UNTs to Pike
 Run (TSF)
 ESCGP-2 # ESX11-003-0004 (Major Modification)
 Applicant Name Range Resources Appalachia LLC
 Contact Person Karl Matz
 Address 300 Town Center Boulevard
 City, State, Zip Canonsburg, PA 15317
 County Allegheny County
 Township(s) Frazer
 Receiving Stream(s) and Classification(s) UNTs to Short
 Creek (TSF), Tenmile Creek (TSF)
*Southwest Region: Waterways & Wetlands Program, 400
 Waterfront Drive, Pittsburgh, PA 15222, Michael Forbeck,
 Acting Waterways and Wetlands Program Manager, 412-
 442-4000.*

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012517001	ETC Northeast Pipeline, LLC 7000 Stonewood Drive Suite 351 Wexford, PA 15090	Washington County	Smith Township, Mount Pleasant Township, and Chartiers Township	Westland Run (WWF); UNTs to Little Raccoon Run (WWF); UNTs to Raccoon Creek (WWF); UNTs to Cherry Run (WWF); Little Raccoon Run (WWF); UNTs to Westland Run (WWF); Raccoon Creek (WWF); Chartiers Run (WWF); and Saint Patrick Run (WWF)

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

ESCGP-2 # ESX12-017-0013—Pulaski—Kinkela Well
 Pad
 Applicant Hilcorp Energy Company
 Contact Ms. Stephanie McMurray
 Address 1111 Travis Street
 City Houston State TX Zip Code 77002
 County Lawrence Township(s) Pulaski
 Receiving Stream(s) and Classification(s) Deer Creek

ESCGP-2 # ESX12-019-0144A—Lamperski Centralized
 Freshwater Impoundment—Major Modification
 Applicant R.E. Gas Development
 Contact Mr. Michael Endler
 Address 600 Cranberry Woods Drive
 City Cranberry Township State PA Zip Code 16066
 County Butler Township(s) Forward
 Receiving Stream(s) and Classification(s) Connoqueness-
 ing Creek

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

ESCGP-2 # ESX29-115-17-0009
 Applicant Name Susquehanna Gathering Co LLC
 Contact Person Paul Corrigan
 Address 333 Technology Dr, Suite 255
 City, State, Zip Canonsburg, PA 15317
 County Susquehanna
 Township(s) Oakland
 Receiving Stream(s) and Classification(s) Lewis Ck (CWF-
 MF); Susquehanna River (WWF-MF) and UNTs thereto

ESCGP-2 # ESG29-081-17-0012
 Applicant Name Seneca Resources Corp
 Contact Person Doug Kepler
 Address 5800 Corporate Dr, Suite 300
 City, State, Zip Pittsburgh, PA 15237
 County Lycoming
 Township(s) Lewis
 Receiving Stream(s) and Classification(s) Lycoming Ck
 (EV)
 Secondary—W Branch Susquehanna River (WWF)

ESCGP-2 # ESX29-115-17-0019
 Applicant Name Angelina Gathering Co LLC
 Contact Person Tory Thompson
 Address 10000 Energy Drive
 City, State, Zip Spring, TX 77389-4954
 County Susquehanna
 Township(s) Franklin
 Receiving Stream(s) and Classification(s) UNTs to Snake
 Ck (CWF-MF)

ESCGP-2 # ESG29-015-17-0022
 Applicant Name Regency Marcellus Gas Gathering LLC
 Contact Person Tom Glisson
 Address 101 W Third St
 City, State, Zip Williamsport, PA 17701
 County Bradford
 Township(s) Leroy
 Receiving Stream(s) and Classification(s) Schrader Ck
 (EV, MF); Elk Ck (EV, MF)
 Secondary—Towanda Ck and Loyalsock Ck

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.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
17-51-028	Avis Rent A Car System Inc. 6 Sylvan Way Dept. 29-C93-36 Parsippany, NJ 07054 Attn: Philip Engle	Philadelphia	City of Philadelphia	1 UST storing gasoline	10,000 gallons

SPECIAL NOTICES

Air Quality; Emission Reduction Credit

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

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

ER-59-00003A: LEDVANCE, LLC (One Jackson Street, Wellsboro, PA 16901) on June 13, 2017, for an Air Quality Emission Reduction Credit (ERC) approval of the following emission reductions from the permanent shutdown of the following source: Glass Melting Furnace, Source P109: NO_x: 311.31 tpy; VOC: 12.04 tpy; SO_x: 47.45tpy, PM₁₀: 26.23 at the facility in Wellsboro Borough, **Tioga County**.

[Pa.B. Doc. No. 17-1084. Filed for public inspection June 30, 2017, 9:00 a.m.]

Availability of the Non-Regulatory Agenda

In accordance with the Department of Environmental Protection's (Department) Policy for Development and Publication of Technical Guidance, the Department provides notice of the availability of the Non-Regulatory Agenda (Agenda). The Department will publish notice of availability of the Agenda twice a year in February and July.

The Agenda serves as a guide and resource to the regulated community, the public, Department staff and members of the Department's advisory committees regarding the focus of the Department's policy development for the coming year. The types of documents listed in the Agenda include policies and technical guidance documents that provide directives, guidance or other relevant compliance-related information.

The Agenda is available on the Department's eLibrary web site at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-11958> (select "Non-Regulatory Agenda").

Questions regarding the Agenda should be directed to Abbey Cadden, Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063, (717) 705-3769 or ra-epthepolicyoffice@pa.gov.

Questions regarding the specific documents listed on the Agenda should be directed to the respective contact person listed on the Agenda.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1085. Filed for public inspection June 30, 2017, 9:00 a.m.]

Pennsylvania's 2017 Annual Ambient Air Monitoring Network Plan

The Department of Environmental Protection (Department) is seeking public comment on Pennsylvania's 2017 Annual Ambient Air Monitoring Network Plan (Plan). The Plan has been updated to address changes that have been made in the Commonwealth's ambient air monitoring network and to identify changes that are anticipated to occur in the remainder of 2017 and in 2018.

On October 17, 2006, the United States Environmental Protection Agency (EPA) promulgated final amendments to the National ambient air monitoring requirements for criteria pollutants in 40 CFR Parts 53 and 58 (relating to ambient air monitoring reference and equivalent methods; and ambient air quality surveillance). See 71 FR 61236 (October 17, 2006). The EPA's final rule requires state and local agencies to enhance air monitoring to "improve public health protection and better inform the public about air quality in their communities." Under 40 CFR 58.10 (relating to annual monitoring network plan and periodic network assessment), air quality state and local monitoring agencies must adopt an annual air monitoring network plan and make the plan available for public inspection for at least 30 days prior to final submission to the EPA Regional Administrator. The plan, which is due July 1, 2017, must include a statement of purpose for each monitor and evidence that siting and operation of each monitor meets Federal requirements. The EPA may also provide an opportunity for review and comment prior to approving or disapproving a state's monitoring network plan.

The Plan is available on the Department's web site at www.ahs.dep.pa.gov/eComment or by contacting Sean Nolan at (717) 772-3377 or senolan@pa.gov.

The Department must receive comments no later than August 1, 2017. Commentators are encouraged to submit comments using the Department's eComment system at

www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Annual Monitoring Network Plan" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1086. Filed for public inspection June 30, 2017, 9:00 a.m.]

Proposed State Implementation Plan Revision; Attainment Demonstration for the Warren Nonattainment Area for the 2010 Sulfur Dioxide National Ambient Air Quality Standard; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a proposed State Implementation Plan (SIP) revision which demonstrates how the Warren nonattainment area will attain the 2010 1-hour Federal National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). Short-term exposure to SO₂ has been linked to adverse respiratory conditions in humans.

On June 22, 2010, the United States Environmental Protection Agency (EPA) promulgated a revised primary NAAQS for SO₂ of 75 parts per billion, which went into effect on August 23, 2010. See 75 FR 35520 (June 22, 2010). On August 5, 2013, the EPA designated four areas in this Commonwealth as nonattainment for the 2010 1-hour SO₂ NAAQS, including the Warren nonattainment area. See 78 FR 47191 (August 5, 2013). These nonattainment designation areas were effective on October 4, 2013. See 78 FR 47191, 47192. The political subdivisions encompassing the Warren nonattainment area include: Conewango Township, Glade Township, Pleasant Township and the City of Warren. Section 192(a) of the Clean Air Act (CAA) (42 U.S.C.A. § 7514a(a)) requires SO₂ nonattainment areas to attain the 2010 NAAQS as expeditiously as practicable, but no later than 5 years from the effective date of the EPA's 2013 designations, which is October 4, 2018.

The proposed SIP revision meets the requirements necessary for an approvable SIP revision as set forth in sections 110, 172 and 191 (42 U.S.C.A. §§ 7410, 7502 and 7514), section 192 of the CAA and 40 CFR 51.102 (relating to public hearings), including a base year emission inventory, reasonable further progress toward attainment, reasonably available control measures/technology, dispersion modeling demonstrating attainment in 2018, approved New Source Review Program and contingency measures. To this effect, the Department has drafted a Consent Order and Agreement (COA) with United Refining Company to incorporate control measures, emission limits and contingency measures applicable to the facility into a Federally enforceable vehicle. Provisions of the COA not included in the SIP revision for Federal approval have been redacted. After consideration of comments received from the public, the SIP revision will be finalized and submitted to the EPA for approval.

The proposed SIP revision is available on the Department's web site at www.ahs.dep.pa.gov/eComment or by contacting Roma Monteiro at (717) 787-9495 or rmonteiro@pa.gov.

The Department will hold a public hearing to receive comments on the proposal on August 2, 2017, at 10 a.m. at the Department's Warren District Office, 321 North State Street, North Warren, PA 16365. Persons wishing to present testimony should contact the Department no less than 24 hours in advance of the public hearing to reserve a time. Reservation requests should be directed to Roma Monteiro, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or rmonteiro@pa.gov to reserve a time. Speakers will be limited to 10 minutes and should provide two written copies of their comments.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Roma Monteiro at (717) 787-9495 or rmonteiro@pa.gov. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than August 4, 2017. Commentators are encouraged to submit comments using the Department's eComment system at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Warren 2010 SO₂" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 17-1087. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF HEALTH

Emergency Medical Services Operating Fund Funding Priorities for Fiscal Year 2017-2018

Under 28 Pa. Code §§ 1021.24 and 1021.25 (relating to use of EMSOF funding by a regional EMS council; and allocation of EMSOF funds to regional EMS councils), the Department of Health (Department) gives notice of priorities for the distribution by the regional emergency medical services (EMS) councils of funding from the Emergency Medical Services Operating Fund (EMSOF) for the fiscal year beginning July 1, 2017, and ending June 30, 2018.

EMSOF moneys are to be used to provide funding to maintain, improve and develop the quality of the EMS system within this Commonwealth. The Department finds that the EMSOF is not sufficient to fully fund the EMS system. Therefore, it gives notice, under 28 Pa. Code § 1021.24(e), that recipients of EMSOF funding from regional EMS councils may be required to provide matching funds toward all purchases, acquisitions and projects for which the Department permits the use of EMSOF moneys.

Each regional EMS council shall prioritize the distribution of its EMSOF allocation based upon the Statewide EMS Development Plan and its regional EMS development plan, subject to the funding priorities in this notice. By October 30, 2017, regional EMS councils shall notify the providers and other appropriate entities of the established funding priorities, the application process, acquisition documentation requirements and processing dead-

lines. Each regional EMS council must complete all documents required for the distribution of EMSOF funding by June 30, 2018.

The Department may increase the amount of the initial payment or reimbursement from the EMSOF based upon the EMS development plans (State and regional) or documented financial hardship of a provider of EMS. A provider of EMS that seeks additional funds due to financial hardship shall be required to submit a financial disclosure statement and other documentation deemed necessary by the Department. A provider of EMS applying for EMSOF funding must be in full compliance with all regulations, policies and priorities of the State and regional EMS systems.

Funds for purchases, acquisitions and projects for the fiscal year beginning July 1, 2017, and ending June 30, 2018, must have been expended or encumbered by the regional EMS council by June 30, 2018.

Funding Priorities

The following funding priorities listed are listed in order of current State priority. These priorities must be considered before there is any regional distribution of EMSOF money for initiatives that are not listed. All funding must be distributed in a manner consistent with the regional and Statewide EMS development plans. Consequently, if the priorities in this notice have been met and additional funding is available, the request to use EMSOF money towards lower priority items must still be supported by the Statewide and regional EMS development plans.

1. Recruitment and retention programs, including scholarships or tuition reimbursement for emergency medical responder (EMR), emergency medical technician (EMT), advanced emergency medical technician (AEMT) and paramedic (P) education in areas with higher than average prehospital personnel vacancy rates or other challenges associated with the provision of EMS primary education, or both, as determined by the regional EMS council and approved by the Department.

2. Costs associated with investigating a potential merger or consolidation of services. These costs include consulting fees, studies, legal fees and statistical analysis.

3. Costs associated with the actual merger or consolidation of services.

4. Development or improvement of an organizational risk management program (safety measures, hazard recognition or mitigation and the necessary organizational structure and support processes) proposed by an ambulance service. Proposals for funding must be comprehensive and include safe vehicle operations. Approval by the Department is required prior to funding. Equipment that is required to meet basic life support (BLS), intermediate advanced life support (IALS) and advanced life support (ALS) ambulance service licensure.

5. Capnography equipment (especially wave-form end-tidal CO₂ monitors).

6. Software or computer equipment to enable services to collect and transmit EMS patient care reports electronically.

7. Bariatric equipment for ambulances.

8. Replacement of an ambulance, for ambulance services, that is older than 10 years or has more than 200,000 miles on it. This allowance is limited to one per fiscal year.

When two or more ambulance companies have consolidated to create one entity, for the first 5 years after the ambulance companies completed consolidation, the entity may be deemed eligible to receive funding not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.

Emergency Preparedness and Response Funding Requests

Emergency preparedness and response funding requests must be based on local and response roles of services, regional needs and needs identified by threat vulnerability analysis. Purchases must be coordinated with county emergency, fire service, hazmat and hospital organizations in the applicant's service area to assure interoperability and to prevent duplication. Funding requests related to responding to all hazard and emergency preparedness must have a clear connection to the regional EMS catastrophic plan and the regional EMS development plan. Priority will be given to fund the ambulance services in each region that have committed to participating in the EMS strike team capability project and responding to requests for EMS, both interstate and intrastate, as identified in the State and regional mass casualty plans.

Provider Equipment

Purchases by providers of EMS are not limited to equipment. If a provider of EMS requests EMSOF monies to purchase equipment, the following Eligible Provider Equipment List identifies equipment for which EMSOF funds will be made available to purchase. This list provides the types of providers of EMS eligible for equipment purchases supported by EMSOF funding and the maximum allowable cost upon which the EMSOF contribution will be calculated.

EMSOF funds will fund 60% of the maximum allowable cost of an equipment item for rural providers and will fund 50% of the maximum allowable cost of an equipment item for nonrural providers. Providers of EMS that receive funding are responsible for the balance of the purchase price. The provider may purchase an item for an amount that exceeds the maximum allowable cost, but the provider will be responsible for any amount exceeding that figure. The last two columns of the Eligible Provider Equipment List identify the percentage of EMSOF contribution towards the purchase price, up to the maximum allowable cost of the item, based upon whether the provider operates in a rural or nonrural area.

Examinations

Funding may be provided to EMS agencies to cover the cost of the State written test for P, prehospital physician extender (PHPE), prehospital registered nurse (PHRN), AEMT, EMT and EMR certification taken by their personnel at 100% of the cost of two examination attempts up to a maximum allowable cost of \$220 for Ps, PHPEs and PHRNs, \$200 for AEMTs, \$140 for EMTs and \$130 for EMRs per person.

Medical Director

The maximum allowable cost for an EMS agency to contract for medical director oversight is \$10,000 for Fiscal Year 2017-2018.

Eligible Provider Equipment List

Equipment Description	Life Expectancy	Eligible Purchase for						QRS	Allowable Costs ¹	Nonrural (50%)	Rural (60%)
		ALS	ALS/SQ	IALS	IALS/SQ	BLS	BLS/SQ				
EKG Monitor/Defibrillator with Pacer	5 years	Y	Y	N	N	N	N	12,000	6,000	7,200	
12 Lead EKG 2	5 years	Y	Y	Y	Y	N	N	20,000	10,000	12,000	
Automated External Defibrillator (AED)	5 years	N	N	N	N	Y ³	Y ³	1,500	750	900	
Automated External Defibrillator Trainer	5 years	N	N	N	N	Y	Y	400	200	240	
Oxygen Equipment (any combination) Cylinder Demand Valve w/Hose and Mask Regulator (combination or constant flow—25 lpm capable) Case	5 years	Y	Y	Y	Y	Y	Y	500	250	300	
Capnography Equipment	3 years	Y	Y	Y	Y	N	N	3,000	1,500	1,800	
CPAP Ventilation Portable Equipment	5 years	Y	Y	Y	Y	Y	Y	1,500	750	900	
Pulse Oximeter	5 years	Y	Y	Y	Y	Y	Y	700	350	420	
Nitrous Oxide Delivery System	5 years	Y	Y	N	N	N	N	2,000	1,000	1,200	
Intravenous Infusion Pumps	5 years	Y	Y	N	N	N	N	2,000	1,000	1,200	
Adult/Pediatric Intubation Kits	5 years	Y ⁴	Y ⁴	N	N	N	N	600	300	360	
Transtracheal Jet Insufflators (TTJ)	5 years	Y	Y	N	N	N	N	200	100	120	
Splinting/Immobilization Devices (any combination) Backboard Cervical Immobilization Device Splints (rigid, traction, and the like)	3 years	Y	Y	Y	Y	Y	Y	500	250	300	
Stairchair	5 years	Y	N	Y	N	Y	N	Up to 5,000	1,325	1,590	
Stretcher	5 years	Y	N	Y	N	Y	N	Up to 10,000	5,000	6,400	
Stair Stretcher 500 lb. Capacity	5 years	Y	N	Y	Y	Y	N	2,700	1,350	1,620	
Suction (Portable)	3 years	Y	Y	Y	Y	Y	Y	900	450	540	

Equipment Description	Life Expectancy	Eligible Purchase for						Allowable Costs ¹	Nonrural (50%)	Rural (60%)	
		ALS	ALS/SQ	IALS	IALS/SQ	BLS	BLS/SQ				QRS
Ventilator, Automatic (per Department of Health Guidelines)	5 years	Y ⁵	Y ⁵	Y ⁶	Y ⁶	Y ⁶	Y ⁶	Y ⁶	3,000	1,500	1,800
Ambulance with Chevron Marking on Back of Unit	-	Y	N	Y	N	Y	N	N	-	15,000	20,000
Chevron	-	Y	Y	Y	Y	Y	Y	Y	1,500	750	900
Squad/Response Vehicle with Chevron Marking on Back of Unit	-	N	Y	N	Y	N	Y	Y	-	7,500	9,000
Data Collection Software/Technology ⁷	-	Y	Y	Y	Y	Y	Y	Y	1,700	850	1,020
Data Collection Hardware ⁸	3 years	Y	Y	Y	Y	Y	Y	Y	2,000	1,000	1,200
Radio, Mobile (two per vehicle)	5 years	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	5,000	2,500	3,000
Radio, Portable (two per vehicle per year)	5 years	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	5,000	2,500	3,000
Triage Vest with Reflection Stripes Meeting ANSI National Standards	5 years	Y	Y	Y	Y	Y	Y	Y	150	75	90
Triage System	5 years	Y	Y	Y	Y	Y	Y	Y	750	375	450
Alerting Equipment (five per service at \$400 each)	5 years	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	Y ⁹	2,000	1,000	1,200
Vehicle Safety Monitoring Systems	5 years	Y	Y	Y	Y	Y	Y	Y	3,500	1,750	2,100
Personal Protective Equipment/Turnout Gear: Helmet, Coat, Pants, Boots Protection Respiratory Protection from Communicable Diseases	5 years	Y	Y	Y	Y	Y	Y	Y	1,200	600	720
Protective Ballistic Vest	5 years	Y	Y	Y	Y	Y	Y	Y	1,000	500	600
Global Positioning System Receiver one per licensed Ambulance or Recognized QRS Vehicle	5 years	Y	Y	Y	Y	Y	Y	Y	500	250	275
Traffic Safety Equipment	5 years	Y	Y	Y	Y	Y	Y	Y	2,500	1,250	1,500
Large Patient Moving/Carrying Device	10 years	Y	Y	Y	Y	Y	Y	Y	3,000	1,500	1,800
Self-Contained Breathing Apparatus (two per licensed vehicle)	10 years	Y	Y	Y	Y	Y	Y	Y	3,000	1,500	1,800

Equipment Description	Life Expectancy	Eligible Purchase for						Allowable Costs ¹	Nonrural (50%)	Rural (60%)
		ALS	ALS/SQ	IALS	IALS/SQ	BLS	BLS/SQ			
P/PHPE/PHRN Testing (Written)	—						220	220	220	
AEMT—Testing (Written)	—						200	200	200	
EMT Testing (Written)	—						140	140	140	
EMR Testing (Written)	—						130	130	130	
CO Detectors (Monitors)	5 Years	Y	Y	Y	Y	Y	200	100	120	
12 Lead EKG Transmitter System	5 Years	Y	Y	Y	Y	N	1,000	500	600	
IO Drills or Bone Injection Systems	5 Years	Y	Y	Y	Y	N	300	150	180	
Narcotics Security Systems	5 Years	Y	Y	Y	Y	N	900	450	540	
Refrigerators (mini)	10 Years	Y	Y	Y	Y	N	1,200	600	720	
Pediatric Safe Transport Device	10 Years	Y	N	Y	N	Y	Up to 400	200	240	
Tourniquet (tactical)	5 Years	Y	Y	Y	Y	Y	25	12.50	10	
Bariatric equipment	5 Years	Y	Y	Y	Y	Y	27,000	13,500	10,800	

ALS—Advanced Life Support ambulance service; ALS/SQ—Advanced Life Support Squad service; IALS—Intermediate Advanced Life Support ambulance service; IALS/SQ—Intermediate Advanced Life Support Squad service; BLS—Basic Life Support ambulance service; BLS/SQ—Basic Life Support Squad service; QRS—Quick Response Service

- ¹ All figures are dollar amounts for each item of equipment.
- ² Amount includes \$1,000 for communications package. Receiving facility must have appropriate communications capabilities.
- ³ Must be an approved AED service or part of regional planning, and AED medical director required.
- ⁴ Must be durable equipment, not disposable equipment.
- ⁵ Completion of approved training program required.
- ⁶ Completion of approved training program required and BLS service medical director approval required.
- ⁷ Must be a Department-approved software program, version and vendor.
- ⁸ Data collection hardware may include computer, modem, printer, backup device and battery system.
- ⁹ Must be compatible with regional and State EMS communications plan.

Questions regarding this notice should be directed to Aaron Rhone, EMS Program Manager, Bureau of Emergency Medical Services, Department of Health, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 787-8740.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Aaron Rhone at the previously listed address or telephone number or for speech or hearing impaired persons may use VTT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-1088. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2016-2017 disproportionate share hospital payments to certain Medical Assistance (MA) acute care general hospitals which, in partnership with an independent facility listed as a Cleft and Craniofacial Team by the American Cleft Palate-Craniofacial Association, provide surgical services to patients with cleft palate and craniofacial abnormalities. These payments are intended to promote access to inpatient hospital services for MA eligible and uninsured persons in this Commonwealth with cleft palate and craniofacial abnormalities. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 7766 (December 10, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$0.311 million (\$0.150 million in State general funds and \$0.161 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1159. (1) General Fund; (2) Implementing Year 2016-17 is \$150,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1089. Filed for public inspection June 30, 2017, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2016-2017 disproportionate share hospital payments to qualifying hospitals that provide a high volume of services to the Medical Assistance population to promote continued access to inpatient and ancillary outpatient services in this Commonwealth and to support academic medical programs that provide integrated patient-centered medical services. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 47 Pa.B. 361 (January 21, 2017). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$13.266 million (\$6.397 million in State general funds and \$6.869 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1163. (1) General Fund;

(7) Medical Assistance—Academic Medical Centers; (2) Implementing Year 2016-17 is \$3,500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000;

(7) Medical Assistance—Fee-for-Service; (2) Implementing Year 2016-17 is \$2,897,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1090. Filed for public inspection June 30, 2017, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2016-2017 disproportionate share hospital payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals. These payments are intended to provide additional support for the operation of academic medical programs through the medical education of health care professionals needed to treat the MA population. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 7764 (December 10, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$3.216 million (\$1.550 million in State general funds and \$1.666 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1157. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2016-17 is \$1,050,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2016-17 is \$500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,571,000; 2013-14 Program—\$9,571,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1091. Filed for public inspection June 30, 2017, 9:00 a.m.]

Additional Class of Disproportionate Share Payments for Burn Centers

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2016-2017 disproportionate share hospital payments to qualifying Medical Assistance enrolled acute care general hospital burn centers. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 7767 (December 10, 2016). The Department received no public comments during the 30-day comment period and will implement the change as described in its notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$7.844 million (\$3.782 million in State general funds and \$4.062 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1158. (1) General Fund; (2) Implementing Year 2016-17 is \$3,782,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$3,782,000; 2014-15 Program—\$3,782,000; 2013-14 Program—\$3,782,000; (7) Hospital-Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1092. Filed for public inspection June 30, 2017, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Certain Academic Medical Centers

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2016-2017 disproportionate share hospital payments to Medical Assistance enrolled acute care general hospitals that qualify as academic medical centers. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 7768 (December 10, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$23.499 million (\$11.331 million in State general funds and \$12.168 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1160. (1) General Fund; (2) Implementing Year 2016-17 is \$11,331,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1093. Filed for public inspection June 30, 2017, 9:00 a.m.]

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) 2016-2017 disproportionate share hospital payments to qualifying teaching hospitals that provide psychiatric services to Medical Assistance (MA) beneficiaries. These payments are intended to help offset medical education costs of psychiatrists which are incurred by hospitals providing assistance to MA beneficiaries and uninsured persons. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 7769 (December 10, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$0.500 million (\$0.241 million in State general funds and \$0.259 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1161. (1) General Fund; (2) Implementing Year 2016-17 is \$241,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1094. Filed for public inspection June 30, 2017, 9:00 a.m.]

Designated Exceptional Durable Medical Equipment

In accordance with the Department of Human Services' (Department) currently approved State Plan, the Department is required to publish an annual list of exceptional Durable Medical Equipment (DME) by notice in the *Pennsylvania Bulletin* in July of each year. Interested persons may petition the Department to consider additions to the exceptional DME list by submitting a written request to the Department. Requests received on or before December 31 will be considered in developing the list for the following July.

During calendar year 2016, the Department received no written requests to add or remove items of DME from the

list of exceptional DME. Therefore, this notice makes no changes in either the acquisition cost or the list of qualifying DME.

“Exceptional DME” is defined as DME that has an acquisition cost of \$5,000 or more and is either Specially Adapted DME or other DME that is designated as exceptional DME by the Department annually by notice in the *Pennsylvania Bulletin*.

“Specially Adapted DME” is DME that is uniquely constructed or substantially adapted or modified in accordance with the written orders of a physician for the particular use of one resident, making its contemporaneous use by another resident unsuitable.

The list of exceptional DME that has been designated by the Department is as follows:

(1) *Air fluidized beds*. The pressure relief provided by this therapy uses a high rate of airflow to fluidize fine particulate material (for example, beads or sand) to produce a support medium that has characteristics similar to liquid. It may have a Gortex cover.

(2) *Powered air flotation bed (low air loss therapy)*. A semielectric or total electric bed with a fully integrated powered pressure-reducing mattress which is characterized by all of the following:

(a) An air pump or blower with a series of interconnected woven fabric air pillows which provides sequential inflation and deflation of the air cells or a low interface pressure throughout the mattress allowing some air to escape through the support surface to the resident. It may have a Gortex cover.

(b) Inflated cell height of the air cells through which air is being circulated is 5 inches or greater.

(c) Height of the air chambers, proximity of the air chambers to one another, frequency of air cycling (for alternating pressure mattresses) and air pressure provide adequate patient lift, reducing pressure and prevent bottoming out.

(d) A surface designed to reduce friction and shear.

(e) May be placed directly on a hospital bed frame.

(f) Automatically readjusts inflation pressures with change in position of bed (for example, head elevation).

(3) *Augmentative communication devices*. Used by residents who are unable to use natural oral speech as a primary means of communication. The specific device requested must be appropriate for use by the resident and the resident must demonstrate the abilities or potential abilities to use the device selected. Portable devices need to supplement, aid or serve as an alternative to natural speech for residents with severe expressive communication disorders. Nonportable devices may be covered only if required for visual enhancement or physical access needs that cannot be accommodated by a portable device.

(4) *Ventilators (and related supplies)*.

(a) Used by residents 21 years of age and older who require full ventilator support for a minimum of 8 hours per day to sustain life.

(b) Used by residents 20 years of age and younger who require ventilator support to sustain life (no minimum time requirement).

Effective Date

This notice is effective upon publication in the *Pennsylvania Bulletin*.

Public Comment

Interested persons are invited to submit petitions for the Department to consider additions to the exceptional DME list or written comments regarding these designated DME items to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1145. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-1095. Filed for public inspection June 30, 2017, 9:00 a.m.]

Medical Assistance Supplemental Payment

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2016-2017 supplemental payments to qualifying acute care general hospitals (hospitals) that provide a high volume of services to Medical Assistance (MA) and low-income populations in medically underserved areas. These payments are intended to promote the hospitals' continued participation in the MA Program. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 7771 (December 10, 2016) using the blended Federal Medical Assistance Percentages (FMAP); however, the Department will use the standard FMAP to calculate the funding allocation. The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$3.111 million (\$1.500 million in State general funds and \$1.611 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1164. (1) General Fund; (2) Implementing Year 2016-17 is \$1,500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,071,000; 2013-14 Program—\$9,071,000; (7) MA—Physician Practice Plans; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1096. Filed for public inspection June 30, 2017, 9:00 a.m.]

New Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is providing final notice of its establishment of a new class of disproportionate share hospital (DSH) payments for qualifying Medical Assistance (MA) enrolled acute care general hospitals that have a low commercial-payer ratio, a negative trend in their net patient revenue and are located in an area of this Commonwealth with a disproportionate need for MA services. The payment is intended to promote continued access to care for the MA population. The Department also is providing final notice of its Fiscal Year (FY) 2016-2017 funding allocation for this additional class of DSH payments.

The Department published notice of its intent to establish this new class of DSH payments and to allocate funding for these payments at 47 Pa.B. 916 (February 11, 2017). The Department received no comments during the 30-day comment period and will implement the qualifying criteria and payment methodology for these payments as described in its notice of intent.

Fiscal Impact

The FY 2016-2017 impact, as a result of the funding allocation for these payments, is \$1.244 million (\$0.600 million in State general funds and \$0.644 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1162. (1) General Fund; (2) Implementing Year 2016-17 is \$600,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-1097. Filed for public inspection June 30, 2017, 9:00 a.m.]

(5) Effective July 1, 2003—Program Service Revenues—\$10,510,100.

(6) Effective July 1, 2004—Program Service Revenues—\$10,615,201.

(7) Effective July 1, 2005—Program Service Revenues—\$10,721,353.

(8) Effective July 1, 2006—Program Service Revenues—\$10,828,567.

(9) Effective July 1, 2007—Program Service Revenues—\$10,936,853.

(10) Effective July 1, 2008—Program Service Revenues—\$11,046,222.

(11) Effective July 1, 2009—Program Service Revenues—\$11,156,684.

(12) Effective July 1, 2010—Program Service Revenues—\$11,268,251.

(13) Effective July 1, 2011—Program Service Revenues—\$11,380,934.

(14) Effective July 1, 2012—Program Service Revenues—\$11,494,743.

(15) Effective July 1, 2013—Program Service Revenues—\$11,609,690.

(16) Effective July 1, 2014—Program Service Revenues—\$11,725,787.

(17) Effective July 1, 2015—Program Service Revenues—\$11,843,045.

(18) Effective July 1, 2016—Program Service Revenues—\$11,961,475.

(19) Effective July 1, 2017—Program Service Revenues—\$12,081,090.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1098. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF REVENUE

Adjustment of Program Service Revenue Amounts

In accordance with section 6(a)(5) of the Institutions of Purely Public Charity Act (act) (10 P.S. § 376(a)(5)), the Department of Revenue is required to adjust the annual program service revenue amount used as a benchmark in section 6(a)(1) and (2) of the act for the purpose of asserting a rebuttable presumption.

The annual program service revenue amounts referred to in section 6(a)(1) and (2) of the act shall be increased by 1% as follows:

(1) Effective July 1, 1999—Program Service Revenues—\$10,100,000.

(2) Effective July 1, 2000—Program Service Revenues—\$10,201,000.

(3) Effective July 1, 2001—Program Service Revenues—\$10,303,010.

(4) Effective July 1, 2002—Program Service Revenues—\$10,406,040.

Pennsylvania Gold Fish® Fast Play Game 5010

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Gold Fish® (hereinafter “Gold Fish®”). The game number is PA-5010.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *GAME:* A specific, pre-defined area of a game ticket located in the play area that contains play symbols and a prize symbol that, when played according to the instructions, determine whether a player wins a prize. Each GAME is played separately, but winning combinations in more than one GAME can be combined to win larger

prizes as described in section 7 (relating to prizes available to be won and determination of prize winners).

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *PRIZE*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING SYMBOLS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any "GAME," determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Gold Fish® ticket is \$2.

4. *Description of the Gold Fish® lottery game*:

(a) The Gold Fish® lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Gold Fish® tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Gold Fish® is played by matching two play symbols in the "WINNING SYMBOLS" area to the play symbols located in any "GAME." A player matching two play symbols in this manner will win the prize shown under that "GAME." A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Gold Fish® game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Gold Fish® game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Gold Fish® game ticket and select the Gold Fish® option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Gold Fish® ticket characteristics*:

(a) A Gold Fish® ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of six "GAME" areas and each "GAME" is played separately.

(b) *Play Symbols*: Each Gold Fish® ticket play area will contain a "WINNING SYMBOLS" area and six "GAME" areas. The play symbols and their captions located in the "WINNING SYMBOLS" area are: Anchor (ANCHOR) symbol, Blue Fish (BLUE) symbol, Sea Castle (SEA CASTLE) symbol, Coral (CORAL) symbol, Crab (CRAB) symbol, Fish Food (FISH FOOD) symbol, Oyster (OYSTER) symbol, Gold Fish (GOLD) symbol, Green Fish (GREEN) symbol, Helmet (HELMET) symbol, Net (NET) symbol, Octopus (OCTOPUS) symbol, Pink Fish (PINK) symbol, Purple Fish (PURPLE) symbol, Red Fish (RED) symbol, Seaweed (SEAWEED) symbol, Shell (SHELL) symbol, Starfish (STARFISH) symbol, Turtle (TURTLE) symbol and a Treasure Chest (TREAS CHEST) symbol. The play symbols located in the "GAME" areas are: Anchor (ANCHOR) symbol, Blue Fish (BLUE) symbol, Sea Castle (SEA CASTLE) symbol, Coral (CORAL) symbol, Crab (CRAB) symbol, Fish Food (FISH FOOD) symbol, Oyster (OYSTER) symbol, Gold Fish (GOLD) symbol, Green Fish (GREEN) symbol, Helmet (HELMET) symbol, Net (NET) symbol, Octopus (OCTOPUS) symbol, Pink Fish (PINK) symbol, Purple Fish (PURPLE) symbol, Red Fish (RED) symbol, Seaweed (SEAWEED) symbol, Shell (SHELL) symbol, Starfish (STARFISH) symbol, Turtle (TURTLE) symbol and a Treasure Chest (TREAS CHEST) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "GAME" areas are: \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

(d) *Prizes*: The prizes that can be won in this game are: \$2, \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$200, \$500, and \$10,000. A player can win up to 6 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 6,000,000 tickets will be available for sale for the Gold Fish® lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Gold Fish® Second-Chance Drawing for which non-winning Gold Fish® Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Gold Fish® prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Gold Fish® ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of

\$10,000 (TEN THO) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$200 (TWO HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of

\$20⁰⁰ (TWENTY) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "PRIZE" area under that "GAME," on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

*Match Any Two Winning Symbols
In The Same GAME, Win Prize Shown
For That GAME.*

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$2	\$2	10	600,000
\$3	\$3	13.33	450,000
\$5	\$5	25	240,000
\$5 × 2	\$10	163.93	36,600
\$5 + \$3 + \$2	\$10	333.33	18,000
(\$3 × 2) + (\$2 × 2)	\$10	500	12,000
\$10	\$10	500	12,000
\$5 × 3	\$15	1,000	6,000
(\$3 × 3) + (\$2 × 3)	\$15	1,000	6,000
(\$5 × 2) + \$3 + \$2	\$15	1,000	6,000
\$15	\$15	1,000	6,000
\$10 × 2	\$20	1,000	6,000
\$10 + \$5 + \$3 + \$2	\$20	1,000	6,000
(\$5 × 3) + \$3 + \$2	\$20	1,000	6,000
(\$5 × 2) + \$10	\$20	1,000	6,000
\$20	\$20	1,000	6,000
\$10 × 3	\$30	2,000	3,000
\$15 × 2	\$30	2,000	3,000
\$20 + \$10	\$30	1,000	6,000
\$15 + \$10 + \$5	\$30	1,000	6,000
(\$10 × 2) + (\$5 × 2)	\$30	2,000	3,000
\$30	\$30	2,000	3,000
\$30 + \$20	\$50	4,800	1,250

*Match Any Two Winning Symbols
In The Same GAME, Win Prize Shown
For That GAME.*

Win With:

<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>	
(\$10 × 3) + \$20	\$50	1,200	5,000
(\$10 × 2) + \$30	\$50	979.59	6,125
(\$15 × 2) + \$20	\$50	4,800	1,250
(\$20 × 2) + \$10	\$50	4,800	1,250
\$50	\$50	6,000	1,000
\$50 × 2	\$100	2,400	2,500
(\$20 × 3) + (\$15 × 2) + \$10	\$100	6,000	1,000
(\$30 × 3) + \$10	\$100	6,000	1,000
\$100	\$100	6,000	1,000
\$100 × 2	\$200	48,000	125
(\$50 × 2) + (\$30 × 3) + \$10	\$200	48,000	125
(\$50 × 3) + \$30 + \$20	\$200	120,000	50
\$200	\$200	120,000	50
(\$100 × 3) + \$200	\$500	240,000	25
(\$200 × 2) + \$100	\$500	240,000	25
\$500	\$500	240,000	25
\$10,000	\$10,000	300,000	20

Each GAME™ is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's Gold Fish® Second-Chance Drawing (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1293 Gold Fish® (\$2) instant lottery tickets and PA-5010 Gold Fish® Fast Play lottery tickets ("Qualifying Tickets") are eligible for entry into the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/Vip-players-club/Login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description:*

(1) The Lottery will conduct one Gold Fish® Second-Chance Drawing. All time references are Eastern Prevailing Time.

(2) *Entry Periods.* PA-5010 Gold Fish® Fast Play lottery tickets go on sale on July 4, 2017 and PA-1293 Gold Fish® instant lottery tickets go on sale on July 18, 2017. Due to the differences in launch dates, the entry periods for each game will be different.

(i) All PA-5010 Gold Fish® Fast Play lottery ticket Drawing entries received after 11:59:59 p.m. July 3, 2017, through 11:59:59 p.m. September 21, 2017, will be entered into the Drawing, held between September 22, 2017 and October 2, 2017.

(ii) All PA-1293 Gold Fish® instant lottery ticket Drawing entries received after 11:59:59 p.m. July 16, 2017, through 11:59:59 p.m. September 21, 2017, will be entered into the Drawing, held between September 22, 2017 and October 2, 2017.

(3) The entry periods for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) A Qualifying Ticket will receive 2 entries.

(5) Players may review their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in subsection (e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period(s) as described in subsection (c).

(3) The first through the tenth entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000.

(4) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(5) The odds of an entry being selected in the Drawing depend upon the number of entries received for the Drawing.

(6) A computer generated randomizer will be used to select the winning entries for the Drawing.

(e) *Drawing Restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible cellular telephones or internet browsers, mobile lottery application failure, or other technical issues. If a Drawing entry is selected as a winner and disqualified or otherwise rejected during or following the Drawing, the Lottery will select another entry to replace the disqualified or otherwise rejected entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) The payment of a prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present

the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Gold Fish® lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in

exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Gold Fish® lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Gold Fish® or through normal communications methods.

21. *Applicability:* This notice applies only to the Gold Fish® lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1099. Filed for public inspection June 30, 2017, 9:00 a.m.]

Pennsylvania Pay Day Fast Play Game 5008

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Pay Day (hereinafter "Pay Day"). The game number is PA-5008.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *PRIZE*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Progressive Top Prize*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Pay Day ticket is \$5.

4. *Description of the Pay Day lottery game*:

(a) The Pay Day lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Pay Day tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Pay Day is played by matching the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Pay Day game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Pay Day game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Pay Day game ticket and selecting the Pay Day option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Pay Day ticket characteristics*:

(a) A Pay Day ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each Pay Day ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY). The play symbols located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY).

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000, \$5,000 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$43,000 and increases by 16¢ every time a Pay Day ticket is purchased. When a Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$43,000.

(e) A player can win up to 12 times on a ticket.

(f) *Approximate Number of Tickets Available for the Game*: Approximately 9,600,000 tickets will be available for sale for the Pay Day lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Pay Day prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Pay Day ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$43,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any 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.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under

the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols 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.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any 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.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any 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.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any 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.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any 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.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number.

Win With:

\$5
 \$5 x 2
 \$10
 \$5 x 3
 \$10 + \$5
 \$15
 \$10 x 2
 \$15 + \$5
 (\$5 x 2) + \$10
 \$20
 \$20 x 2
 (\$5 x 2) + \$20 + \$10
 (\$10 x 3) + (\$5 x 2)
 \$40
 \$40 + \$10
 (\$5 x 3) + \$20 + \$15
 (\$10 x 2) + (\$5 x 3) + \$15

<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$5	10	960,000
\$10	25	384,000
\$10	25	384,000
\$15	66.67	144,000
\$15	76.92	124,800
\$15	76.92	124,800
\$20	285.71	33,600
\$20	285.71	33,600
\$20	333.33	28,800
\$20	285.71	33,600
\$40	333.33	28,800
\$40	500	19,200
\$40	333.33	28,800
\$40	333.33	28,800
\$50	1,000	9,600
\$50	666.67	14,400
\$50	1,000	9,600

When Any Of Your Numbers Match Any
Winning Number, Win Prize Shown Under
The Matching Number.

Win With:

	Win:	Approximate Chances of Winning Are 1 In:	Approximate No. Of Winners Per 9,600,000 Tickets
$(\$20 \times 2) + \10	\$50	1,000	9,600
\$50	\$50	1,000	9,600
$\$50 \times 2$	\$100	4,800	2,000
$(\$15 \times 3) + (\$10 \times 2) + (\$5 \times 3) + \20	\$100	4,800	2,000
$(\$20 \times 3) + (\$15 \times 2) + (\$5 \times 2)$	\$100	4,800	2,000
\$100	\$100	4,800	2,000
$(\$50 \times 3) + (\$40 \times 3) + (\$10 \times 3) + \100	\$400	24,000	400
$(\$100 \times 2) + (\$50 \times 2) + (\$20 \times 2) + (\$15 \times 2) +$ $(\$10 \times 2) + (\$5 \times 2)$	\$400	48,000	200
$(\$100 \times 3) + (\$50 \times 2)$	\$400	48,000	200
\$400	\$400	60,000	160
$\$400 + \100	\$500	48,000	200
$(\$100 \times 2) + (\$50 \times 2) + (\$40 \times 3) + (\$20 \times 3) + \$15 + \5	\$500	48,000	200
$(\$100 \times 3) + (\$50 \times 2) + (\$40 \times 2) + (\$10 \times 2)$	\$500	48,000	200
\$500	\$500	48,000	200
$\$500 + \$400 + \$100$	\$1,000	60,000	160
$(\$100 \times 3) + (\$50 \times 3) + (\$10 \times 3) + \$500 + \$20$	\$1,000	60,000	160
$(\$400 \times 2) + (\$50 \times 3) + (\$20 \times 2) + \10	\$1,000	60,000	160
\$1,000	\$1,000	60,000	160
$(\$1,000 \times 3) + (\$500 \times 3) + \$400 + \100	\$5,000	960,000	10
\$5,000	\$5,000	960,000	10
PROGRESSIVE TOP PRIZE	\$43,000*	192,000	50

* PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$43,000. The PROGRESSIVE TOP PRIZE increases by 16¢ every time a ticket is purchased, and resets to \$43,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 16¢ from the sale of each Pay Day ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Pay Day game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 16¢ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Pay Day lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Pay Day lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pay Day or through normal communications methods.

20. *Applicability:* This notice applies only to the Pay Day lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1100. Filed for public inspection June 30, 2017, 9:00 a.m.]

**Realty Transfer Tax; 2016 Common Level Ratio;
Real Estate Valuation Factors**

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2016. These factors are the mathematical reciprocals of the actual common level ratio (CLR). For Pennsylvania Realty Transfer Tax purposes, these factors are applicable

for documents accepted from July 1, 2017, to June 30, 2018. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102 (relating to acceptance of documents)).

<i>County</i>	<i>CLR Factor</i>	<i>County</i>	<i>CLR Factor</i>
Adams	.86	Lawrence	1.20
Allegheny	1.14	Lebanon	.96
Armstrong	2.11	Lehigh	1.04
Beaver	3.83	Luzerne	.97
Bedford	1.08	Lycoming	1.32
Berks	1.38	McKean	1.09
Blair (1)	1.00	Mercer	3.55
Bradford	3.08	Mifflin	2.15
Bucks	9.17	Monroe	4.35
Butler	9.26	Montgomery	1.85
Cambria	4.13	Montour	1.26
Cameron	1.81	Northampton	3.01
Carbon	2.07	Northumberland	3.72
Centre	3.56	Perry	1.05
Chester	1.89	Philadelphia	1.01
Clarion	2.18	Pike	4.33
Clearfield	6.29	Potter	2.79
Clinton	1.17	Schuylkill	2.18
Columbia	3.91	Snyder	5.68
Crawford	2.71	Somerset	2.44
Cumberland	1.02	Sullivan	1.43
Dauphin	1.37	Susquehanna	2.81
Delaware	1.64	Tioga	1.36
Elk	2.25	Union	1.35
Erie	1.07	Venango	1.19
Fayette	1.40	Warren	3.12
Forest (2)	4.04	Washington (1)	1.00
Franklin	7.63	Wayne	1.09
Fulton	2.54	Westmoreland	6.17
Greene	1.48	Wyoming	5.62
Huntingdon	3.88	York	1.15
Indiana	0.92		
Jefferson	2.29		
Juniata	6.49		
Lackawanna	6.67		
Lancaster	1.36		

(1) Adjusted by the Department of Revenue to reflect an assessment base change effective January 1, 2017.

(2) Adjusted by the Department of Revenue to reflect an assessment ratio change effective January 1, 2017.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 17-1101. Filed for public inspection June 30, 2017, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Multimodal Deputate; BicyclePA Route J Relocation

Under the provisions of 75 Pa.C.S. § 3511(b)(2) (relating to pedalcycles prohibited on freeways), the Department of Transportation approved on June 1, 2017, the following route for use by pedalcycles as indicated.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length in Miles</i>
US 15 (NB and SB)	from Duncannon to Dauphin County line	Dauphin	3.30
US 15 (NB and SB)	from Perry County line to US 22/322 interchange	Perry	0.39

This action supports the relocation of a portion of BicyclePA Route J from US 22/322 to US 15.

Questions should be directed to Roy Gothie, Statewide Bicycle and Pedestrian Coordinator, at (717) 783-3991, rgothie@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-1102. Filed for public inspection June 30, 2017, 9:00 a.m.]

FISH AND BOAT COMMISSION

Approved Courses of Instruction in Boating Safety Education

Section 91.6(a)(1) of 58 Pa. Code (relating to Boating Safety Education Certificates) defines a Boating Safety Education Certificate for residents of this Commonwealth as a document issued by the Fish and Boat Commission (Commission) certifying that the person named on the certificate has established proof of competency through the successful completion of a course approved in accordance with 58 Pa. Code § 91.7 (relating to criteria for courses of instruction in boating safety education). Under 58 Pa. Code § 91.7, the Executive Director of the Commission may approve, by notice, boating safety education courses that meet the course criteria established under that section and will publish a list of approved boating safety education courses in the *Pennsylvania Bulletin* on an annual basis or more frequently as required. The Executive Director has approved the following courses in boating safety education for Commonwealth residents, effective July 1, 2017:

- Fish and Boat Commission (classroom course)
- United States Coast Guard Auxiliary (classroom course)
- United States Power Squadrons (classroom course)
- United States Sailing Association (classroom course)
- Kalkomey Enterprises, Inc., d/b/a Boat Ed (correspondence course)
- BoaterExam America, Inc. (Internet course)
- Kalkomey Enterprises, Inc., d/b/a Boat Ed (Internet course)

For nonresidents, a Boating Safety Education Certificate is a certificate, card or other official document that indicates on the certificate, card or other document successful completion of a course approved by the National Association of State Boating Law Administrators.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 17-1103. Filed for public inspection June 30, 2017, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, June 15, 2017, and announced the following:

Action Taken—Regulations Approved:

State Board of Examiners in Speech-Language Pathology and Audiology # 16A-6803: Fees; General Revisions (amends 49 Pa. Code Chapters 43 and 45)

Environmental Hearing Board # 106-12: Practice and Procedure (amends 25 Pa. Code Chapter 1021)

Environmental Quality Board # 7-495: Environmental Laboratory Accreditation (amends 25 Pa. Code Chapter 252)

Pennsylvania Public Utility Commission # 57-313: Electric Safety Regulations (amends 52 Pa. Code Chapter 57)

Approval Order

Public Meeting Held
June 15, 2017

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

State Board of Examiners in Speech-Language Pathology and Audiology

*Fees; General Revisions
Regulation No. 16A-6803 (# 3159)*

On October 19, 2016, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Examiners in Speech-Language Pathology and Audiology (Board). This rulemaking amends 49 Pa. Code Chapters 43 and 45. The proposed regulation was published in the October 29, 2016 *Pennsylvania Bulletin* with a public comment period ending November 28, 2016. The final-form regulation was submitted to the Commission on May 15, 2017.

This final-form rulemaking incorporates statutory changes made by Act 106 of 2014 and sets fees for new provisional licenses and certifications. It also increases the fees for initial licensure and biennial renewal for speech-language pathologists and audiologists.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 1705(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 15, 2017

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Hearing Board
Practice and Procedure
Regulation No. 106-12 (# 3126)*

On December 9, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (Board). This rulemaking amends 25 Pa. Code Chapter 1021. The proposed regulation was published in the December 19, 2015 *Pennsylvania Bulletin* with a public comment period that ended on January 19, 2016. The final-form regulation was submitted to the Commission on April 18, 2017.

This rulemaking amends the Board's existing practice and procedure regulations to revise and clarify electronic

filing requirements, clarify the general appeals process and correct typographical errors.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. 7515(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 15, 2017

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Environmental Laboratory Accreditation
Regulation No. 7-495 (# 3157)*

On July 29, 2016, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 252. The proposed regulation was published in the August 20, 2016 *Pennsylvania Bulletin* with a public comment period ending September 19, 2016. The final-form regulation was submitted to the Commission on May 11, 2017.

This final-form regulation amends EQB's laboratory accreditation fee schedule, adds standards for accreditation, clarifies existing requirements, and removes unnecessary or cost prohibitive requirements.

We have determined this regulation is consistent with the statutory authority of the EQB (27 Pa.C.S. §§ 4103(a), 4104(1), and 4105(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 15, 2017

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission
Electric Safety Regulations
Regulation No. 57-313 (# 3132)*

On January 27, 2016, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 57. The proposed regulation was published in the February 6, 2016 *Pennsylvania Bulletin* with a public comment period that ended on March 7, 2016. The final-form regulation was submitted to the Commission on May 11, 2017.

This rulemaking amends existing regulations to facilitate safety inspections of electric utilities by the PUC's Electric Safety Division. In addition, the regulation addresses the separation of electric utilities and customer responsibilities, record-keeping requirements and enforcement. It also references the National Electric Safety Code (Code) and requires electric utilities to adhere to the Code.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501 and 1501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-1104. Filed for public inspection June 30, 2017, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
61-6	State Civil Service Commission Implementation of Acts 69 and 167 of 2016 47 Pa.B. 2332 (April 22, 2017)	5/22/17	6/21/17

**State Civil Service Commission Regulation # 61-6
(IRRC # 3167)**

Implementation of Acts 69 and 167 of 2016

June 21, 2017

We submit for your consideration the following comments on the proposed rulemaking published in the April 22, 2017 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the State Civil Service Commission (Commission) to respond to all comments received from us or any other source.

1. Conforms to the intent of the General Assembly; Determining whether the regulation is in the public interest; Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.

The General Assembly has demonstrated its interest in updating the workings of the Commission through passage of Act 69 of 2016 (Act 69) and Act 167 of 2016 (Act 167). Act 69 began as Senate Bill 1154 of 2015 and received unanimous approval in both chambers. The co-sponsorship memo for the Senate Bill states that the legislation will “offer much needed modernization to the Civil Service Act (Act)” and “place the Commonwealth more in line with hiring practices of the private sector and many other civil service covered states.” The memo notes that “this legislation is needed to ensure vacancies are filled with qualified people in a timely manner.” Act 167 began as House Bill 192 of 2015 and received three unanimous votes between the two chambers. While the unanimous votes on both bills make clear the General Assembly’s support for the amendments in Acts 69 and 167, the issue of the intent behind the amendments has been raised by commenters.

Senators Mike Folmer and Randy Vulakovich, prime sponsors of Senate Bill 1154, jointly comment that “this regulation runs contrary to the intent of the General Assembly” and “does not reflect proper implementation of the Acts.” Likewise, Representative Daryl Metcalfe, a co-sponsor of House Bill 192, and Representative Rob Kauffman, Chair of the House Labor and Industry Committee, jointly comment that the proposed regulation fails to implement the clear language of Acts 69 and 167, “thwarting the intent of the legislators of the General Assembly who voted to pass them.” Representatives Metcalfe and Kauffman state that “these proposed regulations are unacceptable, and if implemented would prevent the state’s Civil Service hiring process from undergoing much needed reform and modernization.” We received comments from 23 Commonwealth agencies expressing concerns similar to those of the legislators. We address more specific aspects of these concerns, which we share, in subsequent comments.

Based on the significance of comments received, we believe the actions taken by the General Assembly indicate that the proposal is a policy decision of such a substantial nature that it requires legislative review. Considering the comments from several legislators, including prime sponsors, we have serious doubts as to whether the Commission’s approach to amending its regulations is consistent with what the General Assembly intended. We urge the Commission to work closely with both chambers of the legislature, as well as the House Labor and Industry and Senate State Government committees, to ensure that the final-form regulation is consistent with the intent of the General Assembly. In the

Preamble to the final-form regulation, we ask the Commission to explain how the language of the final-form regulation fulfills the statutory mandates set forth in Acts 69 and 167. We will review the Commission’s response in determining whether the regulation is in the public interest and conforms to the intent of the General Assembly.

2. RRA Section 2. Legislative intent.—Conforms to the intent of the General Assembly; Determining whether the regulation is in the public interest.

Section 2 of the RRA (71 P.S. § 745.2) explains why the General Assembly felt it was necessary to establish a regulatory review process. Given the interest this proposal has generated, we believe it is appropriate to highlight the following provision of Section 2(a) of the RRA. The provision states, “To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the commission, the standing committees, interested parties and the agency.” 71 P.S. § 745.2(a).

Commenters state that they were not consulted or solicited to provide input regarding the proposed regulation. The Commission confirms this in response to Regulatory Analysis Form (RAF) # 14 regarding input in developing and drafting the regulation. The Commission states that “these regulations were developed using a *committee comprised entirely of employees of the [Commission].*” [Emphasis added.] The Commission’s response makes clear that it did not consult with, seek input from or conduct outreach to the regulated community, and therefore made no effort to reach consensus. The Department of Environmental Protection (DEP) states, “Developing these regulatory amendments with no outreach beyond [the Commission] implies a disregard and disrespect for the collective experience and opinions of Commonwealth [Human Resources] (HR) professionals who apply and abide by the rules.” This is in direct opposition to the will of the General Assembly.

In order to resolve many of the objections raised by commenters, we strongly encourage the Commission to meet with the regulated community prior to drafting the final-form regulation. Input from legislators and interested parties should be considered as the Commission moves forward with this proposal. In addition, we suggest that the Commission issue an Advanced Notice of Final Rulemaking to help facilitate the reaching of consensus on the issues of concern that this proposal presents.

3. Determining whether the regulation is in the public interest; Economic or fiscal impacts; Reasonableness of requirements, implementation procedures and timetables for compliance.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs the Independent Regulatory Review Commission (IRRC) to determine whether a regulation is in the public interest. When making this determination, IRRC considers criteria established by the General Assembly such as economic or fiscal impact and reasonableness. To make that determination, IRRC must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. IRRC also considers the information a promulgating agency is required to provide under Section 745.5(a) in the RAF. 71 P.S. § 745.5(a).

The explanation of the regulation in the Preamble and the information contained in the RAF are not sufficient to allow IRRC to determine if the regulation is in the public interest. In the Preamble to the proposed regulation, the Commission provides only a brief and general overview.

For the final-form regulation, the Commission should include in the Preamble a detailed explanation of changes to and rationale for each section of the regulation. Also, the RAF submitted with the final-form regulation should include more detailed information as required under Section 745.5(a) of the RRA. Specifically, we seek additional information on the following:

- The Commission responds “N/A” to several questions on the RAF; the Commission should explain why each question is not applicable.

- In response to RAF # 12, the Commission states, “Nothing in these proposed regulatory changes will either advantage or disadvantage Pennsylvania as compared to other states in its ability to regulate its own civil service system.” DEP contends that the proposed regulatory amendments “will impair and/or disadvantage the collective ability of Commonwealth agencies to recruit qualified candidates.” DEP asserts that Pennsylvania does compete with contiguous states, as well as the federal and local government and non-profits. The Commission should address the impact of the final-form regulation on Pennsylvania’s ability to compete with other entities.

- The Commission should explain how the parties identified in response to RAF # 15 will be affected. Also, DEP takes issue with the Commission’s response to RAF # 15, stating that it is incorrect because “local governments who contract their merit hiring to [the Commission] will also be impacted.” The Commission should address this concern.

- In response to RAF # 17 regarding the economic impact of the proposed regulation, the Commission references fiscal notes from Acts 69 and 167, noting that both fiscal notes indicate “no adverse impact on Commonwealth funds.” However, the fiscal note printed in the *Pennsylvania Bulletin* states:

“No fiscal impact. However: The proposed regulations do not implement [S]ection 212(d) in the Act 167 of 2016. This results in a cost of \$2 million to \$3 million for modernization of the Commission’s Information Technology System to the Commonwealth. The proposed regulations do not implement [S]ection 502 in the Act of 167 of 2016, which would result in an estimated cost savings to the Commonwealth of \$55,800—\$105,800, if implemented.”

Representatives Metcalfe and Kauffman quote the *Pennsylvania Bulletin* fiscal note and state that if implemented, the proposed regulation would “potentially deny the taxpayers of Pennsylvania significant cost savings.” DEP also states that agencies will experience a “negative fiscal impact if they have to continue to print and mail extensive availability surveys, or pay to advertise localized exams in newspapers and online sources, as the proposed regulations would require.”

We ask the Commission to address the *Pennsylvania Bulletin* fiscal note, including the statement that the regulation does not implement Sections 212(d) and 502 of Act 167, and clarify the economic impact of this regulation.

- The Commission responds to RAF # 18 that these regulations “may even generate cost savings for the Commonwealth,” but responds “N/A” to RAF # 21 which asks for a specific estimate of the savings to the state government associated with implementation of the regulation. The Commission should address this discrepancy regarding cost savings.

- The Commission states there are no new forms in response to RAF # 22. However, DEP asserts that new

forms will be needed to request alternative rule of three or vacancy-based experience and training exams. The Commission should clarify this issue.

- In response to RAF # 26, the Commission states “alternative regulations were not considered as the [Commission] has determined that these regulations represent the least burdensome and acceptable way to comply with Pennsylvania law.” DEP asserts that the proposed regulatory amendments are “unduly burdensome” as “the additional approvals required for alternative rule of three or vacancy[-]based [experience and training] exams will require agency HR staff to divert time and energy to this unnecessary bureaucratic exercise.” We ask the Commission to address this concern.

- The Commission should amend its response to RAF # 29 to reflect an updated estimate of the timeline for the final-form regulation.

- Responding to RAF # 30, the Commission states that it “will work closely with the Governor’s Office of Administration and the [HR] personnel of all agencies who employ civil service personnel to evaluate the continuing effectiveness of these regulations.” DEP expresses concern that “given the lack of stakeholder outreach in the development of the regulations, that the same level of outreach will be employed in the implementation.” DEP is “not confident that necessary input from agencies will be solicited or considered.” Based on the Commission’s response to RAF # 14, we share this concern, as expressed in comment # 2 regarding the importance of input from the regulated community.

We will consider the revised Preamble and responses to the final-form RAF as we determine whether the regulation is in the public interest.

4. Section 95.1. Application requirements.—Statutory authority; Conforms to the intent of the General Assembly; Determining whether the regulation is in the public interest; Reasonableness of requirements, implementation procedures and timetables for compliance; Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.

Act 167 amended Section 212(d) of the Act to provide:

“The Commission shall enter into an agreement to utilize *the form and method of an employment application that is standard across departments and agencies that are under the governor’s jurisdiction* for the purpose of entrance to, or promotion in, the classified service.” [Emphasis added.] 71 P.S. § 741.212(d).

Section 95.1(a) of the proposed regulation states:

“Applications required of a candidate for entrance to, or promotion in, the classified service must be made in a format prescribed by the Director, utilize a form and method of application that is standard across departments and agencies that are under the Governor’s jurisdiction. . . .”

Representatives Metcalfe and Kauffman state that the proposed amendment to Section 95.1 is “inadequate to implement the language of Act 167 as it retains the language that applications [must] be made in a format prescribed by the Director.” The representatives state that “failure to remove the Director’s control over this process negates the efficacy of this language.” Further, the representatives assert that the purpose of the language in Act 167 was to “ensure that [the Commission] applications use the same method standard across depart-

ments and agencies, and there is no room for the Director's discretion in this process."

Commenters also state that the proposed regulation does not address the required agreement because the Director of the Commission must prescribe the format of application. The Office of Administration (OA) comments that its "Office for Information Technology, the entity responsible for the Commonwealth's information technology, has established ITP-BUS008, Enterprise Employment Application Platform Policy, as *the form and method of employment application standard across the departments and agencies under the Governor's jurisdiction.*" [Emphasis added.] According to OA, "pursuant to [Act 167], the Commission is to use that application platform to comply with the requisites of Section 212(d)." [Emphasis added.] Commenters also assert that the change to the law was made to make it easier for people to apply for state jobs by having a single site for both Non-Civil Service and Civil Service positions. We ask the Commission to explain in detail how the final-form language implements Section 212(d) of Act 167, conforms to the intent of the General Assembly, and is reasonable and in the public interest.

5. Section 95.20. Authority.—Statutory authority; Conforms to the intent of the General Assembly; Determining whether the regulation is in the public interest; Reasonableness of requirements, implementation procedures and timetables for compliance; Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.

Act 167 amends Section 502 (relating to nature of examinations) giving agencies the authority to determine the best examination method. The amended language states, in relevant part:

"The appointing authority shall select the method of examination that shall be used for the individual position or the class of positions for which the employment or promotion list is being established."
71 P.S. § 741.502.

While the Commission amends its regulation by inserting the above language from Act 167 almost verbatim, the Commission includes additional language, noted in bold below:

"If the Director determines that more than one method of examination will fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted, the appointing authority shall select the method of examination that will be used for the individual position or the class of positions for which the employment or promotion list is being established. When the same classification is used by more than one appointing authority, the affected appointing authorities shall reach a consensus on the method of examination that will be used for that classification as only one examination method will be used by the Commission to examine all candidates for positions in the same classification."

Representatives Metcalfe and Kauffman state that this additional language "obscures the clear intent of Act 167 by giving the Director control instead of permitting the appointing authority the flexibility to select the method of examination that will best allow them to test and secure employees for individual job vacancies." Additionally, the

representatives note that requiring agencies to reach a consensus regarding the method of examination that will be used is "unnecessary and burdensome and again prevents agencies from using the type of examination that will best suit their needs."

Commenters argue the same point, asserting that these restrictions are not within the scope of Act 167. We ask the Commission to explain in detail how the final-form language implements Section 502 of Act 167, conforms to the intent of the General Assembly, and is reasonable and in the public interest.

6. Section 97.11. Appointment process.—Statutory authority; Conforms to the intent of the General Assembly; Determining whether the regulation is in the public interest; Reasonableness of requirements, implementation procedures and timetables for compliance; Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.

Act 69 amends Section 601 (relating to certification) of the Act to allow eligibles lists other than the standard rule of three. 71 P.S. § 741.601. The amendment enables the appointing authority to adapt the size of the eligibles list to the particular position it seeks to fill.

Act 69 also amends Section 602 (relating to selection and appointment of eligibles) by adding new language, including Paragraph (a)(2) which states that under certain circumstances an appointing authority may "request the director to create and issue a certification of eligibles consisting only of the names of those candidates who responded by applying for the vacancy after receipt of notice of the vacancy from the commission, *provided the director approves the use of this alternative selection procedure to fill the vacancy.*" [Emphasis added.] 71 P.S. § 741.602.

The Commission proposes to amend Section 97.11(a) to add the following language in bold, "**Unless permission has been obtained from the Director to use an alternative rule, the rule of three applies. . . .**" Additionally, the Commission added a new Subsection (b) which states:

"If an appointing authority wants to use an alternative rule to the rule of three for its appointments to a specific classification or classification series, *it must obtain permission from the Director* by submitting a request in writing to the Director. . . ." [Emphasis added.]

Commenters assert that the regulation incorrectly provides that appointing authorities must secure permission from the Director to use an alternative rule because Section 601 of the Act provides for the appointing authority to elect to follow one of the alternative procedures provided for in the Act. Commenters state that these imposed restrictions on this new process significantly impede appointing authorities' ability to use this alternative rule to fill jobs.

Another concern of commenters is that Paragraph (b)(1) requires specification of the job classification or classification series to which the alternative rule will apply. Commenters state that Act 69 amended Section 602 to permit vacancy-based postings and the language in the proposed regulation ignores the concept of "vacancy-based" hiring.

Additionally, Paragraphs (b)(2), (3) and (5) of the proposed regulation require appointing authorities that use an alternative rule to use that alternative rule (or

rule of three if no alternative rule is requested) for 12 months on a statewide basis. [Emphasis added.] Representatives Metcalfe and Kauffman state that the proposed addition requiring 12 months to pass places “further cumbersome restrictions on agencies that would prevent them from being able to modify their hiring procedures as they see fit.”

Commenters express similar concerns regarding the 12-month requirement, asserting that such restrictions do not allow appointing authorities to adapt to changing circumstances or adjust the alternative rule in a timely fashion. Commenters note that even within a single agency there are advantages to applying an alternative to the rule of three by position rather than job classification. Commenters state that different rules may be more advantageous in different parts of the state, and the most advantageous rule may change over time based on how many candidates are seeking a position at that particular time. However, commenters state that they will be stuck with one particular rule for every position in a classification everywhere in the state for 12 months even if the rule is not effective.

We ask the Commission to explain in detail how the final-form language implements Sections 601 and 602 of Act 69, conforms to the intent of the General Assembly, and is reasonable and in the public interest.

7. Chapter 98. Appointment and promotion of employees in the classified service by recruiting applicants to apply for a specific vacancy-based examination announcement.—Statutory authority; Conforms to the intent of the General Assembly; Determining whether the regulation is in the public interest; Reasonableness of requirements, implementation procedures and timetables for compliance; Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.

Similar to concerns noted in Comment # 6, commenters raise the issue of whether permission must be obtained from the Director of the Commission for vacancy-based announcements. OA states, “There is no statutory authority for the Director to give permission to an appointing authority to fill a position, as set forth in the proposed regulation.” Similarly, others comment that nowhere in the statutory amendments is the Commission given authority to require agencies to ask permission to fill a vacant position. They state that the statute provides that if an agency decides to fill a vacant position, it only has to request that the Director create and issue a certification of eligibles.

Similar to Comment # 6, we ask the Commission to explain in detail how the final-form language implements Sections 601 and 602 of Act 69, conforms to the intent of the General Assembly, and is reasonable and in the public interest.

8. Section 98.2. Requesting a vacancy-based examination announcement.—Clarity and lack of ambiguity; Reasonableness of requirements.

We ask the Commission to clarify the provision in Paragraph (b)(1) that the Director will certify the names of “as many eligibles as necessary to satisfy the employment requirements of the appointing authority.” How will the Director know how many eligibles are necessary to satisfy the employment requirements of the appointing authority?

9. Miscellaneous clarity.

The Commission uses the phrase “classification series” throughout the regulation; however, this phrase is not defined in the regulation or Act. We ask the Commission to define this term or amend the final regulation using defined terms such as class or position.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-1105. Filed for public inspection June 30, 2017, 9:00 a.m.]

INSURANCE DEPARTMENT

Genworth Life Insurance Company; Rate Increase Filing for the Choice 2 and Choice 2.1 LTC Series (GEFA-130998405)

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 36.4% on 16,704 policy holders with LTC forms 7042, 7044, 7042 Rev and 7044 Rev.

Unless formal administrative action is taken prior to September 14, 2017, 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 (hover the cursor over the “Consumers” tab, then select “Long Term Care Rate Filings”).

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, 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,
Insurance Commissioner

[Pa.B. Doc. No. 17-1106. Filed for public inspection June 30, 2017, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for Several LTC Forms (GEFA-130998454)

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 45.2% on 925 policy holders with LTC forms 7044 and 7044 Rev. These forms, also referred to as the Choice 2 and 2.1 series, were issued in this Commonwealth in association with the American Association of Retired People.

Unless formal administrative action is taken prior to September 14, 2017, 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 (hover the cursor over the “Consumers” tab, then select “Long Term Care Rate Filings”).

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, 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,
Insurance Commissioner

[Pa.B. Doc. No. 17-1107. Filed for public inspection June 30, 2017, 9:00 a.m.]

Per Diem Charges for Market Conduct Examinations of Insurance Companies; Notice 2017-08

Each year, the Insurance Department (Department) updates its schedule of per diem charges for market conduct examinations conducted by the Department. These charges are authorized by section 907 of The Insurance Department Act of 1921 (40 P.S. § 323.7) and 31 Pa. Code § 12.4 (relating to per diem charges).

The new schedule of charges is as follows:

Examiner Trainee	\$547 per day
Examiner 1	\$642 per day
Examiner 2	\$796 per day

As prescribed in 31 Pa. Code § 12.4(c), the Department will calculate and bill per diem charges for examination costs in 1/2-hour units.

This schedule is effective July 1, 2017.

This notice supersedes the schedule of per diem charges published at 46 Pa.B. 3392 (June 25, 2016), which is hereby repealed. These new charges shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-1108. Filed for public inspection June 30, 2017, 9:00 a.m.]

OFFICE OF THE STATE FIRE COMMISSIONER

Application for the Fire Company and Volunteer Ambulance Services Grant Program

This notice provides information about the Fire Company and Volunteer Ambulance Services Grant Program (Program) as amended by the act of June 29, 2012 (P.L. 663, No. 78) (Act 78). Fire and rescue companies and volunteer ambulance services seeking grants under Act 78 shall submit completed applications no later than 4 p.m. on October 20, 2017. Written instructions, guidelines for the Program and grant applications will be available on

the Office of State Fire Commissioner's web site at www.osfc.pa.gov no later than September 6, 2017.

TIMOTHY SOLOBAY,
Commissioner

[Pa.B. Doc. No. 17-1109. Filed for public inspection June 30, 2017, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Meeting Cancellation

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), is cancelling the July 18, 2017, Authority Board meeting. The next meeting of the Authority's Board will be held on September 12, 2017, and will be announced in a future *Pennsylvania Bulletin*.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 17-1110. Filed for public inspection June 30, 2017, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of the Borough of Driftwood for a Declaratory Order that the Provision of Water Service to Isolated Customers Adjoining its Boundaries Does Not Constitute the Provision of Public Utility Service Under 66 Pa.C.S. § 102

Public Meeting held
June 14, 2017

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

Petition of the Borough of Driftwood for a Declaratory Order that the Provision of Water Service to Isolated Customers Adjoining its Boundaries Does Not Constitute the Provision of Public Utility Service Under 66 Pa.C.S. § 102; P-2016-2533069

Order

By the Commission:

On March 7, 2016, the Borough of Driftwood (the Borough or Driftwood), filed the above-captioned petition (Petition) for a declaratory order. In accordance with 52 Pa. Code § 5.42, the Borough served a copy of its Petition on the Office of Consumer Advocate (OCA), the Bureau of Investigation and Enforcement (I&E), the Office of Small Business Advocate (OSBA) and each of the 40 customers located outside of the Borough's municipal limits. On March 30, 2016, the OCA filed an Answer to Driftwood's

Petition. On March 23, 2017, the Borough filed a Supplement to Petition in Response to the Answer of the OCA.

Background

Section 331(f) of the Public Utility Code provides that the Commission “may issue a declaratory order to terminate a controversy or remove uncertainty.” 66 Pa.C.S. § 331(f). In its Petition, the Borough seeks a determination that the provision of water service by the Borough to 40 extraterritorial customers does not make the water service subject to the Commission’s jurisdiction. The Borough asserts that the service to these “limited” customers is not service “to or for the public” within the meaning of Section 102 of the Public Utility Code. 66 Pa.C.S. § 102.

In its Petition, the Borough states that Driftwood provides water service to 121 total customers. The Borough, which can be described as being extremely small, has 39 full-time residents/customers and 42 seasonal customers concentrated in approximately 2.5 square miles.¹ Additionally, the Borough provides water service to 40 customers in Gibson Township, outside of the Borough’s municipal limits, but in close proximity to Borough boundaries and water mains. The 40 customers that are the subject of this Petition receive water service at the same rates and terms of service as all customers located inside of the Borough.

According to the Petition, the 40 residents/customers in Gibson Township who are connected to Borough lines are generally located in the area of Route 555, which transverses the Borough. These connections were made prior to 1972, and it is unknown as to why the connections were originally permitted. However, it is the opinion of the Borough that these customers were permitted to connect simply because they were in close proximity to existing Borough water lines and such connections were deemed to be essential.²

In its Answer, the OCA submits that the Petition should be denied or alternatively, referred to the Office of Administrative Law Judge for hearings to develop additional facts that are not presented in the Petition. In support, the OCA states that the extraterritorial customers are entitled to the protections afforded by the Public Utility Code and Commission regulations. Finally, the OCA asserts that the extraterritorial customers would be “without recourse” as to future rate increases by the Borough if the Commission were to grant the Borough’s Petition.

In response to the OCA Answer, Driftwood filed a Supplemental Petition providing additional details and protections for extraterritorial customers. As stated previously, water service is currently provided by the Borough to 40 extraterritorial customers in Gibson Township.³ The only water system in close proximity to these extraterritorial customers in Gibson Township is the Emporium Water Company; however, Emporium is located eighteen (18) miles from rural Gibson Township. Because of the distance and mountainous topography of the geographic

area, Emporium has shown no interest in providing service to the Borough’s customers in Gibson Township.⁴

Finally, on December 14, 2015, the Borough, by virtue of Ordinance No. 113, passed a Resolution, specifically prescribing: (1) that the customers in Gibson Township shall be subject to the same rates as those charged to customers within the Borough; (2) that the Borough will restrict extraterritorial service to the 40 customers located in Gibson Township; (3) that any customer residing in Gibson Township will be afforded the same due process rights as Driftwood Borough customers under the principles and safeguards of the PA Local Agency Law, 2 Pa.C.S.A §§ 105 et. seq.; (4) that any disgruntled customer will be able to request a local agency/administrative hearing before Borough Council to challenge a rate increase; and (5) that any disgruntled customer will be able to challenge an adverse decision by Borough Council in the local Court of Common Pleas. Supplemental Petition at 4 and 5.

Driftwood has requested by this Petition a declaration that the Borough is not subject to the Commission’s jurisdiction so that it may save the cost and time burdens of tariff and reporting requirements, while simultaneously ensuring that these extraterritorial customers continue to receive water service under terms that are acceptable to the Commission and the customers.

Discussion

Based upon our consideration of these facts and circumstances, the Commission finds that it is appropriate to issue a Declaratory Order in response to the subject Petition.

In the Commission’s judgment, the circumstances here are similar to those presented to the Commission in the matters of *Lehigh Valley Cooperative Farmers v. City of Allentown*, 54 Pa. P.U.C. 495 (1980); *Petition of New Albany Borough*, Docket No. P-00991775, 200 Pa. PUC Lexis 34 (2000); *Petition of Laceyville Borough*, Docket No. P-2008-2064117 (2008); *Petition of Cochranton Borough*, Docket No. P-2008-2035741 (2009) and *Petition of the City of Titusville*, Docket No. P-2013-2376600 (2014), wherein the Commission concluded that service to a limited number of isolated individuals outside of the municipal boundaries under special circumstances did not constitute public utility service subject to the Commission’s jurisdiction.

In *Lehigh Valley*, New Albany Borough, Laceyville Borough, Cochranton Borough, and Titusville, the Commission reiterated that the test to determine whether a party is rendering service to the public is set forth in *Borough of Ambridge v. Pa. Public Service Commission*, 165 A. 47 (Pa. Super. 1933). In *Ambridge*, the Commission noted,

We find the distinction between public and private rendition of such service put definitely on the readiness to serve all members of the public to the extent of capacity: The test is, therefore whether or not such person holds himself out, expressly or impliedly, as engaged in the business of supplying his product or service to the public, as a class, or to any limited portion of it, as contradistinguished from holding himself out as serving or ready to serve only particular individuals. The public or private character of the

¹ As of the census of 2010, there were 67 people, 35 households, and 19 families residing in the Borough. The median income for a household in the Borough was \$45,417, and the median income for a family was \$50,536.

² Prior to 1973, the Borough’s water system and assets were owned by shareholders under the name of Driftwood Water Company. On or about February 19, 1973, the Borough of Driftwood purchased the Driftwood Water Company. Petition at 1.

³ The remaining residents of Gibson Township are serviced by private wells. The Borough notes that all Driftwood customers have the option to disconnect from the system and utilize an alternative water source (e.g. private well). Supplemental Petition at 3.

⁴ The Borough notes in its Supplemental Petition that all Driftwood customers are charged \$35.00 per month for unlimited water use (the Borough provides unmetered water service). According to the Borough, these rates are substantially less than the metered rates charged by the Commission-regulated Emporium Water Company. Supplemental Petition at 3.

enterprise does not depend, however, upon the number of persons by whom it is used, but upon whether or not it is open to the use and service of all members of the public who may require it, to the extent of its capacity; and the fact that only a limited number of persons may have occasion to use it does not make it a private undertaking if the public generally has a right to such use.

See also, Petition of Chicora Borough, P-00981355 (May 22, 1998).

Subsequently, the Commission applied the same rationale in Joint Application of Seven Fields Development Corporation, A-220007 and A-210062F2000 (October 1, 1999). In that case, the Commission granted an application filed by a jurisdictional utility seeking to transfer its assets used in the operation of its water system to the Borough of Seven Fields. The Commission noted that the borough would be providing water service to three customers that were located outside of the borough's limits. Moreover, the Commission took note of the fact that the borough committed to continue providing water service solely to these three customers at the same terms of service as are or will be offered to customers within the boundaries of the borough. Also, as in the instant case, the Borough of Seven Fields committed that it did not intend to offer service to the general public outside of its boundaries in the future. In the Seven Fields case, the Commission concluded that the limited nature of water service to such a defined group of customers should not realistically be subject to its jurisdiction. Order at p.4.

In *Pilot Travel Center, LLC v. Pa. Public Utility Commission*, 933 A.2d 123 (Pa. Cmwlth. 2007), appeal denied, 938 A.2d 1054 (Pa. 2007), the Commonwealth Court, in affirming the Commission's view on this issue, concluded:

The test for determining whether utility services are being offered "for the public" is whether or not such person holds himself out, expressly or impliedly, as engaged in the business of supplying his product or service to the public, as a class, or to any limited portion of it, as distinguished from holding himself out as serving or ready to serve particular individuals. The private or public character of a business does not depend upon the number of persons who actually use the service; rather, the proper characterization rests upon whether or not the service is available to all members of the public who may require it.

933 A.2d at 128.

In applying the standards enunciated in *Ambridge, Lehigh Valley, Seven Fields, Laceyville Borough, Cochranon, Titusville and Pilot Travel Center* to the facts of the case sub judice, we find that the limited extraterritorial service is not subject to Commission jurisdiction. The extraterritorial service provided by Driftwood is provided to a limited number of customers and is not available to the general public. Moreover, by virtue of the aforementioned Ordinance No. 113, the Borough has committed that it will continue to provide service to the 40 extraterritorial customers in Gibson Township and that it is not soliciting additional customers outside of the Borough. Thus, the Borough is not holding itself out as providing service to the public. See *Bethlehem Steel Corp. v. Pa. Public Utility Commission*, 713 A.2d 1110 (Pa. 1998). Based upon the facts as stated in the Borough's Petition, the service by Driftwood to the 40 extraterritorial customers who are located in close proximity to the Borough's water mains does not constitute the provision of water service to or for the public.

Finally, while we appreciate the concerns of the OCA that are raised in its Answer, OCA does not identify any contested facts that are material to the resolution of the issue presented. We note that an express condition of this exemption from Commission regulation is that the Borough apply the same rates outside as well as within the Borough's municipal limits and that the Borough does not add any additional customers beyond those referenced in this Petition; *Therefore*,

It Is Ordered That:

1. The Petition for Declaratory Order filed by the Borough of Driftwood on March 7, 2016, at Docket No. P-2016-2533069 is hereby granted.
2. The provision of water service by the Borough of Driftwood to the 40 customers located outside of the Borough is deemed to be non-jurisdictional because it is not service "to or for the public" within the intentment of Section 102 of the Public Utility Code, 66 Pa.C.S. § 102.
3. A copy of this Order shall be served upon the Borough of Driftwood, Gibson Township and each of the individuals and offices listed in Driftwood's certificate of service.
4. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
5. The Borough of Driftwood is directed to cause to be published in a newspaper of general circulation in the Borough of Driftwood area notice of this Order.

ROSEMARY CHIAVETTA,
Secretary

(Pa.B. Doc. No. 17-1111. Filed for public inspection June 30, 2017, 9:00 a.m.)

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by July 10, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2017-2605372. Vibe Visualize Initiate Believe Exceed, LLC (202 South Kathryn Street, Easton, Northampton County, PA 18045) persons in paratransit service, from points in the Counties of Northampton and Lehigh, to points in Pennsylvania, and return.

A-2017-2609402. Carrie Rowan (1515 Stiver Road, Punxsutawney, Indiana County, PA 15767) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Cambria, Clearfield, Indiana and Jefferson, to points in Pennsylvania, and return.

A-2017-2609709. Tyler J. Butler, t/a Nittany Valley Transportation (P.O. Box 5, Lamar, Clinton County, PA 16848) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Centre, Clinton and Lycoming, to points in Pennsylvania, and return.

A-2017-2609788. Chiquilin Service, LLC (118 East 7th Street, Hazleton, Luzerne County, PA 18201) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Luzerne County, within a 5-air mile radius of the City of Hazleton, Borough of West Hazleton and the Township of Hazle, to points in Pennsylvania and return.

A-2017-2610378. Raymond K. Elmer, t/a K & D Trucking (105 Engletown Road, Honey Brook, Chester County, PA 19344) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster and Chester Counties, to point in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2017-2609184. Nairn Transfer and Storage, LLC (169 Hallman Road, Douglasville, Berks County, PA 19518) household goods in use, between points in Pennsylvania.

Application of the following for the approval of the right and privilege to discontinuel/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2017-2609444. Dav-El New Jersey, Inc. (P.O. Box 6428, 200 Second Street, Chelsea, Suffolk County, MA 02150) discontinuance of service and cancellation of its certificate—persons, in limousine service, between points in Pennsylvania. *Attorney:* Margaret A. Morris, Reger Rizzo & Darnall LLP, Cira Centre, 13th Floor, 2929 Arch Street, Philadelphia, PA 19104.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-1112. Filed for public inspection June 30, 2017, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than July 17, 2017. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants.

Doc. No. A-16-11-06. Pennsylvania Transportation Service, Inc. (5350 Belfield Avenue, Philadelphia, PA 19144): An application for a medallion taxicab certificate of public convenience (CPC) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-16-11-07. First Class Transportation, Inc. (2101 Market Street, Unit 3105, Philadelphia, PA 19103): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 Delaware Avenue, Suite 505, Philadelphia, PA 19125.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 17-1113. Filed for public inspection June 30, 2017, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Antonio Reynoso, d/b/a Primo Cutz; Doc. No. 0832-45-17; File No. 17-45-04800

On May 5, 2017, Antonio Reynoso, d/b/a Primo Cutz, license No. CB126067, of Pittsburgh, Allegheny County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P.O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,
Chairperson

[Pa.B. Doc. No. 17-1114. Filed for public inspection June 30, 2017, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Jacqueline S. Bogardus, RN; File No. 15-51-00351; Doc. No. 0638-51-16

On June 20, 2017, Jacqueline S. Bogardus, RN, Pennsylvania license No. RN620557, last known of Temple, Berks County, had her registered nursing license publicly reprimanded and was assessed a \$500 civil penalty based on receiving disciplinary action by the proper licensing authority of another state and failure to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-1115. Filed for public inspection June 30, 2017, 9:00 a.m.]

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Tracie Kelly Elam, a.k.a. Tracie Rochelle Elam, LPN, Respondent; File No. 16-51-02033; Doc. No. 2382-51-16

Notice to Tracie Kelly (Rochelle) Elam, LPN:

On December 28, 2016, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law, Act of March 2, 1956, P.L. 1211 (1955), No. 1 ("Act"), as amended. Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure,

231 Pa. Code Rule 430, the State Board of Nursing has issued an Order authorizing service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-1116. Filed for public inspection June 30, 2017, 9:00 a.m.]

STATE BOARD OF PHARMACY

Cancer Drug Repository Program; Income Limits for Eligibility

In accordance with 49 Pa. Code § 27.506 (relating to patient eligibility), the State Board of Pharmacy is providing notice that to participate in the Cancer Drug Repository Program in 2017, a patient's 2016 income cannot have exceeded the following limits:

**Current Income Levels for the
Cancer Drug Repository Program**

<i>Family Size</i>	<i>2016 Annual Income Limit</i>
1	\$41,580
2	\$56,070
3	\$70,560
4	\$85,050
5	\$99,540
6	\$114,030
7	\$128,555
8	\$143,115
Each Additional Person	\$14,560

JANET GETZEY HART, RPh,
Chairperson

[Pa.B. Doc. No. 17-1117. Filed for public inspection June 30, 2017, 9:00 a.m.]

