

PENNSYLVANIA BULLETIN

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

No. 499, June 2016

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2016.

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THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Rescission of Phila.Civ.R. *2039.1 and *2206, and Adoption of Phila.Civ.R. *2039, *2064 and *2206; President Judge General Court Regulation No. 2016-1

Order

And Now, this 25th day of May, 2016, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on May 19, 2016 to rescind Philadelphia Civil Rules *2039.1 and *2206 and to adopt Philadelphia Civil Rules *2039, *2064 and *2206, *It Is Hereby Ordered and Decreed* that Philadelphia Civil Rules *2039.1 and *2206 are rescinded and Philadelphia Civil Rules *2039, *2064 and *2206 are adopted as follows.

This General Court Regulation is issued in accordance with Pa.R.C.P. No. 239 and shall be filed with the Office of Judicial Records in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County. As required by Pa.R.C.P. No. 239(c), two certified copies of this General Court Regulation and amended local rules, as well as a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one certified copy shall be submitted to the Administrative Office of Pennsylvania Courts, and one certified copy to the Supreme Court Civil Procedural Rules Committee. The previously-referenced rule changes shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. Copies of the General Court Regulation and rules shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov/regs>.

By the Court

HONORABLE SHEILA WOODS-SKIPPER,
President Judge, Court of Common Pleas

Philadelphia Civil Rule *2039. Procedure to Compromise, Settle, Discontinue or Distribute Funds in Matters Involving Minors. See also Pa.R.C.P. Nos. 2039 and 2206.

(A) *When Petition Required.* No action in which a minor is a party shall be compromised, settled, or discontinued except after the filing of a Petition for Approval of the Compromise, Settlement, Discontinuance, or Distribution. In addition to the requirements set forth in this Rule, Petitions for Approval of dispositions of Wrongful Death or Survival Actions involving minors must also comply with Pa.R.C.P. No. 2206.

(B) *Situs of the Filing of the Petition.* Petitions for Approval of Settlements in which minors have an interest shall be served on all parties of record and filed as follows:

(1) For cases in which a civil action has been initiated in the Trial Division, Petitions for Approval of Settlements shall be electronically filed with the Office of Judicial Records, Civil (formerly the "Prothonotary"). Upon expiration of the Response period, the Petition shall be assigned to a Judge of the Orphans' Court Division for disposition and the entry of an appropriate final appealable order. The Order shall be docketed and served on all interested parties by the Office of Judicial Records.

(2) For cases in which a civil action has not been initiated in the Trial Division, and no civil docket number has been assigned, Petitions for Approval of Settlement shall be electronically filed with the Clerk of the Orphans' Court Division. Upon expiration of the Response period, the Petition shall be assigned to a Judge of the Orphans' Court Division for disposition and the entry of an appropriate final appealable order. The Order shall be docketed and served on all interested parties by the Clerk of the Orphans' Court Division.

(C) *Appointment of Guardian ad Litem.* In any case where a minor has an interest and the Settlement Judge or the Trial Judge has not appointed a guardian ad litem, and the Judge of the Orphans' Court Division believes it necessary that the minor be represented separately, the Orphans' Court Judge shall appoint a guardian ad litem, who shall be an attorney in good standing who is admitted to practice law in the Commonwealth of Pennsylvania, to represent the minor's interest. A guardian ad litem may be appointed if required by the circumstances without regard to whether a guardian of the person or of the estate of the minor has been appointed.

(D) *Contents of the Petition.* The Petition shall be substantially in the form set forth hereunder, and shall:

(1) Set forth the date of birth and the address of the minor, the names and addresses of the minor's parents, the names and addresses of all guardians of the person, the estate and/or ad litem of the minor, and the appointing court, and a factual recitation of the salient facts which form the basis of the cause of action;

(2) State the terms of the settlement, including the specific provisions of any annuity, if applicable, including the credit rating of the entity assuming responsibility for future payments, the present cost of the annuity, as well as the schedule and amount of periodic and lump sum payments;

(3) State the amount of counsel fees and provide an itemization of the expenses to be paid out of settlement proceeds;

(4) State whether a lien or claim has been raised on behalf of any medical care provider or payer, including the Department of Human Services and Medicare; and

(5) Contain or be accompanied by the following:

(a) A written report of a physician setting forth the present physical and mental condition of the minor;

(b) A verified statement by the parent(s) of the minor and the guardian of the person or guardian ad litem, if appointed, certifying the present physical and mental condition of the minor; and a copy of the decree appointing the guardian of the person or guardian ad litem;

(c) A verified statement by the parent(s) of the minor and the guardian of the estate or guardian ad litem, if appointed, certifying approval of the proposed settlement and distribution thereof; and a copy of the decree appointing the guardian of the estate or guardian ad litem;

(3) State the amount of counsel fees and provide an itemization of the expenses to be paid out of settlement proceeds;

(4) State whether a lien or claim has been raised on behalf of any medical care provider or payer, including the Department of Human Services and Medicare; and

(5) Contain or be accompanied by the following:

(a) A written report of a physician setting forth the present physical and mental condition of the minor;

(b) A verified statement by the parent(s) of the minor and the guardian of the person or guardian ad litem, if appointed, certifying the present physical and mental condition of the minor; and a copy of the decree appointing the guardian of the person or guardian ad litem;

(c) A verified statement by the parent(s) of the minor and the guardian of the estate or guardian ad litem, if appointed, certifying approval of the proposed settlement and distribution thereof; and a copy of the decree appointing the guardian of the estate or guardian ad litem;

(d) If the minor is sixteen (16) years of age or older and not otherwise incapacitated, his or her written approval of the proposed settlement and distribution thereof;

(e) A statement of the professional opinion of counsel as to the reasonableness of the proposed settlement and the basis for such opinion;

(f) If there is to be an allocation between adults and minors or among minors, a statement of the amounts allocated to each party and specific reasons for such proposed allocation;

(g) If a guardian ad litem has been appointed, a statement of the professional opinion of the guardian ad litem as to the reasonableness of the proposed allocation, and the basis for such opinion. The guardian ad litem shall give specific reasons for his or her approval or disapproval of any proposed allocation of the proceeds;

(h) Statement of the final lien amount from the Department of Human Services;

(i)(1) Statement of the amount paid by Medicare for medical costs as reflected on the relevant Explanations of Benefits received from the Medicare payers and Conditional Payment letters received from the Medicare Secondary Payer Recovery Contractor. This amount should constitute the maximum Medicare reimbursement exposure to the plaintiff for which funds from the settlement amount should be reserved. Should the actual reimbursement to Medicare be less than the reserved amount as a result of allowances by Medicare for the fees, costs or other factors, the balance shall be distributed in accordance with the Court Order, and shall be reflected in the Affidavit of Compliance filed with the Court.

(2) In the event that compliance with the Court's Order is not fully accomplished, the attorney shall describe the extent of compliance and any reasons for delay in an Affidavit filed within 60 days of the entry of the Order. A subsequent Affidavit shall be filed upon complete satisfaction of the terms of the Order.

(j) Statement from medical care providers agreeing to compromised amount(s), if any;

(k) Any other information which might be helpful for the orderly disposition of the Petition; and

(l) A proposed Order for Distribution, etc., substantially in the form set forth in (K) below.

(E) *Release of Defendants.* After Court approval of the gross amount of the settlement, but before Court approval of the distribution, the plaintiff may sign a release to discharge the settling defendant and the Court may issue an Order to Settle, Discontinue and End to the settling parties. If plaintiff releases and discharges a defendant pursuant to this subsection, defendant's draft or check shall be made payable to the plaintiff and to counsel for the plaintiff and the payees shall deposit the draft or check into a separate insured interest-bearing escrow account or the attorney's Interest on Lawyers Trust Account (IOLTA), pending the issuance of an Order of Distribution by the Court. This subsection is intended to allow prompt tender of settlement proceeds independent of issues involving distribution.

(F) *Counsel Fees.* The proposed Order of Distribution shall include an award of counsel fees. The standard for the award of counsel fees in the representation of minors is that such fees must be reasonable in accordance with the guidelines set forth in Rule 1.5 of the Rules of Professional Conduct, Counsel are advised to maintain time records.

Counsel fees of one-third (1/3) of the net fund recovered may be considered reasonable, subject to the approval of the Court. The net fund is calculated by subtracting the attorney's reimbursable costs from the gross settlement amount. Counsel fees shall be reduced by the amount of collateral payments received as counsel fees for representation involving the same matter from third parties.

(G) *Personal Appearances.* The Judge of the Orphans' Court to whom the Petition is assigned may, at his or her discretion, require the personal appearance of the minor, the parents, the guardians of the estate and/or of the person, the guardian ad litem, the physicians, or any other relevant party, as well as the production of any other evidence deemed necessary for the disposition of the Petition.

(H) *Compliance with Court Order and Proof of Deposit.* Within sixty (60) days of the entry of a final Order of Distribution, counsel shall electronically file an Affidavit of Compliance with the Court maintaining the docket of the matter, either with the Office of Judicial Records or with the Clerk of the Orphans' Court Division. The Affidavit of Compliance shall certify compliance with the Order, attach a copy of the said Order and shall submit proof of deposit in the restricted account, annuity, structured settlement or trust. The Affidavit of Compliance shall be substantially in the form set forth in (K) below.

(I) *Distribution to Minors Pursuant to Pa.R.C.P. No. 2039.* Funds allocated by a Court approved minor's compromise, settlement, or by a judgment entered upon a verdict, for the direct benefit of a minor shall be payable only to the guardian of the estate of the minor appointed by the Court with jurisdiction over the minor, with the express authorization of the Court as to payment of counsel fees and expenses or posting of security.

In the alternative, the Court may:

(1) Order, as provided in Pa.R.C.P. No. 2039(b)(1), an amount not in excess of twenty-five thousand dollars (\$25,000) to be paid for the benefit of the minor to the parent(s) as natural guardian(s), or to the guardian of the person of a minor;

(2) Order, as provided in Pa.R.C.P. No. 2039(b)(2),

(a) Any amount be deposited in one or more restricted savings account(s) in the name of the minor, in federally insured banks or savings institutions having an office in Philadelphia County, each not to exceed the insured amounts, with the funds payable to the minor upon majority. The savings account shall be titled and restricted as follows:

_____, a minor, not to be withdrawn before the minor attains majority, except for the payment of local, state and federal income taxes on the interest earned, or upon Order of Court.

Or

(b) the purchase of one or more restricted certificate(s) of deposit in the name of the minor, in federally insured banks or savings institutions having an office in Philadelphia County, each not to exceed the insured amounts, with the funds payable to the minor upon majority. The certificate shall be titled and restricted as follows:

_____, a minor, not to be redeemed except for renewal in its entirety, not to be withdrawn, assigned, negotiated, or otherwise alienated before the minor attains majority, except upon Order of Court.

(3) Approve an agreement providing for a structured settlement in the manner provided by Pa.R.C.P. No. 2039(b)(3).

(4) Approve a trust agreement to be executed by a corporate fiduciary in the manner provided by Pa.R.C.P. No. 2039(b)(4).

(J) *Service. Notice. Proof of Service.* Petitions filed pursuant to Section (B)(1) above shall be served as provided in Phila.Civ.R. *205.4(f)(7) and Pa.R.C.P. No. 205.4(g). Petitions filed pursuant to Section (B)(2) above shall be noticed as provided in Pa.O.C. Rule 3.5. Service to all parties in interest not effectuated through the Electronic Filing System shall be effectuated by mailing Notice of the filing of the Petition and a copy of the Petition by first-class United States mail, postage prepaid. Proof of Service and a copy of the notice shall be appended to the Petition or filed after service, as appropriate.

(K) *Forms.* See Appendix.

Philadelphia Civil Rule *2064. Procedure to Compromise, Settle, Discontinue or Distribute Funds in Matters Involving Incapacitated Persons. See also Pa.R.C.P. Nos. 2064 and 2206.

(A) *When Petition Required.* No action in which an incapacitated person is a party shall be compromised, settled, or discontinued except after the filing of a Petition for Approval of the Compromise, Settlement, Discontinuance or Distribution. In addition to the requirements set forth in this Rule, Petitions for Approval of dispositions of Wrongful Death or Survival Actions involving incapacitated persons must also comply with Pa.R.C.P. No. 2206.

(B) *Situs of the Filing of the Petition.* Petitions for Approval of Settlements in which incapacitated persons have an interest shall be served on all parties of record and filed as follows:

(1) For cases in which a civil action has been initiated in the Trial Division, Petitions for Approval of Settlements shall be electronically filed with the Office of Judicial Records, Civil (formerly the "Prothonotary"). Upon expiration of the Response period, the Petition shall be assigned to a Judge of the Orphans' Court Division for disposition and the entry of an appropriate final appealable order. The Order shall be docketed and served on all interested parties by the Office of Judicial Records.

(2) For cases in which a civil action has not been initiated in the Trial Division, and no civil docket number has been assigned, Petitions for Approval of Settlement shall be electronically filed with the Clerk of the Orphans' Court Division. Upon expiration of the Response period, the Petition shall be assigned to a Judge of the Orphans' Court Division for disposition and the entry of an appropriate final appealable order. The Order shall be docketed and served on all interested parties by the Clerk of the Orphans' Court Division.

(C) *Appointment of Guardian ad Litem.* In any case where an incapacitated person, de facto or de jure, has an interest and the Settlement Judge or the Trial Judge has not appointed a guardian ad litem, and the Judge of the Orphans' Court Division believes it necessary that the incapacitated person be represented separately, the Orphans' Court Judge shall appoint a guardian ad litem, who shall be an attorney in good standing who is admitted to practice law in the Commonwealth of Pennsylvania, to represent the incapacitated person's interest. A guardian ad litem may be appointed if required by the circumstances without regard to whether a guardian of the person or of the estate of the incapacitated person has been appointed.

(D) *Content of the Petition.* The Petition shall be substantially in the form set forth hereunder, and shall:

(1) Set forth the date of birth and the address of the incapacitated person, the names and addresses of all guardians of the person, the estate and/or ad litem of the incapacitated person, and the appointing court, and a factual recitation of the salient facts which form the basis of the cause of action;

(2) State the terms of the settlement, including the specific provisions of any annuity, if applicable, including the credit rating of the entity assuming responsibility for future payments, the present cost of the annuity, as well as the schedule and amount of periodic and lump sum payments;

(3) State the amount of counsel fees and provide an itemization of the expenses to be paid out of settlement proceeds;

(4) State whether a lien or claim has been raised on behalf of any medical care provider or payer, including the Department of Human Services and Medicare; and

(5) Contain or be accompanied by the following:

(a) A written report of a physician setting forth the present physical and mental condition of the incapacitated person;

(b) A verified statement by the guardian of the person of the incapacitated person, or the guardian ad litem, if appointed, certifying the present physical and mental condition of the incapacitated person, and a copy or the decree appointing the guardian of the person or guardian ad litem;

(c) A verified statement by the guardian of the estate of the incapacitated person, or the guardian ad litem, if appointed, certifying approval of the proposed settlement and distribution thereof; and a copy of the decree appointing the guardian of the estate or guardian ad litem;

(d) A statement of the professional opinion of counsel as to the reasonableness of the proposed settlement and the basis for such opinion;

(e) If there is to be an allocation between a sui juris adult and an incapacitated person, a statement of the amounts allocated to each party and specific reasons for such proposed allocation;

(f) If a guardian ad litem has been appointed, a statement of the professional opinion of the guardian ad litem as to the reasonableness of the proposed allocation, and the basis for such opinion. The guardian ad litem shall give specific reasons for his or her approval or disapproval of any proposed allocation of the proceeds;

(g) Statement of the final lien amount from the Department of Human Services;

(h)(1) Statement of the amount paid by Medicare for medical costs as reflected on the relevant Explanations of Benefits received from the Medicare payers and Conditional Payment letters received from the Medicare Secondary Payer Recovery Contractor. This amount should constitute the maximum Medicare reimbursement exposure to the plaintiff for which funds from the settlement amount should be reserved. Should the actual reimbursement to Medicare be less than the reserved amount as a result of allowances by Medicare for the fees, costs or other factors, the balance shall be distributed in accordance with the Court Order, and shall be reflected in the Affidavit of Compliance filed with the Court.

(2) In the event that compliance with the Court's Order is not fully accomplished, the attorney shall describe the extent of compliance and any reasons for delay in an Affidavit filed within 60 days of the entry of the Order. A subsequent Affidavit shall be filed upon complete satisfaction of the terms of the Order.

(i) Statement from medical care providers agreeing to compromised amount(s), if any;

(j) Any other information which might be helpful for the orderly disposition of the Petition; and

(k) A proposed Order of Distribution, etc., substantially in the form set forth in (K) below.

(E) *Release of Defendants.* After Court approval of the gross amount of the settlement, but before Court approval of the distribution, the plaintiff may sign a release to discharge the settling defendant and the Court may issue an Order to Settle, Discontinue and End to the settling parties. If plaintiff releases and discharges a defendant pursuant to this subsection, defendant's draft or check shall be made payable to the plaintiff and to counsel for the plaintiff and the payees shall deposit the draft or check into a separate insured interest-bearing escrow account or the attorney's Interest on Lawyers Trust Account (IOLTA), pending the issuance of an Order of Distribution by the Court. This subsection is intended to allow prompt tender of settlement proceeds independent of issues involving distribution.

(F) *Counsel Fees.* The proposed Order of Distribution shall include an award of counsel fees. The standard for the award of counsel fees in the representation of incapacitated persons is that such fees must be reasonable in accordance with the guidelines set forth in Rule 1.5 of the Rules of Professional Conduct. Counsel are advised to maintain time records.

Counsel fees of one-third (1/3) of the net fund recovered may be considered reasonable, subject to the approval of the Court. The net fund is calculated by subtracting the attorney's reimbursable costs from the gross settlement amount. Counsel fees shall be reduced by the amount of collateral payments received as counsel fees for representation involving the same matter from third parties.

(G) *Personal Appearances.* The Judge of the Orphans' Court to whom the Petition is assigned may, at his or her discretion, require the personal appearance of the incapacitated person, the guardians of the estate and/or of the person, the guardian ad litem, the physicians, or any other relevant party, as well as the production or any other evidence deemed necessary for the disposition of the Petition.

(H) *Compliance with Court Order and Proof of Deposit.* Within sixty (60) days of the entry of a final Order or Distribution, counsel shall electronically file an Affidavit of Compliance with the Court maintaining the docket of the matter, either with the Office of Judicial Records or with the Clerk of the Orphans' Court Division. The Affidavit of Compliance shall certify compliance with the Order, attach a copy of the said Order and shall submit proof of deposit in the restricted account, annuity, structured settlement or trust. The Affidavit of Compliance shall be substantially in the form set forth in (K) below.

(I) *Distribution to Incapacitated Persons Pursuant to Pa.R.C.P. No. 2064.* Funds allocated by a Court approved incapacitated person's compromise, settlement, or by a judgment entered upon a verdict, for the direct benefit of an incapacitated person shall be payable only to the guardian of the estate of the incapacitated person ap-

pointed by the Court with jurisdiction over the incapacitated person, with the express authorization of the Court as to payment of counsel fees and expenses or posting of security.

In the alternative, the Court may:

(1) Order, as provided in Pa.R.C.P. No. 2064(b)(1), an amount not in excess of twenty-five thousand dollars (\$25,000) to be paid for the benefit of the incapacitated person to the guardian of the person of the incapacitated person;

(2) Order, as provided in Pa.R.C.P. No. 2064(b)(2),

(a) any amount be deposited in one or more restricted savings account(s) in the name of the incapacitated person, in federally insured banks or savings institutions having an office in Philadelphia County, each not to exceed the insured amounts. The savings account shall be titled and restricted as follows:

_____, an incapacitated person, not to be withdrawn, except for the payment of local, state and federal income taxes on the interest earned, or upon Order of Court.

Or

(b) the purchase of one or more restricted certificate(s) of deposit in the name of the incapacitated person, in federally insured banks or savings institutions having an office in Philadelphia County, each not to exceed the insured amounts. The certificate shall be titled and restricted as follows:

_____, an incapacitated person, not to be redeemed except for renewal in its entirety, not to be withdrawn, assigned, negotiated, or otherwise alienated, except upon Order of Court.

(3) Approve an agreement providing for a structured settlement in the manner provided by Pa.R.C.P. No. 2064(b)(3).

(4) Approve a trust agreement to be executed by a corporate fiduciary in the manner provided by Pa.R.C.P. No. 2064(b)(4).

(J) *Service. Notice. Proof of Service.* Petitions filed pursuant to Section (B)(1) above shall be served as provided in Phila.Civ.R. *205.4(f)(7) and Pa.R.C.P. No. 205.4(g). Petitions filed pursuant to Section (B)(2) above shall be noticed as provided in Pa.O.C. Rule 3.5. Service to all parties in interest not effectuated through the Electronic Filing System shall be effectuated by mailing Notice of the filing of the Petition and a copy of the Petition by first-class United States mail, postage prepaid. Proof of Service and a copy of the notice shall be appended to the Petition or filed after service, as appropriate.

(K) *Forms.* See Appendix.

Philadelphia Civil Rule *2206. Petitions for Approval of Settlements and Distribution in Wrongful Death/Survival Actions. See also Pa.R.C.P. No. 2206 and Phila.Civ.R. *2039 and *2064.

(A) *When Required.*

(1) *Survival Action.* Court approval of settlements in Survival Actions brought for the benefit of the estate is always required.

(2) *Wrongful Death.* If a Wrongful Death claim, brought for the benefit of the appropriate intestate heirs, is

raised, Court approval of settlements shall be required only where a minor or incapacitated person has an interest.

(3) *Combined Wrongful Death and Survival Actions.* If both Wrongful Death and Survival Action claims are raised, Court approval is required.

(B) *Situs of the Filing of the Petition.*

(1) Petitions for Approval of Settlements in Wrongful Death or Survival Actions shall be electronically filed with the Office of Judicial Records, Civil (formerly the "Prothonotary") if suit was commenced in the Trial Division. Upon expiration of the Response period, the Petition shall be assigned to the Administrative Judge of the Orphans' Court Division for disposition and the entry of an appropriate final appealable Order. The Order shall be docketed and served on all interested parties by the Office of Judicial Records.

(2) If Settlement is reached prior to the commencement of a lawsuit and no Civil Docket number has been assigned, the Petition for Approval shall be electronically filed with the Clerk of the Orphans' Court Division. Upon expiration of the Response period, the Petition shall be assigned to the Administrative Judge of the Orphans' Court Division for disposition and the entry of an appropriate final appealable Order. The Order shall be docketed and served on all interested parties by the Clerk of the Orphans' Court Division.

(C) *Notice to Government Agencies.* Notice of the settlement must be given to the Pennsylvania Department of Revenue and the Pennsylvania Department of Human Services.

(D) *Contents of Petition.* The Petition shall be substantially in the form set forth hereunder, and shall:

(1) Set forth the date of death of the decedent, the name of the personal representative of the estate and the county of appointment. A copy of the Decree of the Register of Wills granting Letters and a copy of the Will, if any, must be attached;

(2) State the terms of the settlement, including the specific allocation as between Wrongful Death and Survival Action, name the Wrongful Death beneficiaries and the amount each is to receive, name the intestate heirs of decedent as of the date the cause of action arose, state reasons why the settlement and allocation are reasonable, and otherwise comply with Pa.R.C.P. No. 2206.

(3) In the event a portion of the settlement is payable through the purchase of an annuity, set forth the credit rating of the entity assuming responsibility for future payment, the present cost of the annuity, as well as the schedule and amount of periodic and lump sum payments;

(4) Show compliance with Pa.R.C.P. Nos. 2205 and 2207, and set forth the name, date of birth, relationship and address of decedent's intestate heirs (as set forth in 20 Pa.C.S. §§ 2201 et seq.), and the name, date of birth and address of all beneficiaries under the Will, who must be served with a copy of the Petition;

(5) State whether a lien or claim has been raised on behalf of any medical care provider or payer, including the Department of Human Services and Medicare; and

(6) Contain or be accompanied by the following:

(a) Statement of the final lien amount from the Department of Human Services;

(b)(1) Statement of the amount paid by Medicare for medical costs as reflected on the relevant Explanations of Benefits received from the Medicare payers and Conditional Payment letters received from the Medicare Secondary Payer Recovery Contractor. This amount should constitute the maximum Medicare reimbursement exposure to the plaintiff for which funds from the settlement amount should be reserved. Should the actual reimbursement to Medicare be less than the reserved amount as a result of allowances by Medicare for the fees, costs or other factors, the balance shall be distributed in accordance with the Court Order, and shall be reflected in the Affidavit of Compliance filed with the Court.

(2) In the event that compliance with the Court's Order is not fully accomplished, the attorney shall describe the extent of compliance and any reasons for delay in an Affidavit filed within 60 days of the entry of the Order. A subsequent Affidavit shall be filed upon complete satisfaction of the terms of the Order.

(c) Approval of the allocation from the Pennsylvania Department of Revenue;

(d) A statement of the professional opinion of counsel as to the reasonableness of the proposed settlement and the basis for such opinion.

(e) A statement setting forth the following:

(i) the time between the injury and death;

(ii) whether or not the decedent was conscious, and the circumstances prior to his or her death;

(iii) the amount of the medical and funeral bills;

(iv) the amount of the decedent's wage loss;

(v) the age, employment and any other circumstances of any potential beneficiaries under the Wrongful Death Act.

(f) Proof of service of the initiation of the wrongful death action as required under Pa.R.C.P. No. 2205.

(g) Identification of any other parties who may have a possible interest in the decedent's estate, and list unpaid claims raised, or which are outstanding, in the decedent's estate; and

(h) A proposed Order, approving the settlement and allocation between wrongful death and survival, substantially in the form set forth in (H) below.

(E) *Service. Notice. Proof of Service.* Petitions filed pursuant to Section (B)(1) above shall be served as provided in Phila.Civ.R. *205.4(f)(7) and Pa.R.C.P. No. 205.4(g). Petitions filed pursuant to Section (B)(2) above shall be noticed as provided in Pa.O.C. Rule 3.5. Service to all parties in interest not effectuated through the Electronic Filing System shall be effectuated by mailing Notice of the filing of the Petition and a copy of the Petition by first-class United States mail, postage prepaid. Proof of Service and a copy of the notice shall be appended to the Petition or filed after service, as appropriate.

(F) *Compliance with Court Order and Proof of Deposit.* Within sixty (60) days of the entry of a final Order of Distribution, counsel shall electronically file an Affidavit of Compliance with the Court maintaining the docket of the matter, either with Office of Judicial Records or with the Clerk of the Orphans' Court Division. The Affidavit of

Compliance shall certify compliance with the Order, attach a copy of the said Order and shall submit proof of deposit in the restricted account, annuity, structured settlement or trust as ordered. The Affidavit of Compliance shall be substantially in the form set forth in (H) below.

(G) *Release of Defendant.* After Court approval of the gross amount of the settlement, but before Court approval of the distribution, the plaintiffs may sign a release to discharge the settling defendant and the Court may issue an Order to Settle, Discontinue and End to the settling

parties. If plaintiff releases and discharges a defendant pursuant to this subsection, defendant's draft or check is to be made payable to all plaintiff(s) and to counsel for plaintiff(s), to be deposited into a separate insured interest-bearing escrow account or the attorney's Interest on Lawyers Trust Account (IOLTA), pending an Order of Distribution from the Court. This subsection is intended to allow prompt tender of settlement proceeds independent of issues involving distribution.

(H) *Forms.* See Appendix.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil¹

PLAINTIFF : TERM, 20
: :
v. : :
: :
DEFENDANT : NO:

PETITION FOR LEAVE TO SETTLE OR
COMPROMISE MINOR'S ACTION²

To The Honorable, the Judges of the Said Court:

The Petition of _____, a minor, by his Guardian (see Pa.R.C.P. No. 2028), by his attorney, _____, Esquire respectfully requests:

- 1) Petitioner is (see Pa.R.C.P. No. 2026): _____ .
- 2) The minor was born on _____, and his/her social security number is _____ .
- 3) The minor resides with _____ at the following address:

4) A guardian (was) (was not) appointed for the minor as follows:

A copy of the Order is attached.

5) The minor's parents are _____ who reside at the following address:

6) The defendant is _____ who resides or whose principal place of business at all relevant times was _____ .

7) On _____ at the following location _____, the minor sustained the following injuries (set forth in detail):

8) A Complaint was filed against defendant(s) as follows: _____

9) Attached hereto is a report by Dr. _____ dated _____ which sets forth the present condition of the minor.

10) Attached hereto is a statement, under oath, of the minor's parents and/or guardian and/or guardian ad litem certifying the physical and/or mental condition of the minor, as well as the parents' and/or guardian's and/or guardian ad litem's approval of the proposed settlement and distribution.

11) Attached hereto is the written approval of the proposed settlement and distribution by the minor, who is sixteen (16) years of age or older.

¹ In the event the Petition is filed in the Orphans' Court Division, the caption must comply with Pa.O.C. 3.2.
² In the event the Petition involves an Incapacitated Person, appropriate changes are to be made. See Pa.R.C.P. No. 2051, et seq. and Phila.Civ.R. 2064.

12) The following settlement has been proposed:³ _____

(If additional space is needed, please continue on separate page).

13) Counsel is of the professional opinion that the proposed settlement is reasonable due to the following: _____

(If additional space is needed, please continue on separate page).

14) Counsel has incurred the following expenses for which reimbursement is sought (please set forth in detail) _____

(If additional space is needed, please continue on separate page).

15) The following costs have been incurred by or on behalf of the minor and must be paid from the proceeds of the settlement: _____

(If additional space is needed, please continue on separate page.)

16) The Department of Human Services, or any other entity, does (not) have a claim or lien against the plaintiff(s) as follows _____

(If additional space is needed, please continue on separate page.)

17) Counsel requests a fee in the sum of \$ _____ which is _____ % per cent of the net settlement payable to the minor. A copy of the retainer agreement is attached.

18) Counsel (has) (has not) and (will) (will not) receive collateral payments as counsel fees for representation involving the same matter from third parties (i.e. subrogation).

19) The net settlement payable to the minor (after deduction of costs and attorney's fees) is \$ _____ .

WHEREFORE, Petitioner requests that he/she be permitted to enter into the settlement recited above and that the Court enter an Order of Distribution⁴ as follows:

- a) To _____ \$ _____
Reimbursement for Costs
 - b) To _____ \$ _____
 - c) To _____ \$ _____
Counsel Fee
 - d) To: Adult Plaintiff(s) (if applicable) \$ _____
 - e) To _____ \$ _____
A Minor,⁵ in restricted accounts not to be withdrawn before majority or upon prior leave of Court.
- OR
- f) To _____ \$ _____
the Guardian of the Estate of _____, A Minor, appointed or to be appointed by the Orphans' Court of _____ County, after posting appropriate security

Name of Attorney
Attorney for Petitioner

³ Phila.Civ.R. *2039(D)(5)(f) provides that if there is to be an allocation between adults and minors or among minors, the amounts allocated to each party and specific reasons for such allocation must be set forth. Additionally, if more than one plaintiff is involved, whether minor, adult or incapacitated, Petitioner must set forth the amount each will receive and shall provide justification for the requested allocation. In the event a portion of the settlement is payable through the purchase of an annuity, set forth the credit rating of the entity which assumes responsibility for future payments, the present cost of the annuity, as well as the periodic and lump sum payments.

⁴ Counsel is cautioned to specifically provide the requested distribution. Requests that distribution be "as per the attached Order" are not acceptable.

⁵ Counsel is cautioned that the restricted account must be set up in the name of the minor only (not in the name of the parent as guardian for the minor). See Pa.R.C.P. No. 2039(b)(2).

VERIFICATION

I, _____, am the Petitioner in this action and hereby verify that the statements made in the foregoing Petition to Settle or Compromise Minor's Action are true and correct to the best of my knowledge, information and belief.

I understand that the statement in said Petition are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

DATE: _____

PETITIONER

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil**

TERM, 20

:
:
:
:

No:

**ORDER APPROVING SETTLEMENT
AND
ORDER FOR DISTRIBUTION**

AND NOW, this _____ day of _____, 20____, upon consideration of the Petition For Leave to Compromise A Minor's Action, filed _____, it is hereby ORDERED and DECREED that Petitioner is authorized to enter into a settlement with Defendant(s) _____ in the gross sum of _____ (\$ _____) Dollars. Defendant(s) shall forward all settlement drafts or checks to Petitioners' counsel for proper distribution.

IT IS FURTHER ORDERED and DECREED that the settlement proceeds be allocated as follows:

1. To: Minor Plaintiff(s)

NAME	DOB	SS #	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

2. To: Adult Plaintiff(s)

_____	\$ _____
_____	\$ _____

IT IS FURTHER ORDERED and DECREED that the settlement proceeds be distributed as follows:

1. Minor Plaintiff⁶

NAME	DOB	SS #	
_____	_____	_____	\$ _____

a. To: _____, Esquire \$ _____
Reimbursement of Costs

b. To: _____ \$ _____
Costs

c. To: _____, Esquire \$ _____
Counsel Fees

d. The balance, the sum of \$ _____ payable to _____, A Minor, shall be distributed as follows⁷:

OPTION 1

To: _____, Guardian of the Estate of _____, A minor; provided, however, that no payment shall be made to the guardian until the guardian has posted additional security as required by the Orphans' Court Division of _____ County pursuant to 20 Pa.C.S. § 5121, et seq. An appropriate Petition shall be filed with the Orphans' Court within thirty (30) days.

OPTION 2

Counsel is hereby authorized to execute all documentation necessary to purchase saving certificate(s), from federally insured banks or savings institutions having an office in Philadelphia County, in the sum of \$ _____, each not to exceed the insured amount, with the funds payable to the minor upon majority. The certificate shall be titled and restricted as follows:

_____, a minor, not to be redeemed except for renewal in its entirety, not to be withdrawn, assigned, negotiated, or, otherwise alienated before the minor attains majority, except upon prior Order of Court.

⁶ The share of each minor Plaintiff shall be separately distributed.

⁷ In the event a portion of the settlement is payable through the purchase of an annuity, set forth the credit rating of the entity which assumes responsibility for future payments, the present cost of the annuity, as well as the periodic and lump sum payments.

Counsel shall open a savings account in the sum of \$ _____ in the name of the minor. The savings account shall be titled and restricted as follows:

_____, a minor, not to be withdrawn before the minor attains majority, except for the payment of city, state, and federal income taxes on the interest earned by the savings certificate and savings account, or upon prior Order of Court.

2. Adult Plaintiff⁶

The portion of the settlement payable to _____, an Adult Plaintiff named in the Complaint, shall be distributed as follows:

- To: _____, Esquire \$ _____
Reimbursement of Costs
- To: _____ \$ _____
Costs
- To: _____, Esquire \$ _____
Counsel Fees
- To: _____ \$ _____
Plaintiff

Pursuant to Phila.Civ.R. *2039(H), counsel shall file with the Office of Judicial Records⁹ within sixty (60) days from the date of this final Order, proof of the establishment of the accounts as required herein, by Affidavit from counsel certifying compliance with this Order. Counsel shall attach to the Affidavit a copy of the Certificate of Deposit and/or bank account containing the required restrictions.

BY THE COURT:

ORPHANS' COURT DIVISION J.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil**

v. _____ : TERM, 20
: :
: :
: :
: : NO:

AFFIDAVIT

I, _____, Esquire, hereby state and affirm that I have complied with the Order issued on _____ by the Honorable _____ as follows:

Copies of bank accounts are attached hereto.

I verify that the statements in this Affidavit are made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.

DATE: _____, _____, Esquire
Attorney for Petitioner

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil¹**

_____ : TERM, 20
: :
: :
: : NO:

**PETITION TO SETTLE WRONGFUL
DEATH AND SURVIVAL ACTIONS**

To The Honorable, the Judges of the Said Court:

The Petition of _____, Administrator/Executor of the Estate of _____, Deceased, by his/her attorney, _____, Esquire, respectfully requests:

⁸ The share of each adult plaintiff shall be separately distributed.
⁹ If the Petition has been filed with the Clerk of the Orphans' Court Division pursuant to Rule *2039(B)(2), the Affidavit shall likewise be filed with the Clerk of the Orphans' Court Division.
¹ In the event the Petition is filed in the Orphans' Court Division, the caption must comply with Pa.O.C. 3.2.

1. Petitioner is _____ who was appointed Administrator/Executor of the Estate of _____, Deceased, on _____, _____, by the Register of Wills of _____ County. A copy of the Decree of the Register is attached.

2. The plaintiff decedent died on _____ as a result of (set forth relevant information describing the underlying negligence or cause of action as required by Phila.Civ.R. *2206(D)):

(If additional space is needed, please continue on separate sheet).

3. Notice of the institution of the action as required by Pa.R.C.P. 2205 and Philadelphia Civ.R. *2206(E) was given on _____ to the following individuals:

NAME	ADDRESS:
_____	_____
_____	_____
_____	_____

4. Pursuant to Phila.Civ.R. *2206(E) Petitioner has served a copy of this Petition on the intestate heirs² of plaintiff decedent (as provided in 20 Pa.C.S. § 2101 et seq.) who are as follows:

NAME	RELATIONSHIP	ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Pursuant to Phila.Civ.R. *2206(E) Petitioner has served a copy of this Petition on the following parties who may have a possible interest:

NAME	RELATIONSHIP	ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Decedent (did) (did not) have a Will. A copy is attached.

7. The following unpaid claims³ have been raised and/or are outstanding in the decedent's estate:

CREDITOR	AMOUNT DUE
_____	_____
_____	_____
_____	_____

8. A Complaint was filed against defendant(s) as follows:

9. The following settlement has been proposed⁴:

(If additional space is needed, please continue on a separate page).

10. Counsel is of the professional opinion that the proposed settlement is reasonable due to the following (state the reasons why in the professional opinion of counsel the settlement is proper):

(If additional space is needed, please continue on separate page).

11. Petitioner is of the opinion that the proposed settlement is reasonable.

² In the event any court has appointed a guardian for a minor heir or incapacitated person, set forth the name of the guardian, the Court date and manner of appointment.
³ Petitioner must indicate whether the Department of Human Services has a claim or a lien against Petitioners, the Estate or any wrongful death beneficiaries.
⁴ In the event a portion of the settlement is payable through the purchase of an annuity, set forth the credit rating of the entity which assumes responsibility for future payments, the present cost of the annuity, as well as the periodic and lump sum payments sought.

12. Counsel has incurred the following expenses for which reimbursement is sought (Please set forth in detail):

(If additional space is needed, please continue on separate page).

13. Counsel requests counsel fees in the amount of \$ _____ which represents _____ % of the net proceeds of the settlement.

14. Petitioner requests allocation of the net proceeds of the settlement (after deduction of costs and attorneys fees) as follows:

- a. Wrongful Death Claim \$ _____
- b. Survival Claim \$ _____

15. The reason for the requested allocation are as follows:

(If additional space is needed, please continue on a separate page).

16. Pursuant to the Wrongful Death Statute (42 Pa.C.S. § 8301), the beneficiaries of the Wrongful Death Claim, and the proportion of their interest, are as follows:

NAME	AMOUNT DUE
_____	_____
_____	_____

17. The pecuniary loss suffered by the beneficiaries listed in Paragraph 16 is as follows:

(If additional space is needed, please continue on a separate page).

WHEREFORE, Petitioner requests that he/she be permitted to enter into the settlement recited above, and that the Court enter an Order of Distribution⁵ as follows:

- a. To: _____ \$ _____
Reimbursement of Costs
- b. To: _____ \$ _____
Costs
- c. To: _____ \$ _____
Counsel Fees
- d. Wrongful Death Claim
 - i. To: Spouse; and/or \$ _____
 - ii. To: Adult Child(ren); and/or \$ _____
 - iii. To: Minor Child(ren) and/or incapacitated persons; and/or \$ _____
 - (a) in restricted accounts; or \$ _____
 - (b) to the guardian of the minor(s) estate; and/or \$ _____
 - iv. To: Parent(s) \$ _____
- e. Survival Claim
To: _____, Administrator/Executor of the Estate of _____, \$ _____
Deceased

Respectfully submitted,

NAME OF ATTORNEY
ATTORNEY FOR PETITIONER

⁵ Counsel is cautioned to specifically provide the requested distribution. Requests that distribution be "as per attached Order" are not acceptable.

THE COURTS

VERIFICATION

I, _____, am the Petitioner in this action and hereby verify that the statements made in the foregoing Petition to Settle or Compromise Minor's Action are true and correct to the best of my knowledge, information and belief.

I understand that the statement in said Petition are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

DATE: _____

PETITIONER

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil**

PLAINTIFF : TERM, 20
: :
v. : :
: :
DEFENDANT : NO:

NOTICE

PURSUANT TO PHILA.CIV.R. *2206

TO: _____
(Name of Beneficiary)

DATE: _____

YOU ARE HEREBY NOTIFIED THAT, _____, Administrator/Executor of the Estate of _____, Deceased has filed (or will file) on _____, A Petition to Approve a Settlement of a Wrongful Death and Survival Action. A copy of that Petition is enclosed.

If you object to the proposed settlement and/or proposed distribution, you must electronically file your written objections or Response to the Petition on or before⁶ _____, 20 __, through the Civil Electronic Filing System as provided in Phila.Civ.R. *205.4 or Phila.O.C.R. 3.7.A.

I hereby certify that the within Notice has been mailed to the above named individual(s) on the date set forth above.

NAME OF ATTORNEY
ATTORNEY FOR PETITIONER

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil**

: TERM, 20
:
:
:
:
:
NO:

ORDER

AND NOW, this _____ day of _____, 20 __, upon consideration of the Petition to Compromise Wrongful Death and Survival Action filed on _____, 20 __, it is hereby ORDERED and DECREED that Petitioner is authorized to enter into a settlement with Defendant(s) _____, in the gross sum of _____ (\$ _____) Dollars. Defendant(s) shall forward all settlement drafts or checks to Petitioner's counsel for proper distribution.

IT IS FURTHER ORDERED and DECREED that the settlement proceeds are allocated as follows:

- 1. Wrongful Death \$ _____
- 2. Survival Claim \$ _____

IT IS FURTHER ORDERED and DECREED that the settlement proceeds be distributed as follows:

- 1. To: _____, Esquire \$ _____
For Costs
- 2. To: _____, Esquire \$ _____
For Counsel Fees

⁶ Unless waived by all beneficiaries or interested parties, the response period shall be thirty (30) days.

- 3. The Wrongful Death Claim in the sum of shall be paid as follows: \$ _____
- a. To: Spouse; and/or \$ _____
- b. To: Adult Child(ren);⁷ and/or \$ _____
- c. To: Minor Child(ren)⁸ \$ _____

as provided hereunder

OPTION 1

To: _____, Guardian of the Estate of _____, a minor; provided, however, that no payment shall be made to the guardian until the guardian has posted additional security as may be required by the Orphans' Court Division of _____ County pursuant to 20 Pa.C.S. § 5121, et seq. An appropriate Petition shall be filed with the Orphans' Court within thirty (30) days.

OPTION 2

Counsel is hereby authorized to execute all documentation necessary to purchase saving certificate(s), from federally insured banks or savings institutions having an office in Philadelphia County, in the sum of \$ _____, each not to exceed the insured amount, with the funds payable to the minor upon majority. The certificate shall be titled in the name of the minor and shall be restricted as follows:

Not to be redeemed except for renewal in its entirety, not to be withdrawn, assigned, negotiated, or otherwise alienated before the minor attains majority, except upon prior Order of Court. Counsel shall open a savings account in the sum of \$ _____ in the name of the minor.

The savings account shall be restricted as follows:

Not to be withdrawn before the minor attains majority, except for the payment of city, state, and federal income taxes on the interest earned by the savings certificate and savings account, or upon prior Order of Court.

c. To: Parent(s) \$ _____

4) The Survival Claim in the sum of \$ _____ shall be paid to _____, Administrator/Executor, of the Estate of _____, Deceased; provided, however, that counsel shall not distribute any funds to the said Administrator/Executor until the additional security as may be required by the Register of Wills of _____ County pursuant to 20 Pa.C.S. § 3323(b)(3) is posted.

Within sixty (60) days from the date of this final Order, counsel shall file with the office of Civil Administration an Affidavit from counsel certifying compliance with this Order. Counsel shall attach to the Affidavit a copy of the Certificate of Deposit and/or bank account containing the required restrictions.

BY THE COURT:

J.
ORPHANS' COURT DIVISION

cc: Register of Wills of _____ County.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
Trial Division—Civil**

TERM, 20

v.

NO:

AFFIDAVIT

I, _____, Esquire, hereby state and affirm that I have complied with the Order issued on _____ by the Honorable _____ as follows:

Copies of bank accounts are attached hereto.

I verify that the statements in this Affidavit are made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.

DATE: _____, Esquire

Attorney for Petitioner

[Pa.B. Doc. No. 16-975. Filed for public inspection June 10, 2016, 9:00 a.m.]

⁷ In the event the beneficiary is an incapacitated person, appropriate changes are to be made.

⁸ In the event part of the settlement proceeds are payable through the purchase of an annuity, the terms of the annuity shall be set forth in the Order.

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Adoption of Local Rule of Civil Procedure 1910.10*. Alternative Hearing Procedure. Rescission of Local Rule of Civil Procedure 1910.11*. Support Conciliation; No. 2016-00001

Order

And Now, this 26th day of May, 2016, the Court hereby Adopts Montgomery County Local Rule of Civil Procedure 1910.10*. Alternative Hearing Procedure. The Court further Rescinds Montgomery County Local Rule of Civil Procedure 1910.11*. Support Conciliation. These Rule changes shall become effective on July 18, 2016.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.C.P.

239, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and one (1) certified copy shall be filed with the Domestic Relations Procedural Rules Committee. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

Rule 1910.10*. Alternative Hearing Procedure.

The Montgomery County Court of Common Pleas adopts the alternative hearing procedure of Pa.R.C.P. No. 1910.12.

Rule 1910.11*. Support Conciliation.

(Rescinded.)

[Pa.B. Doc. No. 16-976. Filed for public inspection June 10, 2016, 9:00 a.m.]

PROPOSED RULEMAKING

DELAWARE RIVER BASIN COMMISSION

[25 PA. CODE CH. 901]

Proposed Amendments to the Rules of Practice and Procedure Concerning Regulatory Program Fees and to the Basin Regulations—Water Supply Charges Concerning Rates; Public Hearing

Summary: The Commission will hold a public hearing to receive comments on proposed amendments to the *Rules of Practice and Procedure* to adopt a new project review fee structure and to the *Basin Regulations—Water Supply Charges* to provide for automatic inflation adjustments. These changes also are proposed to be incorporated into the Commission's Comprehensive Plan.

Dates: The public hearing will be held at 1:00 P.M. on Wednesday, July 27, 2016. The hearing will continue until all those wishing to testify have had an opportunity to do so. Written comments will be accepted and must be received by 5:00 P.M. on Friday, August 12, 2016.

Addresses: The public hearing will be held at the Commission's office building located at 25 State Police Drive, West Trenton, NJ. As Internet mapping tools are inaccurate for this location, please use the driving directions posted on the Commission's website.

Oral Testimony and Written Comments: Persons wishing to testify at the hearing are asked to register in advance by phoning Paula Schmitt at 609-883-9500, ext. 224. Written comments may be submitted as follows: If by email, to paula.schmitt@drbc.nj.gov; if by fax, to Commission Secretary at 609-883-9522; if by U.S. Mail, to Commission Secretary, DRBC, P.O. Box 7360, West Trenton, NJ 08628-0360; and if by overnight mail, to Commission Secretary, DRBC, 25 State Police Drive, West Trenton, NJ 08628-0360. Comments also may be delivered by hand at any time during the Commission's regular office hours (Monday through Friday, 8:30 A.M. through 5:00 P.M. except on national holidays) until the close of the comment period at 5:00 P.M. on Friday, August 12, 2016. In all cases, please include the commenter's name, address and affiliation, if any, in the comment document and "Fees Rulemaking" in the subject line.

For Further Information, Contact: An FAQ document explaining this proposal in further detail is available on the Commission's website, www.drbc.net. For queries about the rulemaking process, please contact Pamela Bush at 609-477-7203.

Supplementary Information:

Background. The Delaware River Basin Commission ("DRBC" or "Commission") is a federal interstate compact agency charged with managing the water resources of the Delaware River Basin on a regional basis without regard to political boundaries. Its members are the governors of the four basin states—Delaware, New Jersey, New York and Pennsylvania—and the North Atlantic Division Commander of the U.S. Army Corps of Engineers, representing the federal government. DRBC is proposing a comprehensive revision of its project review fee structure, including an automatic annual indexed inflation adjustment for most fees. The inflation adjustment is also

proposed for DRBC's water supply charges rates applicable to consumptive and non-consumptive surface water withdrawals.

Current fees. DRBC's current project review fee structure was adopted by the Commission in 2009 by (uncodified) Resolution No. 2009-2. For projects involving total costs of \$250,000 or less, it consists of a flat project review fee of \$1,000 for privately sponsored projects and \$500 for publicly sponsored projects. For projects with total costs greater than \$250,000, DRBC's current project review fee is based upon a percentage of the costs of the project attributable to project components physically located within the basin, and is capped at \$75,000. However, projects for which the review is exceptionally involved may be charged DRBC's actual costs, which may exceed \$75,000. The current fee structure generates an uneven revenue stream that produced average annual revenues of \$610,843 for the years 2011 through 2015. The Commission's total cost associated with project reviews required by the *Delaware River Basin Compact* and DRBC regulations is estimated to equal \$1.15 million annually. This estimate takes into consideration administrative cost savings expected to accompany implementation of the One Process/One Permit Program (also "One Process/One Permit"), recently authorized by the Commission through its adoption of the one permit program rule, 18 CFR 401.42.

DRBC's water supply charges are used to pay debt service, annual operation and maintenance costs, and the costs of required improvements, repairs and replacements associated with water supply storage owned by the Commission in two reservoirs—Blue Marsh and Beltzville—located in Pennsylvania and operated by the U.S. Army Corps of Engineers. Water supply charges revenues also support DRBC activities related to water supply planning and operations. DRBC's current water supply charges rates, in effect since January 1, 2011, are \$80 per million gallons for consumptive use and \$0.80 per million gallons for non-consumptive use. The previous rates, \$60 per million gallons for consumptive use and \$0.60 per million gallons for non-consumptive use, were adopted in 1978 and remained unchanged for more than 30 years. DRBC's water supply charges revenues have lagged significantly behind inflation.

Proposed changes. The proposed project review fee restructuring includes: for wastewater discharge projects, elimination of DRBC project review fees for applications that undergo coordinated review pursuant to the One Process/One Permit Program; and for water withdrawal projects, (1) for those projects for which DRBC continues to act as lead review agency, replacement of the current fee structure with fees based on monthly water allocation limits; and (2) for renewals subject to coordinated review under One Process/One Permit, elimination of the project review fee. DRBC is simultaneously proposing an Annual Monitoring and Coordination Fee for all water withdrawal and wastewater discharge projects subject to DRBC review and approval, including projects that receive permits from a signatory party agency under the One Process/One Permit Program. The annual fee will range from \$300 to \$1,000 per year, depending upon the permitted discharge capacity or monthly water allocation.

The fee for DRBC's review of "Other" projects—those that involve no ongoing withdrawals or discharges—will continue to be calculated on the basis of project cost. The Annual Monitoring and Coordination Fee will not apply to such "Other" projects. In instances where the Commission's activities and related costs associated with the review of an existing or proposed project are expected to involve extraordinary time and expense, the Executive Director will continue under the proposed rule to have the discretion to impose an Alternative Review Fee equal to the Commission's actual costs. Finally, an annual, indexed, automatic inflation adjustment is proposed for most project review fees.

The proposed regulatory program fees structure is expected to provide a more predictable and sustainable source of revenues and to help close the annual gap in funding needed to support DRBC's project review program.

No increase is proposed to DRBC's current water supply charges rates, set forth at 18 CFR 420.41. However, an annual, indexed, automatic inflation adjustment is proposed, applicable to both the consumptive and non-consumptive use rates for surface water withdrawals.

Additional information. An FAQ document explaining DRBC's fee restructuring proposal in greater detail is available on the Commission's website, www.drbc.net.

For the reasons set forth in the preamble, the Delaware River Basin Commission proposes to amend parts 401 and 420 of title 18 of the *Code of Federal Regulations* (incorporated by reference into the *Pennsylvania Code* at 25 Pa. Code Ch. 901.1 and 901.3) as set forth below.

Part 401—Rules of Practice and Procedure, is proposed to be amended by the addition of a new § 401.43 to read as follows:

§ 401.43 Regulatory program fees.

(a) *Purpose.* The purpose of this section is to provide an adequate, stable and reliable stream of revenue to cover the cost of the Commission's regulatory program activities, an important means by which the Commission coordinates management of the shared water resources of the Basin. Activities to be covered by the fees include the review of applications for projects that are subject to review under the *Delaware River Basin Compact* and implementing regulations; and ongoing activities associated with such projects, including but not limited to, effluent and ambient monitoring, data analysis, hydrodynamic and water quality modeling, and coordination with state and federal agencies.

(b) *Types of fees.* The following types of fees are established by this section:

(1) *Docket Application Fee.* Except as set forth in paragraph (b)(1)(iii) of this section, the Docket Application Fee shall apply to:

(i) Any project that, in accordance with the *Delaware River Basin Compact* and DRBC regulations, requires a Commission-issued docket or permit, whether it be a new or existing project for which the Commission has not yet issued an approval or a project for which the renewal of a previous Commission approval is required.

(ii) Any project that in accordance with section 11 or section 13.1 of the *Delaware River Basin Compact* and DRBC regulations must be added to the Comprehensive

Plan (also, "Plan"). In addition to any new project required to be included in the Plan, such projects include existing projects that in accordance with section 13.1 of the *Compact* are required to be included in the Plan and which were not previously added to the Plan. Any existing project that is changed substantially from the project as described in the Plan shall be deemed to be a new and different project for purposes of this section.

(iii) *Exemptions.* The Docket Application Fee shall not apply to:

(A) Any project for which the Signatory Party Agency serves as lead under the one permit program rule (§ 401.42), unless such project must be added by the Commission to the Comprehensive Plan.

(B) Any project for which an agency, authority or commission of a signatory to the *Compact* is the primary sponsor. Projects sponsored by political subdivisions of the signatory states shall not be included in this exemption. For purposes of this section "political subdivisions" shall include without limitation municipalities, municipal utility authorities, municipal development corporations, and all other entities not directly under the budgetary and administrative control of the Commission's members.

(2) *Annual Monitoring and Coordination Fee.* An Annual Monitoring and Coordination Fee shall apply to each withdrawal and/or discharge project for which a water allocation or wastewater discharge approval issued pursuant to the *Compact* and implementing regulations is in effect, regardless of whether the approval was issued by the Commission in the form of a docket, permit or other instrument, or by a Signatory Party Agency under the one permit program rule (§ 401.42). The fee shall be based on the amount of a project's approved monthly water allocation and/or approved daily discharge capacity.

(3) *Alternative Review Fee.* In instances where the Commission's activities and related costs associated with the review of an existing or proposed project are expected to involve extraordinary time and expense, an Alternative Review Fee equal to the Commission's actual costs may be imposed. The Executive Director shall inform the project sponsor in writing when the Alternative Review Fee is to be applied and may require advance payment in the amount of the Commission's projected costs. Instances in which the Alternative Review Fee may apply include, but are not limited to, matters in which:

(i) DRBC staff perform a detailed pre-application review, including but not limited to the performance or review of modeling and/or analysis to identify target limits for wastewater discharges;

(ii) DRBC staff perform or review complex modeling in connection with the design of a wastewater discharge diffuser system;

(iii) DRBC manages a public process for which the degree of public involvement results in extraordinary effort and expense, including but not limited to costs associated with multiple stakeholder meetings, special public hearings, and/or voluminous public comment.

(iv) DRBC conducts or is required to engage third parties to conduct additional analyses or evaluations of a project in response to a court order.

(4) *Additional fees.*

(i) *Emergency approval.* A request for an emergency certificate under § 401.40 to waive or amend a docket condition shall be subject to a minimum fee in accordance with paragraph (e) of this section. An Alternative Review Fee also may be charged in accordance with paragraph (b)(3) of this section.

(ii) *Late filed renewal application.* Any renewal application submitted fewer than 120 calendar days in advance of the expiration date or after such other date specified in the docket or permit or letter of the Executive Director for filing a renewal application shall be subject to a Late Filed Renewal Application charge in excess of the otherwise applicable fee.

(iii) *Modification of a DRBC approval.* Following Commission action on a project, each project revision or modification that the Executive Director deems substantial shall require an additional Docket Application Fee calculated in accordance with paragraph (e) of this section and subject to an Alternative Review Fee in accordance with paragraph (b)(3) of this section.

(iv) *Name change.* Each project with a docket or permit issued by the DRBC or by a Signatory Party Agency pursuant to the one permit program rule (§ 401.42) will be charged an administrative fee as set forth in paragraph (e) of this section.

(v) *Change of ownership.* Each project that undergoes a “change in ownership” as that term is defined in section 5.2.1 E.2 of the Commission’s *Water Supply Charges*

Regulations will be charged an administrative fee as set forth in paragraph (e) of this section.

(c) *Indexed adjustment.* On July 1 of every year, beginning July 1, 2017, all fees established by this section will increase commensurate with any increase in the annual April 12-month Consumer Price Index (CPI) for Philadelphia, published by the U.S. Bureau of Labor Statistics during that year.¹ In any year in which the April 12-month CPI for Philadelphia declines or shows no change, the Docket Application Fee and Annual Monitoring and Coordination Fee will remain unchanged. Following any indexed adjustment made under this paragraph, a revised fee schedule will be posted on the Commission’s website. Interested parties may also obtain the current fee schedule by contacting the Commission directly during business hours.

(d) *Late payment charge.* When any fee established by this section remains unpaid 30 calendar days after the payment due date provided on the Commission’s invoice, an incremental charge equal to 2% of the amount owed shall be automatically assessed. Such charge shall be assessed every 30 days thereafter until the total amount owed, including any late payment charges *has been paid in full.*

(e) *Fee schedules.* The fees described in this section shall be as follows.

¹ Consumer Price Index—U/Series ID: CWURA102SA0/Not Seasonally Adjusted/ Area: Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD/Item: All items/Base Period: 1982-84=100.

DOCKET APPLICATION FILING FEE

<i>Project Type</i>	<i>Docket Application Fee</i>	<i>Fee Maximum</i>
Water Withdrawal	\$400 per million gallons/month of allocation ¹ , not to exceed \$15,000 ¹ Fee is doubled for any portion to be exported from the basin.	Greater of: \$15,000 ¹ or Alternative Review Fee
Wastewater Discharge	Private projects: \$1,000 ¹ Public projects: \$500 ¹	Alternative Review Fee
Other	0.4% of project cost up to \$10,000,000 plus 0.12% of project cost above \$10,000,000 (if applicable), not to exceed \$75,000 ¹	Greater of: \$75,000 ¹ or Alternative Review Fee

¹ Subject to annual adjustment in accordance with paragraph (c) of this section.

ANNUAL MONITORING AND COORDINATION FEE

	<i>Annual Fee</i>	<i>Allocation</i>
Water Withdrawal	\$300 ¹	< 4.99 mgm
	\$450 ¹	5.00 to 49.99 mgm
	\$650 ¹	50.00 to 499.99 mgm
	\$825 ¹	500.00 to 9,999.99 mgm
	\$1,000 ¹	> or = to 10,000 mgm
Wastewater Discharge	<i>Annual Fee</i>	<i>Discharge Design Capacity</i>
	\$300 ¹	< 0.05 mgd
	\$610 ¹	0.05 to 1 mgd
	\$820 ¹	1 to 10 mgd
	\$1,000 ¹	>10 mgd

¹ Subject to annual adjustment in accordance with paragraph (c) of this section.

ADDITIONAL FEES

<i>Proposed Action</i>	<i>Fee</i>	<i>Fee Maximum</i>
Emergency Approval Under 18 CFR 401.40	\$5,000	Alternative Review Fee
Late Filed Renewal Surcharge	\$2,000	—
Modification of a DRBC Approval	At Executive Director's discretion, Docket Application Fee for the appropriate project type.	Alternative Review Fee
Name change	\$1,000 ¹	—
Change of Ownership	\$1,500 ¹	—

¹ Subject to annual adjustment in accordance with paragraph (c) of this section.

Part 420—Basin Regulations—Water Supply Charges

is proposed to be amended by revising § 420.41 to read as follows:

§ 420.41 Schedule of water charges.

The schedule of water charges established in accordance with § 420.22 shall be as follows:

(a) \$80 per million gallons for consumptive use, subject to paragraph (c) of this section; and

(b) \$0.80 per million gallons for non-consumptive use, subject to paragraph (c) of this section.

(c) On July 1 of every year, beginning July 1, 2017, the rates established by this section will increase commensurate with any increase in the annual April 12-month Consumer Price Index (CPI) for Philadelphia, published by the U.S. Bureau of Labor Statistics during that year.¹ In any year in which the April 12-month CPI for Philadelphia declines or shows no change, the water charges rates will remain unchanged. Following any indexed adjustment made under this paragraph, revised consumptive and non-consumptive use rates will be posted on the Commission's website. Interested parties may also obtain the current rates by contacting the Commission directly during business hours.

Dated: May 5, 2016

PAMELA M. BUSH, Esq.,
Secretary

Fiscal Note: 68-59. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART V. DELAWARE RIVER BASIN COMMISSION

CHAPTER 901. GENERAL PROVISIONS

§ 901.1. Rules of Practice and Procedure.

The rules of practice and procedure as set forth in 18 CFR Part 401 (2016) are hereby incorporated by reference and made a part of this title.

§ 901.3. Water supply charges.

The Basin Regulations—Water Supply Charges as set forth in 18 CFR Part 420 [(1994)] (2016) are hereby incorporated by reference and made a part of this title.

[Pa.B. Doc. No. 16-977. Filed for public inspection June 10, 2016, 9:00 a.m.]

¹ Consumer Price Index—U/Series ID: CWURA102SA0/Not Seasonally Adjusted/Area: Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD/Item: All items/Base Period: 1982-84=100.

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

Stream Redesignations (Sobers Run, et al.)

The Environmental Quality Board (Board) proposes to amend §§ 93.9c, 93.9f and 93.9i (relating to Drainage List C; Drainage List F; and Drainage List I) to read as set forth in Annex A. This proposed rulemaking fulfills the Commonwealth's obligations under State and Federal laws to review and revise, as necessary, water quality standards that are protective of surface waters.

This proposed rulemaking was adopted by the Board at its meeting on April 19, 2016.

A. *Effective Date*

This proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. *Contact Persons*

For further information, contact Rodney Kime, Bureau of Clean Water, 11th Floor, Rachel Carson State Office Building, P.O. Box 8774, 400 Market Street, Harrisburg, PA 17105-8774, (717) 787-9637; or Michelle Moses, Assistant Counsel, Bureau of Regulatory Counsel, 9th Floor, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)").

C. *Statutory and Regulatory Authority*

This proposed rulemaking is being made under the authority of sections 5(b)(1) and 402 of The Clean Streams Law (35 P.S. §§ 691.5(b)(1) and 691.402), which authorize the Board to develop and adopt rules and regulations to implement The Clean Streams Law (35 P.S. §§ 691.1—691.1001), and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which grants to the Board the power and duty to formulate, adopt and promulgate rules and regulations for the proper performance of the work of the Department. In addition, section 303 of the Federal Clean Water Act (33 U.S.C.A. § 1313) sets forth requirements for water quality standards.

D. *Background and Purpose*

Water quality standards are in-stream water quality goals that are implemented by imposing specific regula-

tory requirements (such as treatment requirements, effluent limits and best management practices (BMP)) on individual sources of pollution. Section 303(c)(1) of the Federal Clean Water Act requires states to periodically review and revise, as necessary, water quality standards. Water quality standards include designated uses, numeric and narrative criteria, and antidegradation requirements for surface waters. These proposed amendments are the result of stream evaluations conducted by the Department.

The Department may identify candidate streams for redesignation of uses during routine waterbody investigations. Requests for consideration may also be initiated by other agencies. Members of the public may submit a rulemaking petition to the Board.

The Department considers candidates for High Quality (HQ) or Exceptional Value (EV) Waters and all other designations in its ongoing review of water quality standards. In general, HQ and EV waters must be maintained at their existing quality, and permitted activities shall ensure the protection of designated and existing uses. The purpose of this proposed rulemaking is to update the designated uses so that the surface waters of the Commonwealth are afforded the appropriate level of protection.

Existing use protection is provided when the Department determines, based on its evaluation of the best

available scientific information, that a surface water attains water uses identified in § 93.3 (relating to protected water uses). Examples of water uses protected include: Cold Water Fishes (CWF), Warm Water Fishes (WWF), HQ and EV. A final existing use determination is made on a surface water at the time the Department takes a permit or approval action on a request to conduct an activity that may impact surface water. If the determination demonstrates that the existing use is different than the designated use, the water body will immediately receive the best protection identified by either the attained uses or the designated uses. A stream will then be “redesignated” through the rulemaking process to match the existing uses with the designated uses. For example, if the designated use of a stream is listed as protecting WWF but the redesignation evaluation demonstrates that the water attains the use of CWF, the stream would immediately be protected for CWF prior to a rulemaking. Once the Department determines the water uses attained by a surface water, the Department will recommend to the Board that the existing uses be adopted as “designated” uses, through rulemaking, and be added to the list of uses identified in § 93.9 (relating to designated water uses and water quality criteria).

The streams in this proposed rulemaking that are candidates for redesignation were all evaluated in response to petitions as follows:

<i>Stream</i>	<i>County</i>	<i>Petitioner</i>
Swiftwater Creek	Monroe	Brodhead Creek Watershed Association
Sobers Run	Northampton	Bushkill Township
Mill Creek	Berks and Chester	Delaware Riverkeeper Network
Silver Creek	Susquehanna	Silver Lake Association

These proposed amendments are the result of stream evaluations conducted by the Department in response to four petitions that were submitted. The physical, chemical and biological characteristics and other information on these waterbodies were evaluated to determine the appropriateness of the current and requested designations using applicable regulatory criteria and definitions. In reviewing whether waterbodies qualify as HQ or EV waters, the Department considers the criteria in § 93.4b (relating to qualifying as High Quality or Exceptional Value Waters). Based upon the data and information collected on these waterbodies, the Department recommends the Board adopt this proposed rulemaking as described in this preamble and as set forth in Annex A.

E. Summary of Regulatory Requirements

The Department gave notice, in the *Pennsylvania Bulletin* and on its web site, that an evaluation was to be conducted on all or portions of the subject streams to determine the proper Aquatic Life Use or Special Protection designations for the Commonwealth’s Water Quality Standards. Persons who had technical data concerning the water quality, instream habitat or biological conditions of these stream sections were encouraged to make it available to the Department for consideration in the assessment. Potentially affected municipalities were also notified by letter of the stream evaluations and asked to provide any readily available data.

Data was not received for Swiftwater Creek. The Department received comments regarding Swiftwater Creek including a notice from Tobyhanna Township stating that they do not support the petition to upgrade

Swiftwater Creek. The Department did receive data from Bushkill Township to augment the Department’s assessment of Sobers Run. Hanover Engineering Associates submitted the latest Coldwater Conservation Plan (2009) completed for the Upper Bushkill Creek Watershed and the Northampton County Conservation District submitted water chemistry results collected by the Retired Senior Volunteer Program. This data was used as documentation and support for the Sobers Run special protection assessment. The Delaware Riverkeeper Network provided the Department with water quality data for Mill Creek including a copy of the 1994 Fish and Boat Commission Report, information pertaining to the Fish and Boat Commission “Natural Trout Reproduction Layer” and information pertaining to local angler observations. This submitted data was used as supporting documentation of the water quality of the Mill Creek basin in conjunction with the findings of the Department’s survey. The Department also received two supportive responses from local citizens regarding the redesignation of Mill Creek. The Department did not receive data regarding Silver Creek. The Department did receive one letter of support for the redesignation of Silver Creek.

The affected municipalities, county planning commissions, county conservation districts, other State agencies and petitioners were later notified of the availability of a draft evaluation report for review and comment. The draft stream evaluation reports were also made available on the Department’s web site and were offered for an opportunity for a minimum 30-day public review and comment period.

Comments were not received in response to this notice for either Swiftwater Creek or Silver Creek. Nine commentators offered supportive comments for the Department's recommendation to redesignate Sobers Run. During the initial comment period, three stakeholders offered comments pertaining to the Mill Creek report, one in support and two in opposition. In addition, the Delaware Riverkeeper Network requested an extension of the original 30-day public comment period. In response, the Department provided a 30-day extension to the comment period for the Mill Creek stream report. The Delaware Riverkeeper Network provided additional comments in support of the Department's EV recommendation; but stated opposition of the recommendation for the unnamed tributary to Mill Creek at 40°14'33.8"N; 75°43'49.6"W to remain unchanged.

All data and comments received in response to these notifications were considered in the determination of the Department's recommendations to the Board.

Copies of the Department's stream evaluation reports for these waterbodies are available on the Department's web site or from the contacts whose addresses and telephone numbers are listed in Section B of this preamble. The data and information collected on these waterbodies support the Board's proposed amendments as set forth in Annex A.

The following is a brief explanation of the recommendations for each waterbody.

Swiftwater Creek (stream code 04954)—The Brodhead Creek Watershed Association submitted a petition requesting that the upper portion of Swiftwater Creek be considered for redesignation to EV. The petition describes the candidate portion of Swiftwater Creek basin as that portion that lies upstream of SR 611. This upstream portion of Swiftwater Creek basin flows through Tobyhanna Township, Pocono Township and Mount Pocono Borough, Monroe County. Swiftwater Creek is in the Brodhead Creek basin, which is a tributary to the Delaware River. The indigenous aquatic community is an excellent indicator of long-term water quality conditions and is used as a measure of both water quality and ecological significance. The integrated benthic macroinvertebrate score test in § 93.4b(b)(1)(v) was applied to Swiftwater Creek. Dimmick Meadow Brook (05244) served as the EV reference for stream metrics comparisons. The two stations farthest upstream both met the 92% comparison required to qualify for EV Waters. Therefore, the Board recommends that the Swiftwater Creek basin from its source to (but not including) UNT 04960 be redesignated as EV, Migratory Fishes (MF). The remainder of the Swiftwater Creek basin should remain HQ-CWF, MF.

Sobers Run (stream code 04646)—Sobers Run basin lies entirely in Bushkill Township, Northampton County. Bushkill Township submitted a petition that requested that the entire Sobers Run basin be redesignated from HQ-CWF, MF to EV. Sobers Run is a tributary to the Bushkill Creek which flows into the Delaware River. Based on applicable regulatory definitions and requirements of § 93.4b, the Board recommends that the entire Sobers Run basin be redesignated EV based on § 93.4b(b)(2). Sobers Run basin qualifies for the exceptional ecological significance criterion based on the presence of endemic plant communities dependent on water quality or hydrology and their rarity in this Commonwealth. This redesignation recommendation includes the surface waters that additionally meet other qualifiers for

outstanding local resource waters and the Department's integrated benthic macroinvertebrate scoring test.

Mill Creek (stream codes 01714, 01715, 01716)—Mill Creek is currently designated WWF, MF and it flows through two townships in two different counties. Mill Creek originates in North Coventry Township, Chester County and its mouth lies in Union Township, Berks County where Mill Creek empties into the Schuylkill River. The Schuylkill River is part of the Delaware River watershed. The entire Mill Creek basin was evaluated for potential redesignation to EV in response to a petition submitted by the Delaware Riverkeeper Network. The indigenous aquatic community is an excellent indicator of long-term water quality conditions and is used as a measure of both water quality and ecological significance. The integrated benthic macroinvertebrate score test in § 93.4b(a)(2)(i)(A) and (b)(1)(v) was applied to Mill Creek. Metrics scores obtained from stations in the Mill Creek basin were compared to a reference station located at UNT 64027 to Sixpenny Creek. The reference station was located in Union Township, Berks County. The macroinvertebrate communities were evaluated at four stations in the Mill Creek basin. Three of the four stations had biological condition scores that ranged from 93—100% of the reference station score. As a result, these stations exceeded the threshold of 92% required to qualify for an EV designation under the Department's regulatory criterion. The remaining station was located on stream code 01714 just upstream of the confluence of 01714 and 01715. That is, the station with the lowest score was located on the unnamed tributary to Mill Creek just upstream of its mouth. The latitude and longitude coordinates of the mouth of unnamed tributary are 40°14'33.8"N; 75°43'49.6"W. The Board recommends that Mill Creek basin excluding the unnamed tributary at 40°14'33.8"N; 75°43'49.6"W should be redesignated to EV, MF. The remaining unnamed tributary at 40°14'33.8"N; 75°43'49.6"W should retain its current designated use of WWF, MF.

Silver Creek (stream code 31879)—Silver Creek flows through Silver Lake, Forest Lake, Bridgewater, Liberty and Franklin Townships, Susquehanna County before it enters Snake Creek. Silver Creek is in the Susquehanna River basin. The Silver Lake Association submitted a petition requesting that portions of Silver Creek basin be redesignated from CWF, MF to EV. The portion of the Silver Creek basin that was excluded from the study is the Laurel Lake Creek basin except McCormick Run, which is a tributary to Laurel Lake Creek. The indigenous aquatic community is an excellent indicator of long-term water quality conditions and is used as a measure of both water quality and ecological significance. The integrated benthic macroinvertebrate score test in § 93.4b(a)(2)(i)(A) and (b)(1)(v) was applied to Silver Creek. Department staff collected habitat and benthic macroinvertebrate data at seven locations within the petitioned area and from one reference station on West Branch Fishing Creek (28020), Sullivan County. All stations had Biological Condition Scores that exceeded the threshold to qualify for an EV designation under the Department's regulatory criterion. The Board recommends that the designated use of Silver Creek basin, excluding Laurel Lake Creek basin, but also including McCormick Run basin, be changed from the current CWF, MF designated use to EV, MF.

The Board is also proposing to correct two stream names as they appear in § 93.9c. The United States Geologic Survey maintains the National Hydrography Dataset (NHD) Flowline. The stream nomenclature and the fluvial geomorphology given in the *Pennsylvania Code*

are governed by the NHD Flowline. These corrections are proposed to maintain consistency between the *Pennsylvania Code* and the NHD Flowline. Saw Kill Creek and Raymond Kill Creek will be corrected to Sawkill Creek and Raymondskill Creek, respectively, to be consistent with the NHD Flowline.

The Board proposes that all references to river mile indexes (RMI) in Annex A be converted to a set of coordinates (latitude and longitude), with the eventual goal to be the conversion of all RMIs in §§ 93.9a–93.9z to the coordinate system. Department staff recognizes the RMI system to be antiquated. When determining the RMI, it is possible to derive differing RMIs depending on the technique used. It is easy to consistently determine the latitude and longitude along any point of a stream or river while in the field with a hand-held GPS unit or using a GIS software application (the Department standard projected coordinate system is PA_Albers_Equal_Area_Conic; the geographic coordinate system is North American Datum 1983 or NAD 1983). It is very difficult to determine the RMI while in the field. Referring to the latitude and longitude will make it much easier for the regulated community and others to apply the zone description in § 93.9 to a particular project or activity, and determine whether the project discharges within or the activity is otherwise related to the referenced stream zone.

F. *Benefits, Costs and Compliance*

Benefits

Overall, the Commonwealth, its citizens and natural resources will benefit from these recommended changes because they provide the appropriate level of protection to preserve the integrity of existing and designated uses of surface waters in this Commonwealth. Protecting water quality provides economic value to present and future generations in the form of a clean water supply for human consumption, wildlife, irrigation and industrial use; recreational opportunities such as fishing (also for consumption), water contact sports and boating; and aquatic life protection. It is important to realize these benefits and to ensure opportunities and activities continue in a manner that is environmentally, socially and economically sound. Maintenance of water quality ensures its future availability for all uses.

Compliance costs

This proposed rulemaking may impose additional compliance costs on the regulated community. This proposed rulemaking is necessary to improve total pollution control. The expenditures necessary to meet new compliance requirements may exceed that which is required under existing regulations.

The proposed redesignations will be implemented through the Department's permit and approval actions. Persons expanding a discharge or adding a new discharge point to a stream could be adversely affected if they need to provide a higher level of treatment or BMPs to meet the designated and existing uses of the stream. For example, these increased costs may take the form of higher engineering, construction or operating cost for point source discharges. Treatment costs and BMPs are site-specific and depend upon the size of the discharge in relation to the size of the stream and many other factors. It is therefore not possible to precisely predict the actual change in costs. Economic impacts would primarily involve the potential for higher treatment costs for new or expanded discharges to streams that are redesignated. The initial costs resulting from the installation of techno-

logically advanced wastewater treatment processes and BMPs may be offset by potential savings from an increased value of improved water quality through more cost-effective and efficient treatment over time.

Compliance assistance plan

This proposed rulemaking has been developed as part of an established program that has been implemented by the Department since the early 1980s. This proposed rulemaking is consistent with and based on existing Department regulations. This proposed rulemaking extends additional protection to selected waterbodies that exhibit high water quality and are consistent with antidegradation requirements established by the Federal Clean Water Act (33 U.S.C.A. §§ 1251–1388) and The Clean Streams Law. All surface waters in this Commonwealth are afforded a minimum level of protection through compliance with the water quality standards, which prevent pollution and protect existing water uses.

The proposed amendments will be implemented through the Department's permit and approval actions. For example, the National Pollutant Discharge Elimination System (NPDES) permitting program bases effluent limitations on the uses of a stream. These permit conditions are established to assure water quality is protected and maintained. New and expanded dischargers with water quality based effluent limitations are required to provide effluent treatment according to the water quality standards.

Paperwork requirements

This proposed rulemaking should not have new direct paperwork impact on the Commonwealth, local governments and political subdivisions, or the private sector. This proposed rulemaking is based on existing Department regulations and simply mirror the existing use protection that is already in place for these streams. There may be some indirect paperwork requirements for new or expanding dischargers to streams upgraded to HQ or EV. For example, NPDES general permits are not currently available for new or expanded discharges to these streams. Thus, an individual permit, and its associated paperwork, would be required. Additionally, paperwork associated with evaluating nondischarge alternatives and nondegrading discharges is required for all new or expanded discharges to HQ or EV Waters.

G. *Pollution Prevention*

The Federal Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101–13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally-friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance. This proposed rulemaking has incorporated the following pollution prevention incentives.

The water quality standards and antidegradation program are major pollution prevention tools because the objective is to prevent degradation by maintaining and protecting existing water quality and existing uses. Although the antidegradation program does not prohibit new or expanded wastewater discharges, nondischarge alternatives must be evaluated and are required when

environmentally sound and cost effective. Nondischarge alternatives, when implemented, remove impacts to surface water and may reduce the overall level of pollution to the environment by remediation of the effluent through the soil. In addition, if environmentally sound and cost-effective alternatives are not available, discharges must be nondegrading in most circumstances.

H. *Sunset Review*

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 26, 2016, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of a rulemaking by the Department, the General Assembly and the Governor.

J. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding the proposed rulemaking. Comments, suggestions, support or objections must be received by the Board

by July 25, 2016. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by July 25, 2016. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board online, by e-mail, by mail or express mail as follows.

Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

K. *Public Hearings*

If sufficient interest is generated as a result of this publication, a public hearing will be scheduled at an appropriate location to receive additional comments.

PATRICK McDONNELL,
Acting Chairperson

Fiscal Note: 7-535. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 93. WATER QUALITY STANDARDS

DESIGNATED WATER USES AND WATER QUALITY CRITERIA

§ 93.9c. Drainage List C.

**Delaware River Basin in Pennsylvania
*Delaware River***

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
	* * * *	*		
2—Vandermark Creek	Basin, Deep Brook to Mouth	Pike	HQ-CWF, MF	None
2—[Saw Kill] Sawkill Creek	Basin, Source to Vantine Brook	Pike	EV, MF	None
3—Vantine Brook	Basin	Pike	HQ-CWF, MF	None
2—[Saw Kill] Sawkill Creek	Basin, Vantine Brook to Mouth	Pike	EV, MF	None
2—[Raymond Kill] Raymondskill Creek	Basin	Pike	HQ-CWF, MF	None
2—Conashaugh Creek	Basin	Pike	HQ-CWF, MF	None

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
	* * * *	*		
4—Devils Hole Creek	Basin, South Boundary of State Game Lands No. 221 to Mouth	Monroe	HQ-CWF, MF	None
3—Paradise Creek	Basin, Devils Hole Creek to [Mouth] Forest Hills Run	Monroe	HQ-CWF, MF	None
4—Forest Hills Run	Basin, Source to Swiftwater Creek	Monroe	HQ-CWF, MF	None
5—Swiftwater Creek	Basin, Source to UNT 04960 at 41°5'58.5"N; 75°20'4.8"W	Monroe	EV, MF	None
6—UNT 04960	Basin	Monroe	HQ-CWF, MF	None
5—Swiftwater Creek	UNT 04960 to Mouth	Monroe	HQ-CWF, MF	None
4—Forest Hills Run	Basin, Swiftwater Creek to Mouth	Monroe	HQ-CWF, MF	None
3—Paradise Creek	Basin, Forest Hills Run to Mouth	Monroe	HQ-CWF, MF	None
3—Michael Creek	Basin	Monroe	HQ-CWF, MF	None
	* * * *	*		
2—Mud Run	Basin	Northampton	CWF, MF	None
2—Bushkill Creek	[Main Stem] Basin, Source to Sobers Run	Northampton	HQ-CWF, MF	None
[3—Unnamed Tributaries to Bushkill Creek	Basins	Northampton	HQ-CWF, MF	None
3—Little Bushkill Creek	Basin	Northampton	HQ-CWF, MF	None]
3—Sobers Run	Basin	Northampton	EV, MF	None
2—Bushkill Creek	Basin, Sobers Run to Shoeneck Creek	Northampton	HQ-CWF, MF	None
3—Shoeneck Creek	Basin	Northampton	WWF, MF	None
2—Bushkill Creek	Basin, Shoeneck Creek to Mouth	Northampton	HQ-CWF, MF	None

§ 93.9f. Drainage List F.

**Delaware River Basin in Pennsylvania
Schuylkill River**

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
	* * * *	*		
3—Leaf Creek	Basin	Berks	WWF, MF	None
3—Mill Creek	Basin, Source to UNT at 40°14'33.8"N; 75°43'49.6"W	Berks	EV, MF	None
4—UNT at 40°14'33.8"N; 75°43'49.6"W	Basin	Berks	WWF, MF	None
3—Mill Creek	Basin, UNT at 40°14'33.8"N; 75°43'49.6"W to Mouth	Berks	EV, MF	None
3—UNTs Schuylkill River	Basins[,] (all UNTs along Montgomery County shore), Berks-Chester-Montgomery County Border to Valley Creek	Montgomery	WWF, MF	None
	* * * *	*		

§ 93.9i. Drainage List I.

Susquehanna River Basin in Pennsylvania
Susquehanna River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
2—Unnamed Tributaries to Susquehanna River	Basins (all sections in PA), PA-NY State Border near Great Bend to PA-NY State Border near Milltown	Susquehanna-Bradford	CWF, MF	None
2—Snake Creek	Basin, Source to Silver Creek	Susquehanna	CWF, MF	None
3—Silver Creek	Basin, Source to Laurel Lake Creek	Susquehanna	EV, MF	None
4—Laurel Lake Creek	Basin, Source to McCormick Run	Susquehanna	CWF, MF	None
5—McCormick Run	Basin	Susquehanna	EV, MF	None
4—Laurel Lake Creek	Basin, McCormick Run to Mouth	Susquehanna	CWF, MF	None
3—Silver Creek	Basin, Laurel Lake Creek to Mouth	Susquehanna	EV, MF	None
2—Snake Creek	Basin, Silver Creek to PA-NY State Border (all sections in PA)	Susquehanna	CWF, MF	None
2—Little Snake Creek	Basin (all sections in PA)	Susquehanna	CWF, MF	None

[Pa.B. Doc. No. 16-978. Filed for public inspection June 10, 2016, 9:00 a.m.]

NOTICES

BOARD OF COAL MINE SAFETY

Rescheduled Meeting

The June 14, 2016, meeting of the Board of Coal Mine Safety (Board) has been rescheduled. The next meeting of the Board is scheduled for July 7, 2016 beginning at 10 a.m. in Conference Rooms 1A and 1B of the Department of Environmental Protection's Cambria Office, 286 Industrial Road, Ebensburg, PA.

The agenda and meeting materials for the July 7, 2016, meeting will be available on the Department of Environmental Protection's web site at www.dep.pa.gov (Select "Businesses," "Land," "Mining," "Bureau of Mine Safety," "Boards and Committees," then "Board of Coal Mine Safety").

Questions concerning the Board's meetings may be directed to Allison D. Gaida at (724) 404-3147 or agaida@pa.gov.

PATRICK McDONNELL,
Acting Chairperson

[Pa.B. Doc. No. 16-979. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Order Rescinding A General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry and Poultry Products at Competitions, Shows, Fairs and Exhibitions

Recitals.

A. Under the authority established in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), and specifically the authority to establish quarantine orders as set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. §§ 2329(a) and 2329(d)) and section 1702 of The Administrative Code of 1929 (71 P.S. § 442), the Pennsylvania Department of Agriculture (Department), on July 11, 2015, at 45 Pa.B. 3716, established a General Quarantine Order related to poultry and poultry products, including eggs. Said Order pertained to the annual Pennsylvania Farm Show and competitions, shows, fairs and exhibitions within the Commonwealth of Pennsylvania which receive funding pursuant to the Pennsylvania Agricultural Fair Act, 3 P.S. § 1501 et seq.

B. Pursuant to the Order set forth herein, the Department hereby gives notice that the Order set forth at 45 Pa.B. 3716, July 11, 2015, is rescinded.

Order.

1. The "General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry and Poultry products at Competitions, Shows, Fairs and Exhibitions" established at 45 Pa.B. 3716, July 11, 2015, is hereby rescinded and all restrictions delineated thereunder are withdrawn.

2. This Order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 16-980. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 31, 2016.

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

BANKING INSTITUTIONS**Branch Applications
De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-24-2016	1st Summit Bank Johnstown Cambria County	512 West High Street Ebensburg Cambria County	Opened

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-26-2016	ESSA Bank & Trust Stroudsburg Monroe County	<i>Into:</i> 2826 Route 611 Tannersville Monroe County <i>From:</i> 2836 Route 611 Tannersville Monroe County	Approved

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
5-31-2016	Stonebridge Bank West Chester Chester County Amendment to Article 5 of the institution's Articles of Incorporation changes the par value of the common stock to \$1 per share. The amendment also adds Section 5A which provides for a ten for one reverse stock split of the presently outstanding shares.	Effective

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-27-2016	Postmark Credit Union Harrisburg Dauphin County Application for approval to merge Postmark Credit Union, Harrisburg, PA, with and into Xceed Financial Credit Union, El Segundo, CA.	Filed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
5-31-2016	PPL GOLD Credit Union Allentown Lehigh County Amendment to Article 1 of the credit union's Articles of Incorporation changes their corporate title from PPL GOLD Credit Union to GOLD Credit Union.	Effective

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. 16-981. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Pennsylvania Advisory Council on Drug and Alcohol Abuse Meeting

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on June 22, 2016, from 1 p.m. to 3:30 p.m. The meeting will be held at the Child Welfare Resource Center, 403 East Winding Hill Way, Mechanicsburg, PA 17055, (717) 795-9048. The meeting is open to the public. For additional information visit the Department of Drug and Alcohol Programs' (Department) web site at www.ddap.pa.gov.

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and alcohol issues and challenges facing this Commonwealth and to serve in an advisory capacity to the Department on these issues.

For additional information visit the previously listed web site or contact Ann Catalano at (717) 214-1937.

Persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation should contact Ann Catalano at (717) 214-1937.

This meeting is subject to cancellation without notice.

GAROLD E. TENNIS, Esq.,
Secretary

[Pa.B. Doc. No. 16-982. Filed for public inspection June 10, 2016, 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>
PA0219444 (Sewage)	Markleysburg Area STP Bruceton Road Markleysburg, PA 15459	Fayette County Markleysburg Borough	Pinkham Run (19-E)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0205176 (Sewage)	Consolidated Steel Services Inc. 632 Glendale Valley Boulevard Fallentimber, PA 16639	Cambria County Reade Township	Clearfield Creek (8-C)	Y

Northeast Region: 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?
PA0061581 (Industrial)	Sutton Springs 1823 Sutton Road Shavertown, PA 18708-9521	Luzerne County Jackson Township	Huntsville Creek (5-B)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0263753 (sewage)	Anita M Gaerttner SFTF 8105 Edinboro Road Erie, PA 16509-4468	Erie County Summit Township	Unnamed Tributary to Thomas Run (15-A)	Y

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

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

PA00503993, Sewage, SIC Code 4952, **Worcester Township**, 1721 Valley Forge Road, Worcester, PA 19490-0767. Facility Name: Valley Green STP. This existing facility is located in Worcester Township, **Montgomery County**.

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

The receiving stream(s), Zacharias Creek, is located in State Water Plan watershed 3-E 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 0.22 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Instanta- neous Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	18.3	27.5	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	29.0	44.0	XXX	16.0	24.0	32
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (µw/cm ²)	XXX	XXX	Report Min	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	3.7	XXX	XXX	2.0	XXX	4
Total Phosphorus	1.1	XXX	XXX	0.61	XXX	1

*Shall not exceed in more than 10% of samples.

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Small Stream
- E. Operator Notification
- F. Fecal Coliform Requirement

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.

PA0050148, Sewage, SIC Code 4952, **Warwick Township Water and Sewer Authority**, PO Box 315, Jamison, PA 18929-0315. Facility Name: Fish Creek STP. This existing facility is located in Warwick Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit to discharge treated sewage from Fish Creek STP, located at 1980 Deer Run Drive.

The receiving stream(s), Unnamed Tributary to Neshaminy Creek, is located in State Water Plan watershed 2-F 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 0.85 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	177	283	XXX	25	40	50
May 1 - Oct 31	106	163	XXX	15	23	30
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	212	319	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent	XXX	XXX	XXX	200	XXX	1,000
Geo Mean						
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N						
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Jul 1 - Oct 31	67.4	XXX	XXX	9.5	XXX	19
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	21.2	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	10.6	XXX	XXX	1.5	XXX	3
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Nov 1 - Mar 31	14.2	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	8.5	XXX	XXX	1.2	XXX	2.4
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	XXX	XXX

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

- No Stormwater to Sewers
- Necessary Property Rights
- Proper Sludge Disposal
- Small Stream Discharge
- Designation of Responsible Operator

- UV Disinfection

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.

III. WQM Industrial Waste and Sewerage Applications under the Clean Streams Law (35 P.S. §§ 691.1—691.1001)

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

WQM Permit No. 1116403, Sewerage, **Forest Hills Municipal Authority**, P.O. Box 337, St. Michael, PA 15951-0337.

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

Description of Proposed Action/Activity: Construction of Beautyline Interceptor Sewer.

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

WQM Permit No. 2210401, Amendment 2, Sewerage, **Sheetz Incorporated**, 5700 6th Avenue, Altoona, PA 16602.

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

Description of Proposed Action/Activity: Seeking permit approval for effluent discharge relocation.

WQM Permit No. 3616401, Sewerage, **Ephrata Borough Authority**, 124 South State Street, Ephrata, PA 17522.

This proposed facility is located in Ephrata Borough, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for Mission Pump Station upgrade, and replacement of a segment of the Upper Interceptor.

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

WQM Permit No. 4316403, Sewerage, **Peter Henlen**, 1643 Rutledge Road, Transfer, PA 16154.

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

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

WQM Permit No. 2001423 A-1, Sewerage, **Pittsburgh University**, 3412 Forbes Avenue, Floor 4, Pittsburgh, PA 15260.

This existing facility is located in North Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: Install dechlorination tank with dechlorinator to existing sewage treatment facility.

WQM Permit No. 1616405, Sewerage, **Genevieve Snyder**, 1622 Pin Oak Road, Rimersburg, PA 16248.

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

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

WQM Permit No. WQG01251604, Sewerage, **John Hanisek**, 7241 McCray Road, Fairview, PA 16415.

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

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

WQM Permit No. 4377401 A-1, Sewerage, **American Carpatho-Russian Orthodox Greek Catholic Diocese of the U.S.A.**, 312 Garfield Street, Johnstown, PA 15906.

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

Description of Proposed Action/Activity: Expansion of existing privately owned sewage treatment plant serving an existing church camp.

WQM Permit No. WQG01251605, Sewerage, **Faith Sanders**, 14606 Stewart Road, Corry, PA 16407.

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011516007	Davlyn Manufacturing Co., Inc. P.O. Box 49 85 Mennonite Church Road Spring City, PA 19475	Chester	East Vincent Township	Unnamed Tributary to Stony Run HQ-TSF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023905002(2)	Leon E. Snyder Misty Glen Properties, LP 230 Poplar Road Fleetwood, PA 19522	Lehigh	Weisenberg Township (Lehigh County) Maxatawny Township (Berks County)	Schaefer Run (HQ-CWF, MF) EV Wetlands
PAI023915020(2)	Mack Trucks, Inc. c/o Antonio Servidoni 3350 Gehman Road Macungie, PA 18062	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF)

Pike County Conservation District, 556 Route 402, Hawley, PA 18428

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025216002	PA Department of General Services Paul Flood Bureau of Engineering & Architecture 18th and Herr Streets Harrisburg, PA 17125	Pike	Blooming Grove Township	Shohola Creek (HQ-CWF, MF)

Susquehanna County Conservation District, 88 Chenango Street, Montrose, PA 18801

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025816001	Wrighter Energy LLC Matthew Tripoli 6051 Wallace Road Ext. Suite 100 Wexford, PA 15090	Susquehanna	Thompson Township	South Branch of the Canawacta Creek (CWF, MF) EV Wetlands

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030610006R	Forino Company 555 Mountain Home Road Sinking Spring, PA 19608	Berks	Ontelaunee Township	Willow Creek (designated use CWF, existing use HQ)
PAI032116004	Liberty Property Limited Partnership 74 West Broad Street Bethlehem, PA 18018	Cumberland	Middlesex Township	Letort Spring Run (Designated use CWF, Existing use HQ-CWF)
PAI032816001	Terra, LLC 2200 Monroe Street York, PA 17404	Franklin	Guilford Township	UNT Falling Spring Branch (HQ-CWF)

STATE CONSERVATION COMMISSION

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

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

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

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

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

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Wayne Marcho Union Hill Rd. Susquehanna, PA 18847	Susquehanna	405.5	858.29	Veal Beef	NA	Renewal
Arlin Wadel 301 McCulloch Road Shippensburg, PA 17257	Cumberland	230.4	348.6	Layers/Sheep	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4616510, Public Water Supply.
 Applicant **Aqua PA, Inc.**
 Township Cheltenham
 County **Montgomery**
 Responsible Official Aqua PA, Inc.
 762 W. Lancaster Avenue
 Bryn Mawr, PA 19010
 Type of Facility PWS
 Consulting Engineer GHD
 1240 North Mountain Road
 Harrisburg, PA 17112
 Application Received Date May 3, 2016
 Description of Action Addition of a sodium hypochlorite and ammonium sulfate feed systems to the existing Cheltenham Booster Pump Station.

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

Permit No. 3616506, Public Water Supply.
 Applicant **Mount Joy Borough Authority**
 Municipality Mount Joy Borough
 County **Lancaster**
 Responsible Official John D. Leaman, Authority Manager
 21 East Main Street
 PO Box 25
 Mount Joy, PA 17552
 Type of Facility Public Water Supply
 Consulting Engineer Matthew D. Warfel
 The ARRO Consulting, Inc.
 108 West Airport Road
 Lititz, PA 17543
 Application Received: 5/10/2016

Description of Action New South Jacob Street Water Filtration Plant which includes Well No. 3, a softening system, an anion exchange nitrate treatment system, a membrane filtration system, a sodium hypochlorite disinfection system, a caustic soda pH adjustment system, a clearwell, and finished water pumps.

Permit No. 2116505 MA, Minor Amendment, Public Water Supply.

Applicant **South Middleton Township Municipal Authority**
Municipality South Middleton Township
County **Cumberland**
Responsible Official Robert L. Kissinger, Manager
345 Criswell Drive
Boiling Springs, PA 17007-0008
Type of Facility Public Water Supply
Consulting Engineer Peter Lusardi, P.E.
GHD, Inc.
1240 N. Mountain Rd.
Harrisburg, PA 17112
Application Received: 5/23/2016
Description of Action Piping modifications to directly connect Well No. 3 and Tank No. 5 to provide 4-log inactivation of viruses.

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

Permit No. 1016503, Public Water Supply.

Applicant **Linda Mueller**
Township or Borough Penn Township
County **Butler**
Responsible Official Linda Mueller
Owner
208 River Forest Drive
Freeport, PA 16229
Type of Facility Public Water Supply
Consulting Engineer Don A. Gilmore, P.E.
Dakota Engineering Associates, Inc.
35 Wilson Street
Suite 200
Pittsburgh, PA 15223
Application Received Date May 13, 2016
Description of Action Permit existing multimedia filter

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. 6316508MA, Minor Amendment.

Applicant **Tri-County Joint Municipal Authority**
26 Monongahela Avenue
Fredericktown, PA 15333
[Township or Borough] East Bethlehem and Centerville Borough
Responsible Official Dave Bojtos, Operations Manager
Tri-County Joint Municipal Authority
26 Monongahela Avenue
Fredericktown, PA 15333
Type of Facility Water system
Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205
Application Received Date May 23, 2016
Description of Action Installation of transmission main (Vestaburg water transmission main project).

Application No. 6316509MA, Minor Amendment.

Applicant **Tri-County Joint Municipal Authority**
26 Monongahela Avenue
Fredericktown, PA 15333
[Township or Borough] Centerville Borough
Responsible Official Dave Bojtos
Operations Manager
Tri-County Joint Municipal Authority
26 Monongahela Avenue
Fredericktown, PA 15333
Type of Facility Water system
Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205
Application Received Date May 23, 2016
Description of Action Installation of waterline (Diamond Avenue waterline project).

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

Application No. 366W013-T2-MA4, Minor Amendment.

Applicant **Aqua Pennsylvania Inc.**
Township or Borough Coolspring Township
Responsible Official Zach Martin
Assistant Division Manager
Aqua Pennsylvania
Shenango Division
665 South Dock Street
Sharon, PA 16146
Type of Facility Public Water Supply
Consulting Engineer Robert Horvat, P.E.
KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date May 16, 2016

Description of Action Painting Latonka West Tank including abrasive blasting and painting of the interior and exterior surfaces.

Application No. 4300503-T1-MA6, Minor Amendment.

Applicant **Aqua Pennsylvania Inc.**

Township or Borough Hermitage City

Responsible Official Zach Martin
Assistant Division Manager
Aqua Pennsylvania
Shenango Division
665 South Dock Street
Sharon, PA 16146

Type of Facility Public Water Supply

Consulting Engineer Robert Horvat, P.E.
KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date May 16, 2016

Description of Action Painting Homewood Tank including abrasive blasting and painting of the interior and exterior surfaces.

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

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

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

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

116 South Center Street, 116 South Center Street, Frackville Borough, **Schuylkill County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Federal National Mortgage Association, 14221 Dallas Parkway, Suite 1000, Dallas, TX 75254 submitted a Notice of Intent to Remediate. This site was impacted by a release of No. 2 heating oil from an UST located in basement. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Republican-Herald* on May 4, 2016.

Lisa Steiner Property, 4586 West Mountain View Drive, Lehigh Township, **Northampton County**. RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406-3207, on behalf of Ms. Lisa Steiner, 4586 West Mountain View Drive, Walnutport, PA 18088, submitted a Notice of Intent to Remediate. A release of fuel oil #2 occurred during a will call delivery due to over pressurization of the tank. The Notice of Intent to Remediate was published in the *Home News* on May 19, 2016.

Bridge for Housing Opportunities, Inc. Property, Harding and Oak Streets, Nicholson Borough, **Wyoming County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Bridge for Housing Opportunities, Inc., 133 SJ Bailey Road, Nicholson, PA 18446, submitted a Notice of Intent to Remediate. A release of fuel oil #2 was discovered at this site due to a historical unregulated UST. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Wyoming County Press Examiner* on May 11, 2016.

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

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.

Former Rouseville Refinery Plant 1 AST Farm, Buchanan Street, Borough of Rouseville, **Venango County**. AECOM Technical Services, Inc., 12420 Milestone Center Drive, Suite 150, Germantown, MD 16343, on behalf of Shell Oil Products, US, 17 Junction Drive, PMB #399, Glen Carbon, IL 62034, submitted a Notice of Intent to Remediate. Historically, the site was used as a bulk storage facility. Site soil and groundwater have been found to be contaminated with VOCs, SVOCs, and metals. The Site-Specific Standard has been selected for remediation of the site. The proposed future use of the property will be non-residential with future potential for residential use within two areas of the property. The Notice of Intent to Remediate was published in *The Derrick* on May 9, 2016.

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

Former Marino Brothers Scrap Yard, 461 Railroad Street, Rochester Borough, **Beaver County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of North Side Industrial Development Company, Inc., 700 River Avenue, Pittsburgh, PA 15212 & Castlebrook Development Group, LLC, 428 Boulevard of the Allies, Suite 100, Pittsburgh, PA 15219 submitted a Final Report concerning the remediation of site soils and groundwater contaminated with metals, semi-volatile organic compounds and polycyclic aromatic hydrocarbons and volatile organic compounds in groundwater. The Final Report demonstrated attainment of a residential, Site Specific standard for soil and groundwater and was approved by the Department May 18, 2016.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

PLAN APPROVALS

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

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

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

48-00005B: Hercules Cement Company dba Bucci Unicem USA (501 Hercules Drive, PO Box 69, Stockertown, PA 18083) for the modification to their existing two kilns to burn alternative fuels at their facility located in Stockertown Borough, **Northampton County**.

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

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

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

09-0226A: Nosco ODSC, Inc. (1504 Grundy Lane, Bristol, PA 19007) for the installation of a new HP Indigo 30000, seven-color digital printing press at an existing facility located in Bristol Township, **Bucks County**. The proposed press will be added to a facility that has installed an identical digital printing press under Plan Approval 09-0226. The primary pollutant of concern from the new digital printing press will be volatile organic compounds (VOC) and hazardous air pollutants (HAP) as a result of the printing process. The new press has a total potential to emit 10.94 tons per year of VOC. The plant will maintain a synthetic minor status by limiting its facility-wide VOC emissions to 24.9 tons per year. The plan approval will include monitoring, recordkeeping, and reporting requirements designed to address 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

18-00005E: Dominion Transmission, Inc. (925 White Oakes Boulevard, Bridgeport, WV 26330) has submitted an application (18-00005E) to the Pennsylvania Department of Environmental Protection for plan approval to construct and operate a 11,015 brake-horsepower (bhp) natural gas-fired turbine/compressor engine (Source P111) and a 791 bhp natural gas-fired emergency generator (Source P203) at their Finnefrock Compressor Station located in Leidy Township, **Clinton County**. The Department's review of the information submitted by Dominion Transmission, Inc. indicates that the engines will meet all applicable air quality regulatory requirements, including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12 pertaining to air contamination sources and the emission of air contaminants. The turbine/compressor engine will meet the requirements of Subpart KKKK of the New Source Performance Standards (NSPS) for Stationary Combustion Turbine Engines, 40 CFR 60.4300—60.4420. The emergency generator engine will also meet the requirements of Subpart ZZZZ of the National Emission Standards for Hazardous Air Pollutants for Source Categories, 40 CFR 63.6580—63.6675 and Subpart JJJJ of the NSPS for Stationary Spark Ignition Internal Combustion Engines, 40 CFR 60.4230—60.4248. Based on these findings, the Department intends to issue plan approval for the construction of the proposed project.

The following is a brief description of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Pursuant to the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, Source P111 is a 11,015 brake horsepower (bhp) Solar Mars model 70 natural gas-fired turbine engine. Source P111 shall incorporate SoLoNO_x technology and be equipped with a Universal oxidation catalyst (Control Device C111) to control the air contaminant emissions. The permittee shall not operate Source P111 without the simultaneous operation of Control Device C111 at any time.

2. Pursuant to BAT, the permittee shall not permit the following air contaminant emissions from the exhaust of Control Device C111 associated with Source P111 in excess of the limitations listed below while operating in SoLoNO_x mode:

(a) nitrogen oxides (NO_x, expressed as NO₂)—15 ppm corrected to 15% oxygen, 4.91 pounds per hour and 21.51 tons in any 12 consecutive month period,

(b) carbon monoxide (CO)—2 ppm corrected to 15% oxygen, 0.40 pound per hour and 1.75 ton in any 12 consecutive month period,

(c) total combined volatile organic compounds (VOC)—3 ppm corrected to 15% oxygen, 1.58 pound per hour and 6.92 tons in any 12 consecutive month period,

(d) sulfur oxides (SO_x, expressed as SO₂)—0.31 pound per hour,

(e) particulate matter (PM/PM₁₀)—0.01 grain per dry standard cubic foot of exhaust gas, 1.35 pound per hour and 5.91 tons in any 12 consecutive month period,

(f) non-methane, non-ethane hydrocarbons (NMNEHC)—3 ppm corrected to 15% oxygen, 0.34 pound per hour and 1.49 ton in any 12 consecutive month period,

(g) formaldehyde—0.021 pound per hour and 0.09 ton in any 12 consecutive month period.

3. The permittee shall perform nitrogen oxide (NO_x, expressed as NO₂), carbon monoxide, volatile organic compound and formaldehyde stack tests upon Source P111 within 120 days from the initial operation to verify compliance with the emission limitations for carbon monoxide, volatile organic compound and formaldehyde emissions from Control Device C111 associated with Source P111.

4. Pursuant to BAT, the permittee shall follow the manufacturer's recommended procedures of start-up and shut-down of Source P111.

5. Pursuant to BAT Control Device C111 shall be equipped with instrumentation to monitor and record the pressure drop across the catalyst and inlet gas temperature.

6. Pursuant to BAT, Source P203 is a 791 brake-horsepower, Caterpillar model G3512-SITA, 4-stroke, rich burn (4SRB) natural gas-fired emergency generator set and shall be equipped with a three-way catalytic converter (Control Device C203) to control the NO_x, CO and VOC emissions.

7. Pursuant to BAT Source P111 shall be equipped with instrumentation to monitor the manufacturer's recommended operational parameters which will indicate whether Source P11 is operating in SoLoNO_x mode.

8. Pursuant to BAT, the permittee shall not permit the following air contaminant emissions from the exhaust of Control Device C203 associated with Source P203 in excess of the limitations listed below:

(a) nitrogen oxides (NO_x, expressed as NO₂)—0.35 pound per hour and 0.02 ton in any 12 consecutive month period,

(b) carbon monoxide (CO)—0.52 pound per hour and 0.03 ton in any 12 consecutive month period,

(c) total combined volatile organic compounds (VOC)—0.35 pound per hour and 0.02 ton in any 12 consecutive month period,

(d) sulfur oxides (SO_x, expressed as SO₂)—0.003 pound per hour,

(e) particulate matter (PM/PM₁₀)—0.01 grain per dry standard cubic foot of exhaust gas, 0.09 pound per hour and 0.01 ton in any 12 consecutive month period.

9. Pursuant to BAT, Source P203 shall not be operated more than 100 hours in any 12 consecutive month period.

10. Pursuant to BAT Source P203 shall be equipped with a non-resettable hour meter and record the hours of operation on a monthly basis. The permittee shall per-

form nitrogen oxide (NO_x, expressed as NO₂), carbon monoxide, and volatile organic compound stack tests upon Source P203 within 120 days from the initial operation of each engine to verify compliance with the emission limitations for carbon monoxide and volatile organic compound emissions from Control Device C203 associated with Source P203. The plan approval will include all regulatory requirements, including monitoring, recordkeeping, and reporting requirements.

The facility is a major (Title V) facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 18-00005E, the requirements established in the plan approval will be incorporated into Title V Operating Permit 18-00005 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All documentation used in the evaluation of the application is 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.

49-00065B: Polar Tech Industries, Inc. (1017 West Vallet Avenue, Elysburg, PA 17824-7259) for the modification of the expandable polystyrene foam processing operation at Polar Tech Industries' facility located in Ralpho Township, **Northumberland County**. The Department of Environmental Protection's (Department) review of the information submitted by Polar Tech Industries' indicates that the air contamination source to be modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed modification. The emissions from the proposed source included in this project will not exceed the following limits: 23.10 tons of volatile organic compounds per year.

The facility is a State Only facility. If the Department determines that the source is modified and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 49-00065B, the requirements established in the plan approval will be incorporated into a state only operating permit pursuant to 25 Pa. Code § 127.421. 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.

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

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

23-00063: PA Dept of Corrections/Chester SCI, (500 East 4th Street, Chester, PA 19013) for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Chester Township, **Delaware County**. The sources of emissions include boilers, generators and parts washers. The following Federal Regulations have been added to the permit:

40 CFR 63 Subpart ZZZZ and Subpart JJJJJJ. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

09-00161: Giles & Ransome, Inc. (2975 Galloway Road, Bensalem, PA 19020) for a non-Title V, State Only, Synthetic Minor operating permit in Bensalem Township, **Bucks County**. This action is a renewal of the State Only Operating Permit. Based on its potential-to-emit volatile organic compounds and nitrogen oxides, the facility is a Synthetic Minor. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

15-00143: Phoenixville Crematory, Inc. (610 Main Street, Phoenixville, PA 19460) located in Phoenixville Borough, **Chester County** for the issuance of an initial State Only (Natural Minor) Operating Permit No. 15-00143. Phoenixville Crematory operates a human crematory at its current facility, Campbell-Ennis-Klotzbach Funeral Home. The crematory is a dual chamber unit manufactured by Matthews Cremation Division. This crematory operates in accordance with Best Available Technology for operating temperatures and retention times, and this crematory uses natural gas as a fuel. The operating permit also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the crematory operating within all applicable air quality requirements.

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

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

06-03096: Lucas Lane Inc. (10 Lucas Lane, Bernville, PA 19506) to issue a State Only Operating Permit for the oil filter recycling facility located in Upper Tulpehocken Township, **Berks County**. The potential emissions from the facility are estimated at 1.05 tpy of PM₁₀, 1.36 tpy of SO_x, 0.66 tpy of NO_x, 0.09 tpy of CO and 0.04 tpy of VOC emissions. 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.

07-03049: HarbisonWalker International Inc./Sproul Plant (2929 Quarry Road, Claysburg, PA 16625) to issue a State Only Operating Permit for their refractory production facility in Greenfield Township, **Blair County**. The facility has estimated potential emissions of 19.1 tons of PM₁₀. 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.

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

Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-4336

26-00488: Laurel Aggregates, Inc./Wymps Gap/Lake Lynn Quarry (2480 Springhill Furnace Rd, Lake Lynn, PA 15451) for the operation of a limestone processing facility located in Springhill Township, **Fayette County**. The subject facility consists of the portable processing equipment including six crushers, eight screens, various conveyors and stackers and an emergency generator. The

facility has the potential to emit 27.0 tpy PM₁₀. The proposed authorization is subject to State and Federal Regulations (OOO). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

11-00377: New Enterprise Stone and Lime Company/Ebensburg Pulverizing Plant (235 Rubisch Road, Ebensburg, PA 15931) for the operation of a limestone processing facility located in Cambria Township, **Cambria County**. The subject facility consists of the portable processing equipment including three crushers, three screens, 3 roll mills and four storage silos. The facility also consists of a natural gas rotary dryer. The facility has the potential to emit less than the major thresholds: 9.5 tpy NO_x, 8.0 tpy CO, 52 tpy PM, 7.0 tpy PM₁₀ and less than 1 tpy for all other criteria pollutants. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

27-00018: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221) to renew a State Only Operating Permit for the Queen Compressor Station located in Hickory Township, **Forest County**. The facility is a Natural Minor. Potential Emissions are as follows: 47.25 tpy VOC; 94.24 tpy NO_x; 7.68 tpy CO; 0.01 tpy SO_x; 0.43 tpy PM₁₀; 0.43 tpy PM_{2.5}; 3.22 tpy Total HAPs; 0.43 tpy formaldehyde; and 3,570 tpy CO₂e. The sources at the facility are all natural gas fueled and include two 150 hp compressor engines, two 75 hp compressor engines, a 75 hp emergency generator, a natural gas dehydrator, and a boiler and six space heaters with a total rating of 400,000 Btus/hr for all seven combustion units combined. The engines are subject to 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

PLAN APPROVALS

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

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

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

40-00133A: Interstate Metal Recycling, Inc. (1010 Winters Avenue, Hazle Township, PA 18202) for their facility located in Hazle Twp, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Interstate Metal Recycling, Inc. (1010 Win-

ters Avenue, Hazle Township, PA 18202) for their facility located in Hazle Twp, Luzerne County. This Plan Approval No. 40-00133A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00133A is for a metal shredding operation which will be controlled by water spray system and cyclone. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and 25 Pa. Code §§ 127.1 and 127.12 for particulate matter. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00133A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

40-00076A: Wilkes-Barre Materials, LLC (500 Chase Road, Shavertown, PA 18708) For their facility located in Plains Twp., **Luzerne County**. The Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval. This Plan Approval No. 40-00076A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date. It is for the replacement of an existing batch asphalt plant baghouse with a newer, more efficient baghouse. The existing batch asphalt plant is rated at 250 tph. No other changes were proposed by the company. The particulate emissions from the new baghouse shall not exceed the Best Available Technology (BAT) standard of 0.02 grain/dscf. The company is subject to NSPS Subpart I requirements. The visible emission opacity shall not be equal to or greater than 10% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are

available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00076A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as

provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

Coal Applications Received

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

30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in East Finley and South Franklin Townships, **Washington County**, Richhill Township, **Greene County** and related NPDES Permit to revise currently permitted underground and subsidence control acres to longwall mining. No additional discharges. The application was considered administratively complete on May 20, 2016. Application received February 23, 2016.

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

Permit No. 11110102 and NPDES No. PA0263249, Laurel Sand & Stone, Inc., P.O. Box 556, 210 E. Main Street, Ligonier, PA 15658-0556, commencement, operation and restoration of a bituminous surface & auger mine to include the use of biosolids as a soil amendment in Jackson Township, **Cambria County**, affecting 225.1 acres. Receiving streams: unnamed tributaries to/and Bracken Run and unnamed tributary to South Branch Blacklick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 13, 2016.

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

26040105 and NPDES Permit No. PA0250635. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687-7301). Renewal application for reclamation only to an existing bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 382.7 acres. Receiving streams: unnamed tributaries to Laurel Run and Ferguson Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 16, 2016.

65960107 and NPDES Permit No. PA0201618. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Mt. Pleasant Township, **Westmoreland County**, affecting 460 acres. Receiving streams: unnamed tributaries to Laurel Run and Jacobs 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: May 18, 2016.

03060103 and NPDES Permit No. PA0250911. Bedrock Mines LP (111 Freeport Road, Pittsburgh, PA 15215). Revision application for post-mining land use change from unmanaged natural habitat in trees to unmanaged natural habitat in grasses to an existing

bituminous surface mine, located in Burrell Township, **Armstrong County**, affecting 75.3 acres. Receiving streams: unnamed tributaries to Crooked Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: May 19, 2016.

63090101 and NPDES Permit No. PA0251941. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Renewal application for continued treatment to an existing bituminous surface mine, located

in Nottingham Township, **Washington County**, affecting 399.3 acres. Receiving streams: unnamed tributaries to Mingo Creek and Sugar Run, classified for the following use: HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. NPDES renewal application received: May 19, 2016. This is a correction from published date of March 14, 2016.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

08120302. Bishop Brothers Construction Company, Inc. (P.O. Box 289, Ulster, PA 18850). Transfer of an existing large noncoal surface mining permit from New Enterprise Stone & Lime, Inc. dba Eastern Industries, Inc. and application for 08120302GP-104 to replace NPDES PA0257443 located in Sheshequin Township, **Bradford County** affecting 77.38 acres. Receiving stream(s): Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2016.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0092894 (Mining Permit No. 30810703), Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). A revision to the NPDES and mining activity permit for the Bailey Coal Refuse Disposal Areas No. 1 and No. 2 in Richhill Township, **Greene County** addition of 287 acres for CRDA 7 & 8 support area and to construct a sediment pond and Outfall 101. Surface Acres Affected 607.0. Receiving stream: UNT to Boothe Run, classified for the following use: WWF. The application was considered administratively complete on June 26, 2015. Application received February 17, 2015.

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

The facility location of the non-discharge alternatives are listed below:

Outfall 101 discharges to: Unnamed Tributary to Boothe Run

The proposed effluent limits for Outfall 101 (Lat: 39° 58' 35.7" Long: 80° 22' 45.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	6.5	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)			Monitor and Report	
Total Dissolved Solids (mg/l)			Monitor and Report	

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

NPDES No. PA0213136 (Mining Permit No. 56950105), Marquise Mining Corporation, P.O. Box 338, Blairsville, PA 15717, renewal of an NPDES permit for reclamation only surface mining in Stonycreek Township, **Somerset County**, affecting 245.0 acres. Receiving streams: unnamed tributaries to Wells Creek and unnamed tributaries to the Stonycreek River, classified for the following use: cold water fishes. This receiving stream is included in the Kiskiminetas-Conemaugh River Watershed TMDL. Application received: May 2, 2016.

The outfall listed below discharges to an unnamed tributary to the Stonycreek River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005—Treatment Pond for Postmining Discharges	N

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

<i>Outfall: 005</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0262854 (Mining Permit No. 32090201), Britt Energies, Inc., P.O. Box 515, Indiana, PA 15701, renewal of an NPDES permit for bituminous surface refuse reprocessing mine in Conemaugh Township, **Indiana County**, affecting 11.9 acres. Receiving stream: Sulphur Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 9, 2016.

The outfall(s) listed below discharge to Sulphur Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond TP1)	N

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

<i>Outfalls: (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0262951 (Mining permit no. 56100101), PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for bituminous surface mine in Paint Township, **Somerset County**, affecting 117.0 acres. Receiving stream: Stonycreek River, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 29, 2016.

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

The outfall(s) listed below discharge to Stonycreek River:

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

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

<i>Outfalls: 003 and 006</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0262714 (Mining Permit No. 56090101), Heritage Coal & Natural Resources, LLC, 184 West Mud Pike, Rockwood, PA 15557, renewal of an NPDES permit for surface mining in Elk Lick Township, **Somerset County**, affecting 173 acres. Receiving streams: Unnamed tributary to the Casselman River and unnamed tributaries to Piney Creek, classified for the following use: cold water fishes. This receiving stream is included in the Casselman River TMDL. Application received: April 5, 2016.

The treatment outfalls listed below discharge to unnamed tributaries to the Casselman River and Piney Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond TF-1	N
002—Treatment Pond TF-2	N
003—Treatment Pond TF-3	N
004—Treatment Pond TF-4	N

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

<i>Outfalls: 001, 002, 003, and 004</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to unnamed tributaries to the Casselman River and Piney Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005—Sediment Pond SP-1	N
006—Sediment Pond SP-2	N
007—Sediment Pond SP-3	N
008—Sediment Trap 1	N

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

<i>Outfalls: 005, 006, 007 and 008</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0607878 (Mining Permit No. 39A77SM4), Bentley Development Company, Inc., P.O. Box 338, Blairsville, PA 15717, renewal of an NPDES permit for a post-mining treatment outfall in West Wheatfield Township, **Indiana County**, affecting 197 acres. Receiving stream: Unnamed Tributary to Conemaugh River, classified for the following use: Cold Water Fishes. This receiving stream is included in the Kiski-Conemaugh River TMDL. Application received: February 26, 2016.

The outfall(s) listed below discharge to Unnamed Tributary to Conemaugh River

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

<i>Outfalls: 001 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

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

NPDES No. PA0259641 (Permit No. 16140101). Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) New NPDES permit for a bituminous surface mine in Perry & Licking Townships, **Clarion County**, affecting 591.5 acres. Receiving streams: Unnamed tributaries to the Clarion River, classified for the following uses: WWF; and unnamed tributaries to Cherry Run, classified for the following uses: CWF. TMDL: Lower Clarion River and Licking Creek. Application received: November 8, 2015.

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

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

The outfall(s) listed below discharge to unnamed tributaries 1 and 3 to Clarion River and unnamed tributaries 8 and 10 to Cherry Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA	Y
TB1	Y
TB2	Y
TE	Y
TF	Y

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TG	Y
TJ	Y
S/T	Y

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

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

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributaries 1 and 4 to Clarion River and unnamed tributaries 5, 6, 8 and 10 to Cherry Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
B	Y
C	Y
E	Y
D1	Y
E	Y
F	Y
G	Y
I	Y
J	Y
K	Y

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

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

The outfall(s) listed below require(s) a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TC	Y
TD	Y
TD1	Y

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

NPDES No. PA0238236 (Mining permit no. 17990102), RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920. Renewal of an NPDES permit for coal surface mining in Decatur Township, **Clearfield County**, affecting 344.2 acres. Receiving stream(s): Little Laurel Run, classified for the following use(s): CWF. Laurel Run Watershed TMDL. Application received: February 4, 2016.

The outfall(s) listed below discharge to Little Laurel Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
008	N
009	N
010	N
011	N
012	N
013	N
014	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.8	3.6	4.5
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

NPDES No. PA0256994 (Mining permit no. 14080103), RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920. Renewal of an NPDES permit for coal surface mining in Rush Township, **Centre County**, affecting 150.8 acres. Receiving stream(s): Mountain Branch and Moshannon Creek, classified for the following use(s): CWF, MF. Moshannon Creek TMDL. Application received: November 24, 2015.

The outfall(s) listed below discharge to Mountain Branch:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB-2	N
SP-B	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity ¹				50.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to Moshannon Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB-1	N
TB-3	N
SP-A	N
SP-C	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		2.1	4.2	5.3
Manganese (mg/l)		1.2	2.4	3.0
Aluminum (mg/l)		0.6	1.2	1.5
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50.0

¹ The parameter is applicable at all times.

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

NPDES No. PA0278114 (Mining permit no. 03130103), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201.

New NPDES permit for a bituminous surface mine in Kiskiminetas Township, **Armstrong County**, affecting 41.3 acres. Receiving stream: Unnamed Tributary to Carnahan Run, classified for the following use(s): WWF. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: February 13, 2015.

The treated wastewater outfall(s) listed below discharge to an unnamed tributary to Carnahan Run:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to an unnamed tributary to Carnahan Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	Y	SW

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

NPDES Permit No. PA0225231 on Surface Mining Permit No. 40663033. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), new NPDES Permit for an anthracite surface mine, refuse reprocessing and refuse disposal operation in Foster and Butler Townships, **Luzerne County**, affecting 1,515.0 acres. Receiving streams: Nescopeck Creek, classified for the following uses: HQ—cold water and migratory fishes; Little Nescopeck Creek, classified for the following uses: cold water and migratory fishes and Pond Creek classified for the following use: HQ—cold water fishes. Application received: December 28, 2011.

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

NPDES No. PA0224944 on Surface Mining Permit Number 40980101. Hazleton Materials. LLC, (PO Box 196, Skippack, PA 19474), renewal of NPDES permit for an anthracite surface mine operation in Foster Township, **Luzerne County**, affecting 1,425.0 acres. Receiving streams: Little Sandy Run, unnamed tributary to Buck Mt Creek, unnamed tributary Hazle Creek, classified for the following use: HQ—migratory fishes migratory fishes; Black Creek for the following uses: cold water and migratory fishes. Application received: September 28, 2015. There is no discharge proposed to the above-mentioned receiving streams from this site.

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

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.

E46-1138. Lower Moreland Township, 650 Red Lion Road, Huntingdon Valley, PA 19006, Lower Moreland Township, **Montgomery County**, ACOE Philadelphia District.

To remove, construct and maintain concrete bridge across Huntingdon Valley Creek (TSF, MF) having an approximate waterway opening of 14-feet wide by 6.53-

feet high measuring approximately 55-feet in length associated with the Red Lion Road bridge rehabilitation.

The site is located about 100-feet southeast of the intersection of Rout 63 and Red lion Road (Frankford and Hatboro, PA USGS Quadrangle Latitude: 40.120286; Longitude: -75.056772).

E23-529. Chester Township, 1150 Engle Street, Chester, PA 19013, Township of Chester, **Delaware County**, ACOE Philadelphia District.

To demolish 6 row homes, remove the debris and to restore the disturbed area along the floodplain of the Chester Creek (TSF) associated with the floodplain site restoration.

The site is located near the crossing of Powel Road and Gideon Road (Marcus Hook, PA USGS Quadrangle, Latitude: 39.8534; Longitude: -75.3966).

E09-1004. BCP Property, LLC and Playhouse Inn Property, LLC, New Hope Borough, 55 Bridge Street, Lambertville, NJ 08530-2115, New Hope borough, **Bucks County**, ACOE Philadelphia District.

To expand and maintain the existing Bucks County Playhouse & Promenade situated along the floodway/floodplain of the Delaware River (WWF, MF) and measuring approximately 145 feet in length and 7 feet wide associated with the Playhouse Promenade Improvements. The improvements also include open terrace, gravel area, enclosed deck, and public access link etc.

The site is located at 50 & 70 South Main Street (Lambertville, PA USGS Quadrangle, Latitude: 40.36248; Longitude: -74.950835).

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

E06-707: Berks Country, 633 Court St. Reading, PA 19601 in Oley Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

To remove existing bridge and to install and maintain a 214 foot x 48.3 bridge over Manatawny Creek (CWF, MF) with R-4 and R-7 riprap scour protection in Oley Township, Berks County. (Latitude: 40° 20' 52"; Longitude: -75° 44' 38.2"). The project proposes to permanently and temporarily affect 0.01 acre if PEM/PSS EV wetlands respectively.

E05-385: PennDOT Engineering District 9-0, Engineering District 9-0, 1620 North Juniata Street, Holidaysburg, PA 16648-1080 in West Saint Clair Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to (1) install and maintain a 37 x 32.25 foot bridge over Dunning Creek (WWF, MF) with R-8 riprap scour protection. The project proposes to permanently impact 0.05 acre of PEM wetlands, and 63 linear feet of stream channel and temporarily impact 0.02 acre of PEM wetlands for the purpose of improving transportation safety and roadway standards. The project is located in West Saint Clair Township, Bedford Count (-40° 08' 02.1", -78° 37' 58.1").

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

E08-495. Valley Energy, Inc., 523 South Keystone Avenue, Sayre, PA 18840. The project site is within the Susquehanna River approximately 2,800 linear feet south of the U.S. Route 6 Bridge and 800 linear feet west of

State Route 2032 (Leisure Drive), Towanda & Wysox Townships, **Bradford County**, ACOE Baltimore District (Towanda, PA Quadrangle Latitude: 41.755810; Longitude: -76.434427).

The site for this project is located in Towanda and Wysox Townships in Bradford County, Pennsylvania within the Susquehanna River (North Branch). Currently, an existing natural gas pipeline has become exposed at two locations along the river bed where the pipeline crosses the Susquehanna River; 24 feet and 60-65 feet, located within the Valley Energy pipeline right-of-way. The purpose of this proposed work is to protect the exposed natural gas pipeline in the two locations where it has become unearthed along the river bed. The work will consist of the placement and anchoring of cable concrete mats over top of the exposed pipeline in order to protect the pipeline's structural integrity and prevent any future damage to the pipeline.

E14-569. Pennsylvania Department of Transportation, Engineering District 2-0, 70 PennDOT Drive, Clearfield, PA 16830. SR 2018, Section A01 Bridge Replacement over Pine Creek in Haines Township, **Centre County**, ACOE Baltimore District (Coburn, PA Quadrangle; Latitude: 40° 52' 37"; Longitude -77° 26' 13").

PA DOT Engineering District 2-0 proposes to replace a Two Span Steel I-Beam Bridge with a Single Span Concrete Bulb T-Beam Bridge on the existing horizontal and vertical alignment. The existing bridge has a total span of 77.62 Ft., a skew of 75 degrees, an underclearance of 14.05 Ft., and a low chord of 1,046.75 Ft. and a hydraulic opening of 900.8 Ft². The proposed single span bridge has a span of 72.75 Ft., a skew of 70 degrees, an underclearance of 12.71 Ft., and a low chord of 1,045.40 Ft. and a hydraulic opening of 897.2 Ft². The project will not impact any jurisdictional wetlands. The project will utilize a detour to convey traffic. The project will include a temporary pedestrian bridge. The existing structure is considered a contributing element of the Brush Valley Historical District. The proposed bridge will include architectural treatment to mimic the existing structure. Pine Creek is classified as an Exceptional Value Stream by Title 25, Chapter 93 Water Quality Standards and Class A Wild Trout stream by PA Fish and Boat Commission.

E17-496. Aqua Pennsylvania Wastewater Inc., 665 South Dock Street, Sharon, PA 16146. Aqua Wolf Run Sanitary Sewer Replacement Project. Wolf Run, **Columbia County**, USACOE Pittsburgh District (Sabula, PA Quadrangle Latitude: 41° 10' 57"; Longitude: 78° 44' 00").

The applicant is seeking authorization to operate and maintain a 16-inch diameter sanitary sewer crossing Wolf Run (CWF, MF) which was replaced under Emergency Permit No. E1715502. Authorized as Phase 1 by EP1715502, the 16-inch diameter sanitary sewer beneath Wolf Run was encased in concrete. Authorized as Phase 2 by EP1715502, a section of eroded stream bed and channel side slopes were restored to uniform cross-section and stabilized with R-4 rip rap. As fully completed under EP1715502, the project permanently impacted 120-feet of channel with no temporary or permanent wetland impacts incurred. The project is located immediately south of Samana Cay Road and Treasure Lake Road intersection in Sandy Township, Clearfield County. This after-the-fact permit application is being reviewed under Section 105.13(e) "Small Projects."

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

1- E58-315. Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Level 6, Houston, TX 77056, Atlantic Sunrise Pipeline Project, in Lenox Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District. The proposed project starts near the intersection of SR 2020 and SR 2043 (Russell Road) (Lenoxville, PA Quadrangle N: 41° 42' 57.96"; W: 75° 42' 25.66") and ends at the Susquehanna/Wyoming County Line (Hop Bottom, PA Quadrangle N: 41° 38' 35.53"; W: 75° 45' 39.41").

This notice previously appeared at 46 Pa.B. 2211 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The project consists of the installation and maintenance of approximately 6.7 miles of 30-inch diameter pipeline and appurtenant structures. The proposed project impacts in Susquehanna County include a total of 747 linear feet of temporary impacts to Willow Brook (CWF, MF), Tributaries to Willow Brook (CWF, MF), Tributaries to Millard Creek (CWF, MF) and Tributaries to Tower Branch (CWF, MF); 94 linear feet of permanent impacts to Willow Brook (CWF, MF), Tributaries to Willow Brook (CWF, MF), Tributaries to Millard Creek (CWF, MF) and Tributaries to Tower Branch (CWF, MF); 1.34 acre of floodway impacts; 1.47 acre of temporary impacts to PEM, PSS and PFO wetlands; and 0.32 acre of permanent impacts to PEM, PSS and PFO wetlands. To compensate for the proposed permanent project impacts in Susquehanna County, the applicant is proposing 1.39 acre of wetland mitigation through a combination of wetland creation and wetland enhancement. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County, PA and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Susquehanna County Chapter 105 permit application related to this proposed project, which is available in the DEP Northeast Regional Office, please contact Joseph J. Buczynski, PE, Waterways and Wetlands Program Manager, at 570-826-2511 to request a file review.

2- E40-769. Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Level 6, Houston, TX 77056, Atlantic Sunrise Pipeline Project, in Dallas Township, Fairmont Township, Ross Township, Lake Township, Lehman Township, Jenkins Township and Harvey's Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District. The proposed project starts approximately 0.30 mile south of State Route 0118 and Luzerne/Wyoming County Line (Center Moreland, PA Quadrangle N: 41° 23' 40.82"; W: 75° 57' 58.26") and ends approximately 0.10 mile east of Plattsburg Road on the Luzerne/Columbia County Line (Red Rock, PA Quadrangle N: 41° 17' 02.69"; W: 76° 18' 47.97").

This notice previously appeared at 46 Pa.B. 2212 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The project consists of the installation and maintenance of approximately 22.3 miles of 30-inch diameter pipeline and appurtenant structures. The proposed project impacts in Luzerne County include a total of 4,106 linear feet of temporary impacts to Marsh Run (CWF, MF), Maple Run

(HQ-CWF, MF), Tributaries to Maple Run (HQ-CWF, MF), Kitchen Creek (HQ-CWF, MF), Crooked Creek (HQ-CWF, MF), Phillips Creek (HQ-CWF, MF), Tributaries to Phillips Creek (HQ-CWF, MF), Lick Branch (HQ-CWF, MF), Arnold Creek (HQ-CWF, MF), Tributaries to Arnold Creek (HQ-CWF, MF), Shingle Run (HQ-CWF, MF) Tributaries to Shingle Run (HQ-CWF, MF), Mitchler Run (HQ-CWF, MF), Tributaries to Mitchler Run (HQ-CWF, MF), Huntington Creek (HQ-CWF, MF), Tributaries to Huntington Creek (HQ-CWF, MF), Fades Creek (HQ-CWF, MF), Pikes Creek (HQ-CWF, MF), Tributaries to Pikes Creek (HQ-CWF, MF), Paint Spring Run (HQ-CWF, MF), Tributaries to Paint Spring Run (HQ-CWF, MF), Harveys Creek (HQ-CWF, MF), Tributaries to Harveys Creek (HQ-CWF, MF), Tributaries to Huntsville Creek (CWF, MF), Leonard Creek (HQ-CWF, MF) and Tributaries to Leonard Creek (HQ-CWF, MF); 278 linear feet of permanent impacts to the Marsh Run (CWF, MF), Maple Run (HQ-CWF, MF), Tributaries to Maple Run (HQ-CWF, MF), Kitchen Creek (HQ-CWF, MF), Crooked Creek (HQ-CWF, MF), Phillips Creek (HQ-CWF, MF), Tributaries to Phillips Creek (HQ-CWF, MF), Lick Branch (HQ-CWF, MF), Arnold Creek (HQ-CWF, MF), Tributaries to Arnold Creek (HQ-CWF, MF), Shingle Run (HQ-CWF, MF) Tributaries to Shingle Run (HQ-CWF, MF), Mitchler Run (HQ-CWF, MF), Tributaries to Mitchler Run (HQ-CWF, MF), Huntington Creek (HQ-CWF, MF), Tributaries to Huntington Creek (HQ-CWF, MF), Fades Creek (HQ-CWF, MF), Pikes Creek (HQ-CWF, MF), Tributaries to Pikes Creek (HQ-CWF, MF), Paint Spring Run (HQ-CWF, MF), Tributaries to Paint Spring Run (HQ-CWF, MF), Harveys Creek (HQ-CWF, MF), Tributaries to Harveys Creek (HQ-CWF, MF), Tributaries to Huntsville Creek (CWF, MF), Leonard Creek (HQ-CWF, MF) and Tributaries to Leonard Creek (HQ-CWF, MF); 8.9 acres of floodway impacts; 9.8 acres of temporary impacts to PEM, PSS and PFO wetlands; and 1.5 acre of permanent impacts to PEM, PSS and PFO wetlands. To compensate for the proposed permanent project impacts in Luzerne County, the applicant is proposing 8.13 acres of wetland mitigation through a combination of wetland creation and wetland enhancement. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County, PA and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Luzerne County Chapter 105 permit application related to this proposed project, which is available in the DEP Northeast Regional Office, please contact Joseph J. Buczynski, PE, Waterways and Wetlands Program Manager, at 570-826-2511 to request a file review.

3- E54-360. Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Level 6, Houston, TX 77056, Atlantic Sunrise Pipeline Project, in Pine Grove Township, Tremont Township, Frailey Township, Porter Township, Hegins Township and Eldred Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District. The proposed project starts approximately 0.40 mile northeast of Helfenstein Road on the Schuylkill/Northumberland County Line (Valley View, PA Quadrangle N: 40° 43' 49.4"; W: 76° 30' 13.78") and ends approximately 0.10 mile northeast of State Route 0443 and the Schuylkill/Lebanon County Line (Pine Grove, PA Quadrangle N: 40° 31' 39.08"; W: 76° 29' 25.76").

This notice previously appeared at 46 Pa.B. 2212 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days

from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The project consists of the installation and maintenance of approximately 18.4 miles of 42-inch diameter pipeline and appurtenant structures. The proposed project impacts for Schuylkill County include approximately 3,095 linear feet of temporary impacts to Mill Creek (CWF, MF), Tributaries to Mill Creek (CWF, MF), Tributaries to Swatara Creek (CWF, MF), Lorberrry Creek (CWF, MF), Tributaries to Lorberrry Creek (CWF, MF), Lower Rausch Creek (CWF, MF), Tributaries to Lower Rausch Creek (CWF, MF), Good Spring Creek (CWF, MF), Pine Creek (CWF, MF), Tributaries to Pine Creek (CWF, MF), Deep Creek (CWF, MF) Mahantango Creek (CWF, MF), Little Mahantango Creek (CWF-MF), Tributaries to Mahantango Creek (CWF-MF); 426 linear feet of permanent impacts to Mill Creek (CWF, MF), Tributaries to Mill Creek (CWF, MF), Tributaries to Swatara Creek (CWF, MF), Lorberrry Creek (CWF, MF), Tributaries to Lorberrry Creek (CWF, MF), Lower Rausch Creek (CWF, MF), Tributaries to Lower Rausch Creek (CWF, MF), Good Spring Creek (CWF, MF), Pine Creek (CWF, MF), Tributaries to Pine Creek (CWF, MF), Deep Creek (CWF, MF) Mahantango Creek (CWF, MF), Little Mahantango Creek (CWF-MF), Tributaries to Mahantango Creek (CWF-MF); 10.5 acres of floodway; 2.1 acres of temporary impacts to PEM, PSS and PFO wetlands; and 0.37 acre of permanent impacts to PEM, PSS and PFO wetlands. To compensate for the proposed permanent project impacts in Schuylkill County, the applicant is proposing 0.74 acre of wetland mitigation through a combination of wetland creation and wetland enhancement. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County, PA and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Schuylkill County Chapter 105 permit application related to this proposed project, which is available in the DEP Northeast Regional Office, please contact Joseph J. Buczynski, PE, Waterways and Wetlands Program Manager, at 570-826-2511 to request a file review.

4- E66-160. Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Level 6, Houston, TX 77056, Atlantic Sunrise Pipeline Project, in Monroe Township, Northmoreland Township, Eaton Township, Falls Township, Overfield Township, Clinton Township and Nicholson Township, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District. The proposed project starts approximately 0.30 mile east of Stanton Hill Road on the Susquehanna/Wyoming County Line (Hop Bottom, PA Quadrangle N: 41° 38' 35.53"; W: 75° 45' 39.41") and ends approximately 0.30 mile south of State Route 0118 and the Wyoming/Luzerne County Line (Center Moreland, PA Quadrangle N: 41° 23' 40.82"; W: 75° 57' 58.26").

This notice previously appeared at 46 Pa.B. 2213 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The project consists of the installation and maintenance of approximately 23.4 miles of 30-inch diameter pipeline and appurtenant structures. The proposed project impacts in Wyoming County include a total of 2,416 linear feet of temporary impacts to Mill Creek (CWF, MF), Tributaries to Martin Creek (CWF, MF), Susquehanna River (WWF,

MF), Tributaries to Susquehanna River (CWF, MF), Tributaries to Beaver Creek (CWF, MF), Trout Brook (CWF, MF), Tributaries to Trout Brook (CWF, MF), South Branch Tunkhannock Creek (TSF, MF), Tributaries to South Branch Tunkhannock Creek (CWF, MF), and Tributaries to Tunkhannock Creek (CWF, MF); 410 linear feet of permanent impacts to Mill Creek (CWF, MF), Tributaries to Martin Creek (CWF, MF), Susquehanna River (WWF, MF), Tributaries to Susquehanna River (CWF, MF), Tributaries to Beaver Creek (CWF, MF), Trout Brook (CWF, MF), Tributaries to Trout Brook (CWF, MF), South Branch Tunkhannock Creek (TSF, MF), Tributaries to South Branch Tunkhannock Creek (CWF, MF), and Tributaries to Tunkhannock Creek (CWF, MF); 8.5 acres of floodway impacts; 5.4 acres of temporary impacts to PEM, PSS and PFO wetlands; and 0.9 acre of permanent impacts to PEM, PSS and PFO wetlands. To compensate for the proposed permanent project impacts in Wyoming County, the applicant is proposing 3.56 acres of wetland mitigation through a combination of wetland creation and wetland enhancement. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County, PA and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Wyoming County Chapter 105 permit application related to this proposed project, which is available in the DEP Northeast Regional Office, please contact Joseph J. Buczynski, PE, Waterways and Wetlands Program Manager, at 570-826-2511 to request a file review.

Northcentral Region: Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, David Garg, 570-321-3636

5- E19-311, Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Level 6, Houston, TX 77056. Atlantic Sunrise Project—Columbia County, in Sugarloaf, Cleveland, Franklin, Montour, Hemlock, Mount Pleasant, Orange, Greenwood, and Jackson Townships, **Columbia County**, ACOE Baltimore District. The proposed project starts at 0.35 miles south on Hynick Road from the intersection of Hynick Road and SR 118 (Red Rock, PA Quadrangle N: 40°, 17', 2.17"; W: 76°, 18', 48.68") and ends at 0.22 mile north on Happy Valley Road from the intersection with Monroe Drive (Shamokin, PA Quadrangle N: 40°, 50', 23.7"; W: 76°, 30', 27.13")

This notice previously appeared at 46 Pa.B. 2214 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The applicant is proposing the installation and maintenance of approximately 26.1 mile long pipeline. Central Penn Line—North located in Sugarloaf Township is a proposed 30 inch pipeline to extend 5 miles across the Township. Central Penn Line—South in the remainder of the County is a proposed 42 inch pipeline to extend 22.1 miles in the remainder of Columbia County, PA. The proposed project impacts include 465 linear feet and 38.6 acre(s) of floodway impacts to Fishing Creek—Cold Water Fishery (CWF), Unnamed (UNT) Tributary to Fishing Creek—CWF, Coles Creek—High Quality Cold Water Fishery (HQ-CWF), UNT Tributary to Coles Creek—HQ-CWF, UNT Tributary to Hess Hollow—HQ-CWF, Ashelman Run—CWF, Mugser Run—HQ-CWF, UNT to Mugser Run—HQ-CWF, Roaring Creek—Trout Stocked Fishery (TSF), UNT to Roaring Creek—TSF, Montour Run—CWF,

UNT to Montour Run—CWF, Frozen Run—CWF, UNT to Frozen Run—CWF, Hemlock Creek—CWF, UNT to Hemlock Creek—CWF, Little Fishing Creek—CWF, UNT to Little Fishing Creek—CWF, Deerlick Run—CWF, UNT to Deerlick Run—CWF, Mud Run—TSE, UNT to Mud Run—TSE, Green Creek—TSE, UNT to Green Creek—TSE, York Hollow—CWF, UNT to York Hollow—CWF, West Creek—CWF, UNT to West Creek—CWF, 6.5 acres of temporary PEM, PSS, PFO, PUB wetland impacts, and 1.37 acre of permanent impacts. To compensate for the proposed permanent project impacts, the applicant is proposing the creation of 3.1 acres of wetland creation and wetland enhancement. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact David Garg at 570-321-6581 to request a file review.

6- E49-336, Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Level 6, Houston, TX 77056. Atlantic Sunrise Project—Northumberland County, in East Cameron, Coal, and Ralpho Townships, **Northumberland County**, ACOE Baltimore District. The proposed project starts at 0.22 mile north on Happy Valley Road from the intersection with Monroe Drive (Shamokin, PA Quadrangle N: 40°, 50', 23.7"; W: 76°, 30', 27.13") and ends at 0.4 mile north west of the Helfenstein Road and Ranch Road Intersection, 1.1 miles north east on Helfenstein Road East of Pitman (Valley View, PA Quadrangle N: 40°, 43', 51.6"; W: 76°, 30', 9.8")

This notice previously appeared at 46 Pa.B. 2215 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The applicant is proposing the installation and maintenance of approximately 8.1 mile long 42 inch Central Penn Line—South pipeline. The proposed project impacts include 144 linear feet and 2.5 acres of floodway impacts to Shamokin Creek—Warm Water Fishery (WWF), Unnamed Tributary (UNT) to Shamokin Creek—WWF, Mahanoy Creek—WWF, Quaker Run—Cold Water Fishery (CWF), South Branch of Roaring Creek—High Quality Cold Water Fishery (HQ-CWF), 0.13 acre of temporary PEM wetland impacts, and 0.01 acre of permanent impacts. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact David Garg at 570-321-6581 to request a file review.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Scott Williamson, 717-705-4700

7- E36-947, Atlantic Sunrise, Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Boulevard, Level 6, Houston, TX 77056. Atlantic Sunrise Pipeline in Conestoga, Drumore, Manor, Martic, Mount Joy, Rapho, Pequea, Eden, East Donegal, and West Hempfield Town-

ships, Borough of Mount Joy, **Lancaster County**, ACOE Baltimore District. The proposed project starts at Lebanon County Lancaster County border Elizabethtown, PA Quadrangle N: 40°, 12', 30"; W: -76°, 31', 49" and ends at CPL south, southern tie-in Holtwood, PA Quadrangle N: 39°, 50', 9"; W: -76°, 15', 15"

This notice previously appeared at 46 Pa.B. 2213 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The project consists of the installation and maintenance of approximately 36.8 miles long, 42 inch pipeline and appurtenant structures. The proposed project impacts in Lancaster County include a total of 4,416 linear feet of temporary impacts to Back Run TSE, MF, Brubaker Run TSE, MF, Chiques Creek WWF, MF, Climbers Run CWF, MF, Indian Run WWF, MF, Little Chiques Creek TSE, MF, Muddy Run TSE, MF, Pequea Creek WWF, MF, Shawnee Run WWF, MF, Shells Run TSE, MF, Stamans Run WWF, MF, Strickler Run WWF, MF, Tucquan Creek HQ-CWF, MF, Four UNTs to Back Run TSE, MF, UNT to Brubaker Run WWF, MF, Two UNTs to Chiques Creek WWF, MF, UNT to Climbers Run CWF, MF, Two UNTs to Conestoga River WWF, MF, Two UNTs to Fishing Creek CWF, MF, UNT to Indian Run WWF, MF, Four UNTs to Little Chiques Creek TSE, MF, Seven UNTs to Pequea Creek, WWF, MF, UNT Stamans Run WWF, Two UNTs to Strickler Run WWF, MF, Nine UNTs to Witmers Run WWF, MF, Witmers Run WWF, MF, a total of 505 linear feet of permanent impacts to Back Run TSE, MF, Brubaker Run TSE, MF, Chiques Creek WWF, MF, Climbers Run CWF, MF, Indian Run WWF, MF, Little Chiques Creek TSE, MF, Pequea Creek WWF, MF, Shawnee Run WWF, MF, Shells Run TSE, MF, Stamans Run WWF, MF, Strickler Run WWF, MF, Tucquan Creek HQ-CWF, MF, Four UNTs to Back Run TSE, MF, UNT to Brubaker Run WWF, MF, Two UNTs to Chiques Creek WWF, MF, UNT to Climbers Run CWF, MF, Two UNTs to Conestoga River WWF, MF, Two UNTs to Fishing Creek CWF, MF, UNT to Indian Run WWF, MF, Three UNTs to Little Chiques Creek TSE, MF, Six UNTs to Pequea Creek WWF, MF, UNT Stamans Run WWF, Two UNTs to Strickler Run WWF, MF, four UNTs to Witmers Run WWF, MF, Witmers Run WWF, MF and 2.02 acres of floodway impacts, 1.42 acre of temporary impacts to PEM, PSS and PFO wetlands and 0.28 acre of permanent impacts to PEM, PSS and PFO wetlands. To compensate for the proposed permanent project impacts in Lancaster County, the applicant is proposing the creation of a compensatory wetland mitigation project located on the Hibred Farms property along State Route 897 (Latitude: 40° 17' 02.38"N; Longitude: 76° 10' 34.03"W) in West Cocalico Township, Lancaster County. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Lancaster County Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact Scott Williamson 717-705-4799 to request a file review.

8- E38-195, Atlantic Sunrise, Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Boulevard, Level 6, Houston, TX 77056. Atlantic Sunrise Pipeline, in Cold Springs, in East Hanover, North Annville, South

Annville, South Londonderry, Swatara, North Lebanon, and Union Townships, **Lebanon County**, ACOE Baltimore District. The proposed project starts at the Lebanon County Schuylkill County border Pine Grove, PA Quadrangle N: 40°, 31', 39"; W: -76°, 29', 25" and ends at the Lebanon County Lancaster County border Elizabethtown, PA Quadrangle N: 40°, 12', 30"; W: -76°, 31', 49"

This notice previously appeared at 46 Pa.B. 2213 (April 30, 2016). PADEP is extending the written public comment period for this application for an additional 60 days from Tuesday, May 31, 2016. PADEP will accept written comments through Monday, August 1, 2016.

The project consists of the installation and maintenance of approximately 28 miles, 42 inch pipeline and appurtenant structures. The proposed project impacts in Lebanon County include a total of 5,084 linear feet of temporary impacts to Conewago Creek TSF, MF, Forge Creek WWF, MF, Quittapahilla Creek TSF, MF, Reeds Creek WWF, MF, Swatara Creek WWF, MF, Trout Run CWF, MF, Two UNTs to Conewago Creek TSF, MF, Two UNTs to Forge Creek WWF, MF, Two UNTs to Gingrich Run TSF, MF, Five UNTs to Little Conewago Creek TSF, MF, UNT to Quittapahilla Creek TSF, MF, Four UNTs to Qureg Run WWF, MF, Four UNTs to Reeds Creek WWF, MF, Ten UNTs to Swatara Creek WWF, MF, Seven UNTs to Swatara Creek CWF, MF, Five UNTs to Trout Run CWF, MF, a total of 542 linear feet of permanent impacts to Conewago Creek TSF, MF, Forge Creek WWF, MF, Quittapahilla Creek TSF, MF, Reeds Creek WWF, MF,

Swatara Creek WWF, MF, Trout Run CWF, MF, UNT to Conewago Creek TSF, MF, Two UNTs to Forge Creek WWF, MF, Two UNTs to Gingrich Run TSF, MF, Four UNTs to Little Conewago Creek TSF, MF, UNT Quittapahilla Creek TSF, MF, Four UNTs to Qureg Run WWF, MF, Four UNTs to Reeds Creek WWF, MF, Nine UNTs to Swatara Creek WWF, MF, Seven UNTs to Swatara Creek CWF, MF, Four UNTs to Trout Run CWF, MF and 1.41 acre of floodway impacts, 2.66 acres of temporary impacts to PEM, PSS and PFO wetlands and 0.75 acre of permanent impacts to PEM, PSS and PFO wetland. To compensate for the proposed permanent project impacts in Lebanon County, the applicant is proposing the creation of compensatory wetland mitigation project located on the Hibred Farms property along State Route 897 (Latitude: 40° 17' 02.38"N; Longitude: 76° 10' 34.03"W) in West Cocalico Township, Lancaster County. The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 195 miles in Pennsylvania between Lennox Township, Susquehanna County and Drumore Township, Lancaster County, PA.

For more detailed information regarding the Lebanon County Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact. For more detailed information regarding the Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact Scott Williamson 717-705-4799 to request a file review.

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?
PA0031291 (Sewage)	Deer Valley YMCA Camp 254 Deer Valley Drive Fort Hill, PA 15540-2116	Somerset County Elk Lick Township	Cove Run (19-F)	Y

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?
PA0086690— IW	Kalas Manufacturing Inc. (Plant #2) 167 Greenfield Road Lancaster, PA 17601-5814	Lancaster County East Cocalico Twp	Stony Run—7-J	Y
PA0081451— SEW	Red Lion Area School District 696 Delta Road Red Lion, PA 17356-9185	York County Chanceford Twp	UNT of West Branch Toms Run 7-1	Y
PA0082881— SEW	ALCOA Inc. 201 Isabella Street Pittsburgh, PA 15212-5858	Lancaster County Lancaster City	UNT to Little Conestoga Creek 7-J	Y
PA0021849— SEW	Millerstown Municipal Auth PO Box 739 44 North High Street Millerstown, PA 17062	Perry County Greenwood Twp	Cocolamus Creek—12-B	Y
PA0021491— SEW	Williamstown Borough Sewer Auth PO Box 44 148 South Orange Street Williamstown, PA 17098-0032	Dauphin County Williamstown Borough	Wiconisco Creek—6-C	Y
PA0082392— SEW	Derry Twp Mun Auth 670 Clearwater Road Hershey, PA 17033-2453	Dauphin County Londonderry Twp	Swatara Creek—7-D	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0111945 (Industrial)	Ward Manufacturing Blossburg Foundry 117 Gulick Street Blossburg, PA 16912	Tioga County Blossburg Borough	Tioga River and Johnson Creek (4-A)	Yes
PA0209058 (Sewage)	Montour Township STP 195 Rupert Drive Bloomsburg, PA 17815-9627	Columbia County Montour Township	Fishing Creek (5-C)	Yes

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

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

NPDES Permit No. PA0002674, Industrial, SIC Code 2911, **American Refinery Group Inc.**, 77 North Kendall Avenue, Bradford, PA 16701-1726.

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

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

NPDES Permit No. PA0272744, Industrial, SIC Code 4941, **Guys Mills Mutual Water Association**, PO Box 112, Guys Mills, PA 16327.

This existing facility is located in Randolph Township, **Crawford County**.

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

Central Office: Clean Water Program Manager, 400 Market Street, Harrisburg, PA 17105-8774 Phone: 717-787-8184.

NPDES Permit No. PA0270750 A-2, Industrial, SIC Code 0782, **PA DCNR State Parks Bureau**, PO Box 8551, Harrisburg, PA 17105-8551.

This existing facility the DCNR home office is located in Harrisburg City, **Dauphin County**.

Description of Existing Action/Activity: The NPDES Pesticides Permit is amended to add some interchangeability criterion for pesticides with same active ingredients in the treatment areas where pesticide resistance has developed or where flexibility of choice is needed. The proposed discharges are associated with the application of pesticides to control weeds and algae in all lakes associated with Pennsylvania State Parks Statewide.

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

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

WQM Permit No. 3516201, Industrial, SIC Code 4911, **Lackawanna Energy Center LLC**, 1 S Wacker Drive, Suite 1800, Chicago, IL 60606-4630.

This proposed facility is located in Jessup Borough, **Lackawanna County**.

Description of Proposed Action/Activity: This permit approves the construction and operation of an industrial wastewater treatment facility for a 1,500 MW Natural Gas-Fired Combined-Cycle Electric Generating Facility.

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

WQM Permit No. 0606405, Sewerage, **Birdsboro Municipal Authority**, 202 E. Main Street, Birdsboro, PA 19508.

This proposed facility is located in Birdsboro Township, **Berks County**.

Description of Proposed Action/Activity: This amendment approves the construction of sewage facilities consisting of the replacement of the existing headworks screen and related appurtenances.

WQM Permit No. 0607402 A-2, Sewerage, **Maidencreek Township Authority**, 1 Quarry Road, Blandon, PA 19510.

This proposed facility is located in Maidencreek Township, **Berks County**.

Description of Proposed Action/Activity: This Department initiated amendment restores the original organic capacity of the treatment plant.

WQM Permit No. 0185405 A-3, Sewage, **Biglerville Borough Authority**, 33 Musselman Avenue, Biglerville, PA 17307.

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

Description of Proposed Action/Activity: This amendment approves the construction of sewage facilities consisting of: Replace existing chlorine contact tanks with open trench ultraviolet disinfection and improvements to the headworks.

WQM Permit No. WQG0107402, Sewage, **Lois D. Hanna**, 151 Shaw Road, Hollidaysburg, PA 16648.

This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a small flow sewage treatment system to serve their single family residence.

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

WQM Permit No. 0416200, Industrial, SIC Code 4941, **Center Township Water Authority**, 224 Center Grange Road, Aliquippa, PA 15501.

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

Description of Proposed Action/Activity: Construction of a temporary wastewater treatment facility for their temporary potable water supply facility.

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

WQM Permit No. 1616402, Sewage, **PA American Water Co.**, 800 W Hersheypark Drive, Hershey, PA 17033.

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

Description of Proposed Action/Activity: Construction of a pump station and force main to convey sewage from the current Shippenville WWTP to the Pain-Elk gravity sewer system for treatment at the Paint-Elk WWTP.

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>
PAS10-5312-R6	Philadelphia Authority for Industrial Development (PAID) 4747 South Broad Street Building 101, Suite 120 Philadelphia, PA 19112	Philadelphia	City of Philadelphia	Schuylkill 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>
PAI023915025	Beit Simcha Messianic Fellowship New Messianic Fellowship and Community House c/o Mr. Glenn Blank 3131 Chew Street Allentown, PA 18104	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030714006(1) Issued	Altoona Blair County Development Corp 3900 Industrial Drive Altoona, PA 16602	Blair	Greenfield Township	Beaver Creek (CWF) EV Wetlands
PAI033616002 Issued	Graywood Farms, LLC 225 Mason Dixon Road Peach Bottom, PA 17563	Lancaster	Fulton Township	Conowingo Creek (CWF, MF) UNT Conowingo Creek (HQ-CWF, MF)
PAI030615001 Issued	Longswamp Township 1112 State Street Mertztown, PA 19539	Berks	Longswamp Township	Little Lehigh Creek (HQ-CWF, MF)
PAI033615003 Issued	Peach Bottom DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Lancaster	Fulton Township	Conowingo Creek (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types

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

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

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Media Borough Delaware County	PAG02002316012	Arcadia at Media 11 Forrest Avenue Suite 201 Narberth, PA 19072-2218	Ridley Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAG02000916024	JPO Scammells Corner, L.P. 1819 John F. Kennedy Boulevard Suite 360 Philadelphia, PA 19103	Brock and Buck Creeks WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Scranton Lackawanna County	PAG02003516008	CL&W Louis DeNaples 400 Mill Street Dunmore, PA 18512-2827	Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
City of Allentown Lehigh County	PAG02003916009	Keith Flickinger Allentown Classic Motor Cars, Inc. 808 N. Fenwick St. Allentown, PA 18109	UNT to Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583
Palmer Township Northampton County	PAG02004813011(2)	Charles Chrin Real Estate Trust 400 South Greenwood Ave. Easton, PA 18045	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971

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>
Potter Township Centre County	PAG02001415016	Verizon Wireless 18 Abele Road Bridgeville, PA 15017	UNT Cedar Run— CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
College Township Centre County	PAG02001416007	Robert Stewart 25 Decibel Road State College, PA 16801	UNT Spring Creek— CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
College Township Centre County	PAG02001416008	Christ Community Church 200 Ellis Place State College, PA 16801	UNT Spring Creek— CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

<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>
Scott Township Columbia County	PAG02001916001	Route 11 Marketplace 1612 Columbia Blvd Bloomsburg, PA 17815	Kinney Run	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Fishing Creek Township	PAG02001916002	Joseph Meche 1920 Mountain Road Shickshinny, PA 18655	Pine Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Muncy Creek Twp Lycoming County	PAG02004115003(1)	Dieter Riechmann Susquehanna Health 700 High Street Williamsport, PA 17701	Muncy Creek— TSF, CWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Williamsport & Old Lycoming Townships	PAG02004116003	Jeffrey Richards Williamsport Sch Dist 2780 West 4th Street Williamsport, PA 17701	West Br Susquehanna River, WWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Wellsboro Borough Tioga County	PAG02005916002	Wellsboro School Dist Patrick Hewitt 227 Nichols Street Wellsboro, PA 16901	Sanders Creek CWF/MF	Tioga County Conservation District 50 Plaza Ln Wellsboro, PA 16901 (570) 724-1801 X 5
New Berlin Borough Centre County	PAG02006016006	Mary Brouse Sun Area Technical Institute	Penns Creek, WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

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>
Whitpain Township Montgomery County	PAR100001	Henkel & McCoy Inc 985 Jolly Road Blue Bell, PA 19422	Unnamed Tributary to Stoney Creek—3F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PAR120008	Sweet Ovations LLC 1741 Tomlinson Road Philadelphia, PA 19116	Unnamed Tributary to Walton Run—3J	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Upper Merion Township Montgomery County	PAR200032	Lane Enterprises Inc 3905 Hartzdale Drive Suite 514 Camp Hill, PA 17011	Unnamed Tributary to Schuylkill River—3F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

NOTICES

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<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Merion Township Montgomery County	PAR800039	BFI Transfer System of PA LLC 400 River Road Conshohocken, PA 19428	Schuylkill River—3F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
South Coatesville Borough Chester County	PAR800142	Coatesville Scrap Iron & Metal Co., Inc. 1000 S. First Avenue P.O. Box 751 Coatesville, PA 19320	West Branch Brandywine Creek—3H	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PAR900024	Philadelphia Gas Works 3100 W Passyunk Avenue Philadelphia, PA 19145	Schuylkill River—3-F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Clinton Township Lycoming County (Industrial Stormwater)	PAR124811	Wenger's Feed Mill Inc. P.O. Box 26 Rheems, PA 17570-0026	Turkey Run—10-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Harmar Township Allegheny County	PAR216172	PPG Industries, Inc. Glass Business and Discovery Center 400 Guys Run Road Cheswick, PA 15024-9464	Unnamed Tributary to Rawlins Run (CWF) & Guys Run (WWF) 18-A	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-4

<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>
Blair County Frankstown Township	PAG043937	Lois D. Hanna 151 Shaw Road Hollidayburg, PA 16648	Oldtown Run 11-A	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-8

<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>
Tyrone Wastewater Treatment Plant 735 Birmingham Pike Tyrone, PA 16686	PAG083608	Borough of Tyrone 1100 Logan Avenue Tyrone, PA 16686	Same as facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Snyder Township Blair County				
McAlisterville Area Joint Authority Wastewater Treatment Plant 543 McMeen Road McAlisterville, PA 17049	PAG083564	McAlisterville Area Joint Authority PO Box 61 McAlisterville, PA 17049	Same as facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Fayette Twp Juniata County				

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>
Highland & Londonderry Twp Chester County	PAG100041	Eastern Shore Natural Gas Co. 1110 Forrest Avenue Ste 201 Dover, DE 19904-2788	Unnamed Tributary to Doe Run—3HI	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Franklin County Guilford Twp	PAG123828	Christopher Brechbill Brechland Farms 3387 Mont Alto Rd Fayetteville, PA 17222	UNT Conococheague Creek (CWF)	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Manor Twp	PAG123823	Jeffrey S Barley Barley Farms 862 Donerville Road Millersville, PA 17551	UNT Conestoga Creek (TSF)	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Greene Twp	PAG123825	Milton Rotz 1015 Heritage Avenue Shippensburg, PA 17257	Conococheague Creek (CWF)	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Bucks County Bensalem Twp	PAG123818	Parx Casino & Racing 3001 Street Road Bensalem, PA 17020	UNT of Neshaminy Creek (WWF)	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
West Buffalo Township Union County	PAG124853	Beaver Run Farms Inc. 3038 Beaver Run Road Mifflinburg, PA 17844-7808	Unnamed Tributary to Mill Race—10-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-13

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Richland Township Bucks County	PAG130006	RR Donnelley 100 American Drive Quakertown, PA 18951	Unnamed Tributary of Tohickon Creek— 2D	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Upper Merion Township Montgomery County	PAG130008	Philadelphia Media Network LLC 800 Schuylkill River Road Conshohocken, PA 19428	Matsunk Creek & Unnamed Tributary to Schuylkill River— 3F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Doylestown Borough Bucks County	PAG130111	Bucks County Neshaminy Manor Center Route 611 & Almshouse Road Doylestown, PA 18901	Brock Creek, Core Creek, Delaware River, Mill Creek, Neshaminy Creek and Queen Anne Creek—2-E, 2-F & 3-J	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

<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>
Rose Valley Borough Delaware County	PAG130173	Rose Valley Borough Delaware County PO Box 198 Rose Valley, PA 19065	Ridley Creek and Vernon Run—3-G	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Norristown Borough Montgomery County	PAG130179	Montgomery County PO Box 311 Norristown, PA 19404	East Branch Perkiomen Creek, Macoby Creek, Manatawny Creek, Mill Creek, Park Creek, Pennypack Creek, Perkiomen Creek, Schuylkill River, Skeppack Creek, Stony Creek, Swamp Creek, Tacony Creek, Indian Creek, Wissahickon Creek, West Branch Neshaminy Creek, West Branch Perkiomen Creek and Wissahickon Creek—2-F, 3-D, 3-E, 3-F & 3-J	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
Dr. Joe Jurgielewicz & Son, Ltd. 886 Mountain Rd Hegins, PA 17938	Schuylkill	38.2	44.34	Ducks	N/A	Approved

<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>Approved or Disapproval</i>
Linford Snyder 334 Covered Bridge Rd Pine Grove, PA 17963	Schuylkill	90.3	346.64	Poultry (Pullets)	N/A	Approved
Beaver Ridge Farm 1400 Fowler Hollow Rd Blain, PA 17006	Perry	209.3	386.59	Swine Horse Alpaca	Shermans Creek HQCW	Approved
Dennis Ulrich 330 Brown Road Bethel, PA 19507	Berks	16.4	258.43	Poultry—Layers	N/A	Approved
Spring Valley Dairy, LLC 1577 Auction Rd. Manheim, PA 17545	Lancaster	196.1	472.06	Dairy/ Pullet	NA	N
Shady Rill Farm, LLC Neil & Jay Paul Hoover 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder	620.4	916	Swine	NA	Approval

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

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

Permit No. 4814504MA, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 W. Hersheypark Dr.
 Hershey, PA 17033
 [Borough or Township] Upper Nazareth Township
 County **Northampton**
 Type of Facility PWS
 Consulting Engineer David Lentowski, PE
 Pennsylvania American Water Company
 800 W. Hersheypark Dr.
 Hershey, PA 17033
 Permit to Construct Issued May 11, 2016

Permit No. 3516501, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 W. Hersheypark Dr.
 Hershey, PA 17033
 [Borough or Township] Jessup Borough
 County **Lackawanna**
 Type of Facility PWS
 Consulting Engineer John P. Scheuer, PE
 BCM Engineers
 1001 Lackawanna Trail
 Clarks Summit, PA 18411
 Permit to Construct Issued May 3, 2016

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

Permit No. 2115512, Public Water Supply.
 Applicant **Filson Water LLC**
 Municipality Middlesex Township
 County **Cumberland**

Responsible Official Rob Filson, Chief Financial Officer
11 Roadway Drive
Carlisle, PA 17015

Type of Facility Upgrade of facility treatment equipment and installation of 16 oz. bottling equipment.

Consulting Engineer Stephen B. Fulton, P.E.
ARM Group Inc.
1129 West Governor Road
Hershey, PA 17033-0797

Permit to Construct Issued 5/9/2016

Permit No. 6715514, Public Water Supply.

Applicant **Pennsylvania American Water**

Municipality Fairview Township

County **York**

Responsible Official David R. Kauffman
800 West Hershey Park Drive
Hershey, PA 17033

Type of Facility Instalation of booster pump station to replace the existing Evergreen booster pump station. The new booster pump station will include three (3) new pumps and will provide an increase in reliability of service to the Reeser's Summit and Redland gradients that are part of the PAWC West Shore water system.

Consulting Engineer Scott L. Armbrust, P.E.
Pennsylvania American Water
852 Wesley Drive
Mechanicsburg, PA 17055

Permit to Construct Issued 4/20/2016

Permit No. 3616502, Minor Amendment, Public Water Supply.

Applicant **Barnsley Academy**

Municipality East Drumore Township

County **Lancaster**

Responsible Official Clinton Frank, Owner
550 Solanco Road
Quarryville, PA 17566

Type of Facility Installation of anion exchange nitrate treatment system

Consulting Engineer Thomas J. Whitehill, P.E.
Whitehill Consulting Engineers
763 Conowingo Rd.
Quarryville, PA 17566

Permit to Construct Issued 5/19/2016

Permit No. 2915501, Public Water Supply.

Applicant **McConnellsburg Borough Water Authority**

Municipality Todd Township

County **Fulton**

Responsible Official Mahlon Shimer, Chairman
P O Box 218
McConnellsburg, PA 17233

Type of Facility Reactivation of the Mountain Springs as a raw water source of supply and rerouting of raw water piping from Well No. 2. As a result of this project, in addition to the Stenger Well, Well No. 2 and the Mountain Springs source water will be treated through the existing membrane filtration water treatment facility that is currently only treating water from the Stenger Well.

Consulting Engineer Jamie R. Shambaugh, P.E.
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106-7100

Permit to Construct Issued 5/9/2016

Permit No. 2116502 MA, Minor Amendment, Public Water Supply.

Applicant **Shippensburg Borough Authority**

Municipality Shippensburg Borough

County **Cumberland**

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

Type of Facility Bulk water loading station in Shippensburg Borough, Cumberland County.

Consulting Engineer Daniel S. Hershey
Rettew Associates Inc
3020 Columbia Avenue
Lancaster, PA 17603

Permit to Construct Issued 4/12/2016

Permit No. 0516501 MA, Minor Amendment, Public Water Supply.

Applicant **Defiance Water Association**

Municipality Broad Top Township

County **Bedford**

Responsible Official Jason Perry, President
PO Box 122
Defiance, PA 16633

Type of Facility Rehabilitation and improvement of containment/catchment facilities for four surface water influenced springs.

Consulting Engineer Eric S. Lundy, P.E.
Nittany Engineering & Associates, LLC
2836 Earlstown Road
Centre Hall, PA 16828-9162

Permit to Construct Issued 5/23/2016

Operation Permit No. 2812501 issued to: **Mercersburg Water Authority (PWS ID No. 7280021)**, Peters Township, **Franklin County** on 4/26/2016 for facilities approved under Construction Permit No. 2812501.

Operation Permit No. 3615514 issued to: **Safe Harbor Partners (PWS ID No. 7360122)**, Conestoga Township, **Lancaster County** on 5/20/2016 for facilities approved under Construction Permit No. 3615514.

Operation Permit No. 1132621 issued to: **Glacier Water Services, Inc. (PWS ID No. 7676468)**, **York County** on 4/18/2016 for facilities submitted under Application No. 1132621.

Operation Permit No. 7010316 issued to: **Vivay Vyas (PWS ID No. 7010316)**, Butler Township, **Adams County** on 5/20/2016 for facilities at Blue Sky Motel submitted under Application No. 7010316.

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

Permit No. 1715501—Construction—Public Water Supply.

Applicant	Treasure Lake Water System
Township/Borough	Sandy Township
County	Clearfield
Responsible Official	Mr. Patrick Burke Aqua Pennsylvania, Inc. 204 East Sunbury Street Shamokin, PA 17872
Type of Facility	Public Water Supply
Consulting Engineer	Peter J. Lusardi, P.E. BCEE GHD 1240 North Mountain Road Harrisburg, PA 17112
Permit Issued	May 12, 2016
Description of Action	Development of Bimini Well as an additional source of supply, with treatment including sodium hypochlorite disinfection and 4-log virus inactivation.

Permit No. 1716501MA—Construction and Operation—Public Water Supply.

Applicant	Treasure Lake Water System
Township/Borough	Sandy Township
County	Clearfield
Responsible Official	Mr. Patrick Burke Aqua Pennsylvania, Inc. 204 East Sunbury Street Shamokin, PA 17872
Type of Facility	Public Water Supply
Consulting Engineer	Peter J. Lusardi, P.E. BCEE GHD 1240 North Mountain Road Harrisburg, PA 17112
Permit Issued	May 12, 2016
Description of Action	Construction and operation related to the reduction of the permitted pumping rates for Wells N-4 and N-32 to 70 gallons per minute each.

Permit No. 4915503MA—Partial Operation—Public Water Supply.

Applicant	Municipal Authority Sunbury
Township/Borough	City of Sunbury
County	Northumberland
Responsible Official	Scott Debo, Water Manager Municipal Authority of the City of Sunbury 1600 Market Street Sunbury, PA 17801
Type of Facility	Public Water Supply
Consulting Engineer	John R. Segursky Jr. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit Issued	May 31, 2016
Description of Action	Operation of one of three water storage tanks. This permit authorizes operation of the 2.0 million gallon Hill Tank—North finished water storage tank.

Permit No. 4916502MA—Construction—Public Water Supply.

Applicant	McEwensville Water System
Township/Borough	McEwensville Borough
County	Northumberland
Responsible Official	Mr. Scott L. Sharp Pennsylvania American Water Company 105 Sodom Road Milton, PA 17842
Type of Facility	Public Water Supply
Consulting Engineer	Erin Threet P.E. HRG 776 Bull Run Crossing Lewisburg, PA 17837
Permit Issued	May 17, 2016
Description of Action	Construction of a new treatment building for Well No. 1, including sodium hypochlorite disinfection, and installation of 150 feet of 16-inch diameter ductile iron detention piping.

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

Operations Permit issued to: **Highridge Water Authority**, 17 Maple Avenue, Blairsville, PA 15717, **(PWSID # 5650069)** East Wheatfield Township, **Indiana County** on May 23, 2016 for the operation of facilities approved under Construction Permit # 6514508.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, **(PWSID # 5650032)** North Huntingdon Township, **Westmoreland County** on May 23, 2016 for the operation of facilities approved under Construction Permit # 6513507.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, **(PWSID # 5650032)** North Hunting-

don Township, **Westmoreland County** on May 23, 2016 for the operation of facilities approved under Construction Permit # 6513505.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID #5650032**) North Huntingdon Township, **Westmoreland County** on May 23, 2016 for the operation of facilities approved under Construction Permit # 6513506.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5260036**) North Versailles Township, **Allegheny County** on May 23, 2016 for the operation of facilities approved under Construction Permit # 2613508.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5260036**) North Versailles Township, **Allegheny County** on May 23, 2016 for the operation of facilities approved under Construction Permit # 2613509.

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

Transfer of Operation Permit issued to **Bethel Holding LLC**, **PWSID No. 6430046**, Coolspring Township, **Mercer County** on May 25, 2016. Action is for change in ownership; the potable water supplier will do business as Pine Grove MHP. The new permit number is 4300502-T1. This permit action transfers and consolidates permits Nos. 4388509-MA1, 4300502, 4388509-T1, and 4388509.

Cancellation of Permit issued to **Bethel Holding LLC**, **PWSID No. 6430046**, Coolspring Township, **Mercer County** on May 25, 2016. This action represents the cancellation of Permit Number 4300502 issued March 12, 2004. This action is a result of the consolidation of the permit into new permit number 4300502-T1.

Cancellation of Permit issued to **Bethel Holding LLC**, **PWSID No. 6430046**, Coolspring Township, **Mercer County** on May 25, 2016. This action represents the cancellation of Permit Number 4388509 issued September 8, 1989. This action is a result of the consolidation of the permit into new permit number 4300502-T1.

Cancellation of Permit issued to **Bethel Holding LLC**, **PWSID No. 6430046**, Coolspring Township, **Mercer County** on May 25, 2016. This action represents the cancellation of Permit Number 4388509-MA1 issued December 29, 2011. This action is a result of the consolidation of the permit into new permit number 4300502-T1.

Cancellation of Permit issued to **Bethel Holding LLC**, **PWSID No. 6430046**, Coolspring Township, **Mercer County** on May 25, 2016. This action represents the cancellation of Permit Number 4388509-T1 issued November 1, 2000. This action is a result of the consolidation of the permit into new permit number 4300502-T1.

Transfer of Operation Permit issued to **Pennsylvania American Water Company**, **PWSID No. 6160001**, Paint Township, **Clarion County** on May 25, 2016. Action is for change in ownership. The new permit number is 1607501-T1. This permit action transfers and incorporates Permit No. 1607501.

Cancellation of Permit issued to **Pennsylvania American Water Company**, **PWSID No. 6160001**, Paint Township, **Clarion County** on May 25, 2016. This action represents the cancellation of Permit Number

1607501 issued November 2, 2010. This action is a result of the consolidation of the permit into new permit Number 1607501-T1.

Permit No. 1016501-C, Public Water Supply.
 Applicant **Beacon Lite Associates**
 Township or Borough Center Township
 County **Butler**
 Type of Facility Public Water Supply
 Consulting Engineer Thomas L. Thompson, P.E.
 Gannett Fleming, Inc.
 554 South Erie Street
 Mercer, PA 16137
 Permit to Construct May 27, 2016
 Issued

WATER ALLOCATIONS

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

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

WA4-1017, Water Allocations. Brighton Township Municipal Authority, 1300 Brighton Road, Beaver, PA 15009, Brighton Township, **Beaver County**. The right to purchase up to 1,856,300 gallons of water per day, peak month 30-day average, from the Vanport Township Municipal Authority.

WA4-1008, Water Allocations. Vanport Township Municipal Authority, 285 River Avenue, Vanport, PA 15009, Vanport Township, **Beaver County**. The right to withdraw up to 3,450,000 gallons of water per day from river wells 1, 2, 3R7, 4, 5 and 6.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Spruce Hill Township	150 Bear Spot Rd. Port Royal, PA 17082	Juniata

Plan Description: The request for an exception to the requirement to revise the Official Plan for the Clair S. Mummau Subdivision, DEP Code No. A3-34912-095-1, APS Id 915909, is disapproved. The purpose of this subdivision is to create four new single family residential building lots to use individual onlot sewage disposal systems. The project is located along Matamoras Road, south of the junction with Route 75 South. The application is denied because, according to Spruce Hill Township's Act 537 Official Plan, the subdivision is within 1/4 mile of a known high-nitrate well. Therefore, a Component 2 module submission with a preliminary hydrogeological study is required for this proposal.

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:

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

Valley Farms Dairy Distribution Center, 629 Puddintown Road, College Township, **Centre County**. LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614 on behalf of Valley Farms Dairy, LLC, 25 Anderson Road, Buffalo, NY 14225 submitted a Final Report concerning remediation of groundwater contaminated with Benzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Lisa Steiner Property, 4586 West Mountain View Drive, Lehigh Township, **Northampton County**. RT Environmental Services Inc., 215 West Church Road,

King of Prussia, PA 19406-3207, on behalf of Ms. Lisa Steiner, 4586 West Mountain View Drive, Walnutport, PA 18088, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Isopropylbenzene, MTBE, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Former John Hearn Residence, 120 Canal Street, Port Carbon, **Schuylkill County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18703, on behalf of Harleysville Insurance, PO Box 227, Harleysville, PA 19438, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, MTBE, Naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standards.

120-160 West Union Street, 120-160 West Union Street, City of Allentown, **Lehigh County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Railroad Resources & Recovery, Inc., 1800 Riverside Drive, Bethlehem, PA 18015, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with tetrachloroethylene, arsenic, lead, antimony, and zinc. The report is intended to document remediation of the site to meet the Special Industrial Area Plan.

116 South Center Street, 116 South Center Street, Frackville Borough, **Schuylkill County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Federal National Mortgage Association, 14221 Dallas Parkway, Suite 1000, Dallas, TX 75254, submitted a Final Report concerning remediation of site soils contaminated with MTBE, Benzene, Ethylbenzene, Cumene, Toluene, 1,3,5-TMB, 1,2,4-TMB, and Naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standards.

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

Oxford Commons, Route 30 and Turkey Lane, New Oxford, PA 17350, Oxford Township, **Adams County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Oxford Commons Holdings 4, LLC, 775 Durlach Road, Stevens, PA 17578, submitted a Final Report concerning site soils contaminated with antimony and arsenic from an unregulated municipal dump. The Report is intended to document remediation of the Site Specific Standard.

Former AMP Florin Facility, 218 South Plum Street, Mount Joy, PA 17552, Mount Joy Borough, **Lancaster County**. Herbert, Rowland, & Grubic Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Elite Baseball of Lancaster, LLC, 218 South Plum Street, Mount Joy, PA 17554 and Tyco Electronics, Inc., PO Box 3608, Harrisburg, PA 17105-3608, submitted a Remedial Investigation and Final Report concerning site soils and groundwater contaminated with chlorinated solvents from historical manufacturing operations. The combined Report is intended to document remediation of the Site-Specific Standard.

Huntingdon Holdings/Huntingdon Fiberglass, 1200 Susquehanna Avenue, Huntingdon, PA 16652, Huntingdon Borough, **Huntingdon County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16652, on

behalf of Huntingdon Holdings, LLC, 1200 Susquehanna Avenue, Huntingdon, PA 16652, submitted a Remedial Investigation Report concerning soils and groundwater contaminated with Chlorinated Solvents, VOC, and Inorganics. The Report is intended to document remediation of the site to meet the Site Specific Standard.

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

Vista Resources Pleasantville Release, Neiltown Road, Harmony Township, **Forest County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Vista Resources, 61 McMurray Road, Suite 300, Pittsburgh, PA 15241, submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, cyclohexane, ethylbenzene, isopropylbenzene (cumene), naphthalene, sec-butylbenzene, tert-butylbenzene, toluene, total xylenes, 1-1-biphenyl, 2-methylnaphthalene, acenaphthene, anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]-fluoranthene, benzo[g,h,i]perylene, chrysene, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene, pyrene, phenol, aluminum, barium, boron, iron, lithium, manganese, selenium, vanadium, and zinc. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Chicago Bridge & Iron Constructors, Inc., 1420 Lexington Avenue, City of Warren, **Warren County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company, 814 Lexington Avenue, Warren, PA 16365, submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil contaminated with arsenic, barium, lead, cadmium, benzene, toluene, ethylbenzene, total xylenes, 1,2,4-trimethylbenzene (1,2,4-TMB), 1,3,5-trimethylbenzene (1,3,5-TMB), naphthalene, 2-methylnaphthalene and site groundwater contaminated with arsenic, lead, benzene, 1,2,4-TMB, and methyl tert-butyl ether (MTBE). The report is intended to document remediation of the site to meet the Site-Specific Standard.

Bradford Mall, 1001 East Main Street, Foster Township, **McKean County**. Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of KR Bradford Mall, L.P., 450 Lexington Avenue, 13th Floor, New York, NY 10017, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with trans-1,2-dichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene, tetrachloroethene, trichloroethene, and vinyl chloride. The report is intended to document remediation of the site to meet a combination of the Site-Specific and Statewide Health Standards.

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

Former Zoldos, et al. Lands, 961 South 88 Road, Cumberland Township, **Greene County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086 on behalf of Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602 has submitted a Final Report concerning the remediation of site groundwater contaminated with bis(2-ethylhexyl)phthalate and chloromethane. Notice of the Final Report was published in the *Herald-Standard* on March 30, 2016.

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:

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

Reidinger Trucking, Inc., State Route 54E at Segment 60, Delaware Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of Reidinger Trucking, Inc., 1229 State Route 487, Paxinos, PA 17860, submitted

a Final Report concerning the remediation of site soils contaminated with diesel fuel constituents. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 16, 2016.

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

Tabor Express Transport, Inc., Interstate 80 MM203.4 E, White Deer Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of Tabor Express Transport, Inc., 565 Anderson Drive, Unit B, Romeoville, IL 60446 submitted a Final Report concerning the remediation of site soil and surface water contaminated with Diesel Fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 18, 2016.

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

Arthur Hoffman Property, 514 North Broad Street, City of Allentown, **Lehigh County**. J. Rockwood and Associates, Inc., PO Box 1006, Easton, PA 18044, on behalf of Dr. Arthur Hoffman, 2829 Gordon Street, Allentown, PA 18104, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 heating oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 27, 2016.

Canizares Residence, 105 Ottawa Trail, Tobyhanna Township, **Monroe County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Ms. Marie Canizares, 7803 Horrocks Street, Philadelphia, PA 19152, submitted a Final Report concerning the remediation of site soils contaminated with tert-Butyl-Methyl-Ether, Benzene, Toluene, Ethylbenzene, Cumene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene and Naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 27, 2016.

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

Huntingdon Holdings/Huntingdon Fiberglass, 1200 Susquehanna Avenue, Huntingdon, PA 16652, Huntingdon Borough, **Huntingdon County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16652, on behalf of Huntingdon Holdings, LLC, 1200 Susquehanna Avenue, Huntingdon, PA 16652, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with Chlorinated Solvents, VOC, and Inorganics. The Report was approved by the Department on May 27, 2016.

Conestoga Manor Village—Lot 4, 3868 Oregon Pike, Lot 4, Leola, PA 17540, West Earl Township, **Lancaster County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of BF Properties, LLC, 7729 Jonestown Road, Harrisburg, PA 17112, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on May 25, 2016.

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

Gray Well Pad (Rex Energy), 5176 Brown Road, Center Township, **Butler County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of R. E. Gas Development, 366 Walker Drive, State College, PA 16801, submitted a Final Report concerning the remediation of site soils contaminated with Arsenic, Barium, Cadmium, Chromium, Lead, Selenium, Silver, Mercury, Dichlorodifluoromethane, Chloromethane, Vinyl Chloride, Bromomethane, Chloroethane, Trichlorofluoromethane, Acrolein, 1,1-Dichloroethene, Acetone, Methylene Chloride, Acrylonitrile, Methyl-Tert-Butyl Ether, trans-1,2-Dichloroethane, 1,1-Dichloroethane, 2-Butanone, 2,2-Dichloropropane, cis-1,2-Dichloroethene, Chloroform, Bromochloromethane, 1,1,1-Trichloroethane, 1,1-Dichloropropene, Carbon Tetrachloride, Benzene, 1,2-Dichloroethane, Trichloroethene, 1,2-Dichloropropane, 1,4-Dioxane, Dibromomethane, Bromodichloromethane, 2-Chloroethyl Vinyl Ether, cis-1,3-Dichloropropene, 4-Methyl-2-Pentanone, Ethylbenzene, Toluene, trans-1,3-Dichloropropene, 1,2,3-Trichloropropane, 1,1,2-Trichloroethane, 1,3-Dichloropropane, Tetrachloroethene, 2-Hexanone, Dibromochloromethane, 1,2-Dibromoethane, Chlorobenzene, 1,1,1,2-Tetrachloroethane, m&p-Xylene, o-Xylene, Styrene, Isopropylbenzene, Bromoform, 1,1,2,2-Tetrachloroethane, n-Propyl Benzene, 1,3,5-Trimethylbenzene, Bromobenzene, 2-Chlorotoluene, 4-chlorotoluene, Tert-Butylbenzene, 1,2,4-Trimethylbenzene, sec-Butylbenzene, 1,3-Dichlorobenzene, Butylbenzene, 1,4-Dichlorobenzene, 1,2-Dichlorobenzene, 1,2-Dibromo-3-Chloropropane, 1,2,4-Trichlorobenzene, Hexachlorobutadiene, Naphthalene, 1,2,3-Trichlorobenzene, and Total Xylenes. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 19, 2016.

David A. & Jolene R. Wolfe, 2187 Burning Well Road, Jones Township, **Elk County**. Letterle & Associates, Inc., 191 Howard Street, Suite 108, Franklin, PA 16323, on behalf of Ward Trucking, LLC, 1436 Ward Trucking Drive, Altoona, PA 16602, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with benzene, ethylbenzene, isopropylbenzene (cumene), methyl-tert-butyl-ether (MTBE), naphthalene, toluene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and xylenes (total). The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 19, 2016.

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

Bet-Tech: Jail to Slag Bridge 180 Acres (former LTV Steel Site), 6000 Woodlawn Road, Aliquippa, Hopewell & Center Townships, **Beaver County**. RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of Bet-Tech International 6000 Woodlawn Road, Aliquippa, PA 15001 submitted a Final Report concerning the remediation of site soil contaminated with arsenic, lead, benzo[a]pyrene, dibenzo(a,h) anthracene. The Final Report demonstrated attainment of a non-residential Statewide Health standard for soils and was approved by the Department on May 31, 2016.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

Hazardous Waste Transporter License Issued

Sun Environmental Corp., 4655 Crossroads Park Drive, Liverpool, NY 13088. License No. PA-AH 0841. Effective May 25, 2016.

Hazardous Waste Transporter License Reissued

R&R Trucking, Incorporated, PO Box 545, Duenweg, MO 64841. License No. PA-AH 0592. Effective May 31, 2016.

South Park Motor Lines, Inc. DBA CAST Transportation, 9850 Havana Street, Henderson, CO 80640. License No. PA-AH 0755. Effective May 24, 2016.

New Applications Received

Schneider National Bulk Carriers, Inc., PO Box 2700, Green Bay, WI 54306. License No. PA-AH 0524. Effective May 27, 2016.

Renewal Applications Received

Hydrochem LLC, 900 Georgia Avenue, Deer Park, TX 77536. License No. PA-AH 0694. Effective May 26, 2016.

Transervice Logistics Inc., 5 Dakota Drive, Lake Success, NY 11042. License No. PA-AH 0702. Effective May 24, 2016.

RESIDUAL WASTE GENERAL PERMITS

Permit Issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR099. Lehigh County Pretreatment Facility, 7676 Industrial Boulevard, Allentown, PA 18106.

General Permit No. WMGR099 is for the processing and beneficial use of treated domestic sewage and industrial wastewater solids, generated at the Lehigh County Pretreatment Facility, located in Upper Macungie Township, **Lehigh County**, for agricultural utilization and mine reclamation, as a soil conditioner and a fertilizer. The general permit was renewed by Central Office on May 03, 2016.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application Denied 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 Application No. 301365. New Seaview LLC, 150 Roebling Road, Fairless Hills, PA 19030-5011. This application was submitted to construct and operate a new residual waste processing facility for used motor oil (UMO) recycling to be located at the Keystone Industrial Port Complex in Falls Township, **Bucks County**. Due to the applicant's failure to submit the required financial assurances, the application was denied pursuant to Section 503(c) of the Solid Waste Management Act. The permit was denied by the Southeast Regional Office on May 24, 2016.

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

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

Permit No. 101642 Reading Materials, Inc. (Berky's Lot 9 Container & Transfer facility), 15 Breezy Park Drive Fleetwood, PA 19522.

The application submitted is to renew the permit for Berky's Lot 9 Container & Transfer Facility located in Ruscombmanor Township, **Berks County**. The facility receives construction and demolition waste for transfer. The permit expires on June 23, 2016. This application was deemed administratively complete by the Southcentral Regional Office on May 31, 2016. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

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

Permit 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.

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

Permit No. 101468. Covanta 4Recovery Philadelphia LLC, 3600 South 26th Street, Philadelphia, PA 19145. This permit application is for a 10-year permit renewal of the solid waste permit No. 101468 to continue operation of the Girard Point Transfer Station Facility, a municipal waste transfer facility located at 3600 South 26th Street in the City of Philadelphia, **Philadelphia**

County. The permit was issued by the Southeast Regional Office on May 14, 2016.

AIR QUALITY

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

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

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

GP1-15-0105: Penn Medicine Chester (701 E Marshall Street, West Chester, PA 19380-4412) On May 21, 2016 for a dual fuel-fired natural gas and No. 2 fuel oil combustion unit in West Chester, **Chester County**.

GP9-46-0088: Kehoe Construction Inc. (750 W Washington St, Norristown, PA 19401) On May 24, 2016 for a diesel or No 2 fuel-fired internal combustion engine in Upper Merion Township, **Montgomery County**.

GP3-46-0135: Kehoe Construction Inc. (750 W Washington St, Norristown, PA 19401) On May 24, 2016 for a portable non-metallic mineral crushing plant in Upper Merion Township, **Montgomery County**.

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

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

GP1-40-007A: PA Department of Correction (State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621-3136) on April 04, 2016, for the operation of a natural gas fired boiler at state retreat facility located in Newport Township, **Luzerne County**.

GP1-54-004: Sovereign Health of Pennsylvania, Inc. (1211 Puerta Del Sol, Suite 200, San Clemente, CA 92673) on May 19, 2016, for the operation of a natural gas/# 2 oil fired boiler at facility located in Butler Township, **Schuylkill 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

GP3-18-07-03014: New Enterprise Stone & Lime Co., Inc. (PO Box 77, New Enterprise, PA 16664) on May 24, 2016, for a portable non-metallic mineral crusher, under GP3, at the Roaring Spring Quarry located in Taylor Township, **Blair County**.

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

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

GP3-41-07: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on May 24, 2016, to construct and operate one portable non-metallic mineral crusher with associated water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Min-

eral Processing Plants (BAQ-GPA/GP-3) at their Montoursville Plant located in Loyalsock Township, **Lycoming County**.

GP11-41-07: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on May 24, 2016, to construct and operate one 440 bhp Caterpillar C13 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engine(s) at their Montoursville Plant located in Loyalsock Township, **Lycoming County**.

GP1-47-00005A: Geisinger Medical Center (100 North Academy Avenue, Danville, PA 17822) on May 25, 2016, to construct and operate a 24.5 MMBtu/hr Cleaver-Brooks model CB(LE) natural gas/# 2 fuel oil dual-fuel boiler pursuant to the General Plan Approval and General Operating Permit for Small Gas & No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1) at their facility located in Mahoning Township, **Montour County**.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

GP5-63-00939C: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202-2137) on May 16, 2016, to authorize the installation and operation of a new natural gas-fired compressor engine rated at 2,370 bhp and controlled by an oxidation catalyst, installation and operation of an enclosed flare controlling a currently authorized natural gas dehydration unit, increased natural gas throughput to 60 MMscf/day, and continued operation of the Stewart Compressor Station located in Mount Pleasant Township, **Washington County**. A natural gas-fired compressor engine rated at 1,380 bhp, and currently authorized enclosed flare will be replaced by the new source and control.

GP5-63-00942C: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202-2137) on May 16, 2016, to authorize the installation and operation of a new natural gas-fired compressor engine rated at 2,370 bhp and controlled by an oxidation catalyst, installation and operation of an enclosed flare controlling a currently authorized natural gas dehydration unit, increased natural gas throughput to 45 MMscf/day, and continued operation of the Dryer Compressor Station located in Independence Township, **Washington County**. A natural gas-fired compressor engine rated at 1,380 bhp, and currently authorized enclosed flare will be replaced by the new source and control.

GP5-63-00965A: Rice Poseidon Midstream, LLC (400 Woodcliff Drive, Canonsburg, PA 15317) on May 17, 2016, to authorize the installation of an enclosed flare to control one tri ethylene glycol dehydrator, increased natural gas throughput to 266 MMscf/day (total), and continued operation of the Twilight Compressor Station located in West Pike Run Township, **Washington County**. A currently authorized condenser will be replaced by the new control device.

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.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

PA-26-00500C: Alpha Pa Coal Terminal (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370) Plan Approval modification issuance date effective May 11, 2016, to construct and operate a second barge load out system at their LaBelle facility located in Luzerne Township, **Fayette 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

46-0142C: Custom Processing Services (461 State Street, East Greenville, PA 18041-1701) On May 23, 2015 to install a Micro Milling Station with Dust Collector at the facility location in East Greenville Borough, **Montgomery County**.

15-0009D: AGC Chemicals American Inc (255 S. Bailey Road, Downingtown, PA 19335-2003) On May 26, 2016 for the transition of a pilot plant installed under RFD No. 3808 from R & D to production at the facility location in Caln Township, **Chester County**.

23-0003AA: Monroe Energy LLC (4101 Post Road, Trainer, PA 19061-5532) On May 26, 2016 for the decommissioning of Sour Gas Flare (Source ID Nos. 21 and C121) and rerouting the gas headers to the flare gas recovery system at the facility location in Trainer Borough, **Delaware County**.

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

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

06-05069V: East Penn Manufacturing Co., Inc. (P.O. Box 147, Lyon Station, PA 19536) on May 24, 2016, for modifying the Industrial Facility production lines at the lead-acid battery assembly plant located in Richmond Township, **Berks County**. Plan Approval 06-05069V is for installation and startup of pieces of equipment controlled by fabric filters and mist eliminators. The plan approval was extended.

22-05057A: Michels Pipe Services (817 Main Street, Brownsville, WI 53006) on May 27, 2016, to construct a cured-in-place pipe (CIPP) wetout operation which will include resin storage tanks, catalyst drums, mix tank, injection metering pump, conveyor and rollers used to produce a polyester resin-saturated felt tube which will be used in repairing offsite pipe(s). The facility is to be located in West Hanover Township, **Dauphin County**. The plan approval was extended.

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

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

08-00010I: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on May 24, 2016, to extend the authorization to operate the sources pursuant to the plan approval of an additional 180 days from June

22, 2016 to December 19, 2016, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

PA-63-00968A: MarkWest Liberty Midstream and Resources LLC (1515 Arapahoe Street, Suite 1600, Denver, CO 80202-2137) on May 24, 2016, to extend the temporary operation period for sources and controls at the Smith Compressor Station in Smith Township, **Washington County**. The new expiration date is October 28, 2016.

PA-65-00101C: MAX Environmental Technologies Inc (233 Max Lane, Yukon, PA 15698-1003) on May 25, 2016, to extend the temporary operation period of the electric arc furnace dust treatment system and dust collector at the Yukon facility located in South Huntingdon Township, **Westmoreland County**. The new expiration date is October 28, 2016.

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

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

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

09-00125: Naceville Materials (5031 Point Pleasant Pike, Doylestown, PA 18901), On May 26, 2016, for the renewal of State Only (Natural Minor) Operating Permit No. 09-00125 for its Plumsteadville facility located in Plumstead Township, **Bucks County**.

46-00012: Philadelphia Media Network (800 Schuylkill River Rd, Conshohocken, PA 19428) On May 26, 2016, for the renewal of the State Only Operating Permit for the operation of a newspaper printing facility in Upper Merion Township, **Montgomery County**.

15-00150: The Vanguard Group, Inc. (1401 West Valley Rd, Wayne, PA 19087) On May 26, 2016, for the initial State Only Operating Permit for the operation of seven (7) existing diesel-fired emergency generator sets at their facility located in Tredyffrin Township, **Chester County**.

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

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

28-05009: Borough of Chambersburg (100 South Second Street, Chambersburg, PA 17201-2544) on May 25, 2016, for the Falling Spring diesel electric generating station located in Chambersburg Borough, **Franklin County**. The State-only permit was renewed.

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

Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-4336

04-00412: PSC Metals, Inc. (P.O. Box N, Koppel, PA 16136) On May 25, 2016, the Department issued a facility-wide Natural Minor Operating Permit renewal,

for the operation of a ferrous and nonferrous scrap metals recycling plant, known as the Koppel Plant, located in Koppel and Big Beaver Boroughs, **Beaver County**.

The facility contains two air emission processes. The first is a car shredder. Electromagnets remove ferrous metals from the shredded material. There is also a sorter with strong magnetic fields that produces eddy currents in any remaining metal fragments. Air pollution prevention equipment at the facility consists of a water sprays to suppress particulate and a cyclone. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

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

32-00207: Sprinkle Mills Tipple (P.O. Box 343, Punxsutawney, PA 15767) On May 25, 2016, the Department issued a facility-wide Natural Minor Operating Permit renewal, for the operation of a coal preparation plant and loading facility, known as the Valier Coal Yard located in North Mahoning Township, **Indiana County**.

The facility contains air contamination sources, consisting of one coal crusher, shaker with screen, conveyers, and storage piles. The facility is limited to a maximum opacity from any equipment of 20%. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants. The permit includes emission limitations, operational requirements, monitoring requirements, and recordkeeping requirements for the facility.

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

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

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

24-00126: US Resistor Incorporated (1016 Delaun Road, Saint Marys, PA 15857-3360) on May 25, 2016, issued the renewal of the State Only Operating Permit for the porcelain electrical supply facility located in Saint Marys City, **Elk County**. The sources at the facility include belt ovens, curing ovens, material mixing operations, a double arm mixer, batch cold cleaning machine, resistor mix material handling and processing, ceramic mix material handling and processing, metallic wire spray application, insulating varnish/paint booth, a Harrop batch kiln, and resistor coating spinner spray system. The batch cold cleaning machine is subject to 40 CFR 63 Subpart T for halogenated solvents. The facility is a natural minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act

and the Air Pollution Control Act. The permit contains the requirements of plan approval 24-126A. The criteria pollutants are less than 1 TPY each. HAP emissions are less than 1 TPY.

43-00335: J. Bradley McGonigle Funeral Home (1090 East State Street, Sharon, PA 16146-3367) on May 24, 2016, issued a renewal State Only Operating Permit for the human cremator located in Sharon City, **Mercer County**. The facility is a Natural Minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Particulate matter emissions from the cremator shall not exceed 0.08 grain per dry standard cubic foot, corrected to 7% O₂. NO_x emissions are less than 1.3 TPY. VOC emissions are less than 0.07 TPY. The unit is fueled with natural gas.

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

09-00082: Quakertown CVP LLC dba Quakertown Veterinary Clinic (2250 N. Old Bethlehem Pike, Quakertown, PA 18951) On May 26, 2016, for a transfer of ownership from Quakertown Veterinary Clinic, P.C., to Quakertown CVP LLC for a veterinary and animal cremation service located in Milford Township, **Bucks County**.

46-00029: Glasgow, Inc./Springhouse Asphalt Plant and Quarry (PA Route 309 and Hartman Road, Montgomeryville, PA 18936) On May 26, 2016, for the incorporation of plan approval 46-0029F into the State Only Operating Permit for this facility located in Montgomery Township, **Montgomery County**.

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

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

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

67-05111: Johnson Controls, Inc. (1499 East Philadelphia Street, York, PA 17403). Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for a de minimis emissions increase of 0.73 TPY VOC resulting from the construction of two (2) fin presses at its East York Plant located in Spring Garden Township, **York County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit and replaces the 0.62 TPY VOC de minimis emissions increase that was published in the March 5, 2016 *Pennsylvania Bulletin* due to a change in lubricant having a slightly higher VOC content.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

Permit No. 56090106 and NPDES No. PA0262765, Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530 transfer of an existing bituminous and auger mine from Hardrock Coal Company, 275 Saddle Ridge Road, Berlin, PA 15530 located Brothersvalley Township, **Somerset County**, affecting 105.5 acres. Receiving streams: unnamed tributaries to/ and Buffalo Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 30, 2015. Permit issued: May 26, 2016.

Permit No. 56900112 and NPDES No. PA0598976, Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, permit renewal for the continued operation and restoration of a bituminous surface mine in Summit Township, **Somerset County** affecting 650 acres. Receiving streams: Stony Batter Run, Shaffer Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 24, 2015. Permit issued: May 26, 2016.

Permit No. 11100101 and NPDES No. PA0262986, ELK Resources, Inc., 30 Pounds Road, West Lebanon, PA 15783, transfer of an existing bituminous surface mine from Rampside Collieries, Inc., 527 Slate Hill Road, Berlin, PA 15530 located in Richland Township, **Cambria County**, affecting 14.0 acres. Receiving streams: unnamed tributaries to/and Solomon Run, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 16, 2016. Permit issued: May 26, 2016.

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

17000107 and NPDES PA0242951. King Coal Sales, Inc. (P.O. Box 712, Philipsburg, PA 16866). Permit renewal for continued operation and restoration of a bituminous surface and auger mine located in Woodward and Bigler Townships, **Clearfield County** affecting 167.8 acres. Receiving stream(s): Upper Morgan Run and Goss Run classified for the following use(s): CWF. There are no

potable water supply intakes within 10 miles downstream. Application received: December 31, 2015. Permit issued: May 19, 2016.

17990107 and NPDES PA0238309. River Hill Coal Company, Inc. (P.O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface mine located in Bigler Township, **Clearfield County** affecting 234.5 acres. Receiving stream(s): Pine Run classified for the following use(s): CWF to Clearfield Creek classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 21, 2016. Permit issued: May 24, 2016.

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

Permit No. 54830104R6. Hardway Coal Company, (44 Keystoker Lane, Schuylkill Haven, PA 17972), renewal of an existing anthracite surface mine, coal refuse disposal and preparation plant operation in Cass Township, **Schuylkill County** affecting 61.5 acres, receiving stream: West Branch Schuylkill River. Application received: December 5, 2013. Renewal issued: May 24, 2016.

Permit No. 54830104GP104. Hardway Coal Company, (44 Keystoker Lane, Schuylkill Haven, PA 17972), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54830104 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: December 5, 2013. Permit issued: May 24, 2016.

Permit No. 54830104C9. Hardway Coal Company, (44 Keystoker Lane, Schuylkill Haven, PA 17972), correction to update the post-mining land use of an existing anthracite surface mine, coal refuse disposal and preparation plant operation in Cass Township, **Schuylkill County** affecting 61.5 acres, receiving stream: West Branch Schuylkill River. Application received: December 5, 2013. Correction issued: May 24, 2016.

Permit No. 54830104C10. Hardway Coal Company, (44 Keystoker Lane, Schuylkill Haven, PA 17972), correction add 5.0 acres to an existing anthracite surface mine, coal refuse disposal and preparation plant operation in Cass Township, **Schuylkill County** affecting 61.5 acres, receiving stream: West Branch Schuylkill River. Application received: March 12, 2015. Correction issued: May 24, 2016.

Permit No. 40663026R6. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite coal refuse disposal and preparation plant operation in Hazle Township, **Luzerne County** affecting 285.0 acres, receiving stream: Black Creek. Application received: March 22, 2016. Renewal issued: May 25, 2016.

Permit No. 40663026C20. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to update the post-mining land use on an existing anthracite coal refuse disposal and preparation plant operation in Hazle Township, **Luzerne County** affecting 285.0 acres, receiving stream: Black Creek. Application received: March 22, 2016. Renewal issued: May 25, 2016.

Permit No. 40663026GP104R. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40663026 in Hazle Township, **Luzerne County**, receiving stream: Black Creek. Application received: March 22, 2016. Renewal issued: May 25, 2016.

Permit No. 49840103R5. Reading Anthracite Company, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in East Cameron and Mt. Carmel Townships, **Northumberland County** affecting 188.8 acres, receiving stream: Mahanoy Creek. Application received: March 5, 2014. Renewal issued: May 27, 2016.

Permit No. 49840103GP104R. Reading Anthracite Company, (PO Box 1200, Pottsville, PA 17901), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49840103GP104R in East Cameron and Mt. Carmel Townships, **Northumberland County**, receiving stream: Mahanoy Creek. Application received: March 5, 2014. Renewal issued: May 27, 2016.

Noncoal Permits Issued

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

43060302. Doren, Inc. (2313 State Route 18, Wampum, PA 16157) Transfer of an existing large industrial minerals mine from Terra Resources, LLC in Jefferson Township, **Mercer County**, affecting 73.2 acres. Receiving streams: Unnamed tributary to Shenango River, unnamed tributary to Lackawannock Creek and Lackawannock Creek. Application received: March 11, 2016. Permit Issued: March 23, 2016.

43060302-GP-104. Doren, Inc. (2313 State Route 18, Wampum, PA 16157) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43060302 in Jefferson Township, **Mercer County**. Receiving streams: Unnamed tributary to Shenango River, unnamed tributary to Lackawannock Creek and Lackawannock Creek. Application received: March 11, 2016. Permit Issued: March 23, 2016.

43100302. Doren, Inc. (2313 State Route 18, Wampum, PA 16157) Transfer of an existing large industrial minerals mine from Terra Resources, LLC in Jefferson Township, **Mercer County**, affecting 52.1 acres. Receiving streams: Unnamed tributary to Shenango River and Lackawannock Creek. Application received: March 11, 2016. Permit Issued: March 23, 2016.

43100302-GP-104. Doren, Inc. (2313 State Route 18, Wampum, PA 16157) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43100302 in Jefferson Township, **Mercer County**. Receiving streams: Unnamed tributary to Shenango River and Lackawannock Creek. Application received: March 11, 2016. Permit Issued: March 23, 2016.

61162801. Christopher E. Moore, LLC, d/b/a William A. Guiste Excavating (4142 State Route 208, Emlenton, PA 16373) Commencement, operation and restoration of a small industrial minerals mine in Clinton Township, **Venango County**, affecting 7.0 acres. Receiving streams: Unnamed tributary to Scrubgrass Creek. Application received: February 4, 2016. Permit Issued: May 25, 2016.

61162801-GP-104. Christopher E. Moore, LLC, d/b/a William A. Guiste Excavating (4142 State Route 208, Emlenton, PA 16373) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 61162801 in Clinton Township, **Venango County**. Receiving streams: Unnamed tributary to Scrubgrass Creek. Application received: February 4, 2016. Permit Issued: May 25, 2016.

16160804. Gary T. Rutkowski (P.O. Box 722, Rimersburg, PA 16248) Commencement, operation and restoration of a small industrial minerals mine in Porter Township, **Clarion County**, affecting 5.0 acres. Receiving streams: Middle Run. Application received: April 13, 2016. Permit Issued: May 26, 2016.

16160804-GP-104. Gary T. Rutkowski (P.O. Box 722, Rimersburg, PA 16248) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 16160804 in Porter Township, **Clarion County**. Receiving streams: Middle Run. Application received: April 13, 2016. Permit Issued: May 26, 2016.

04150301 and NPDES Permit No. PA0259624. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Commencement, operation and restoration of a large industrial minerals mine and associated NPDES permit in Darlington Township, **Beaver County**, affecting 6.4 acres. Receiving streams: Madden Run and North Fork Little Beaver Creek. This application includes a request for a land use change from unmanaged natural habitat to unmanaged water impoundment, and forestland to unmanaged natural habitat. Application received: August 10, 2015. Permit Issued: May 26, 2016.

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

08160801. Robert E. Harkness (3059 River Road, Wysox, PA 18854). Commencement, operation, and restoration of a small industrial minerals mine (flagstone) in Standing Stone Township, **Bradford County** affecting 1.0 acre. Receiving stream(s): Unnamed Tributary to King Creek. Application received: January 28, 2016. Permit issued: May 12, 2016.

08162801. Shawn L. Adams, (3001 Sugar Hill Road, Sugar Run, PA 18846). Commencement, operation, and restoration of a small industrial minerals mine (bluestone) in Monroe Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Kent Run. Application received: January 19, 2016. Permit issued: May 13, 2016.

08162801GP-104. Shawn L. Adams, (3001 Sugar Hill Road, Sugar Run, PA 18846). General NPDES permit for stormwater discharge associated with mining activities on Surface Mining permit No. 08162801 in Monroe Township, **Bradford County**. Receiving stream(s): Kent Run. Application received: January 19, 2016. Permit issued: May 13, 2016.

08160802. Christopher M. Campbell (15357 Route 467, Stevensville, PA 18845). Commencement, operation and restoration of a small industrial minerals mine (bluestone) in Stevens Township, **Bradford County** affecting 1.0 acre. Receiving stream(s): Rockwell Creek. Application received: April 7, 2016. Permit Issued: May 19, 2016.

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

Permit No. 22162801. National Quarries, LLC, (PO Box 469, Gladwyne, PA 19035), commencement, operation and restoration of a quarry operation in West Hanover Township, **Dauphin County** affecting 5.0 acres, receiving stream: unnamed tributary to Fishing Creek. Application received: February 8, 2016. Permit issued: May 25, 2016.

Permit No. 22162802. National Quarries, LLC, (PO Box 469, Gladwyne, PA 19035), commencement, operation and restoration of a quarry operation in West Hanover Township, **Dauphin County** affecting 5.0 acres, receiving stream: unnamed tributary to Fishing Creek. Application received: February 8, 2016. Permit issued: May 25, 2016.

Permit No. 38870301C18 and NPDES Permit No. PA0595543. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), correction to an existing quarry operation to increase the permitted acreage to 1,064.5 acres in Annville Borough, North Londonderry, North and South Annville Townships, **Lebanon County**, receiving streams: Killinger and Quittapahilla Creeks. Application received: January 6, 2016. Correction issued: May 25, 2016.

Permit No. 58150817. Michael and Robert Pavel-ski, (PO Box 86, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Martins Creek to Tunkhannock Creek. Application received: October 5, 2015. Permit issued: May 26, 2016.

Permit No. 58150817GP104. Michael and Robert Pavel-ski, (PO Box 86, Susquehanna, PA 18847), General NPDES Stormwater Permit for discharges associated with mining activities on Surface Mining Permit No. 58150817 in New Milford Township, **Susquehanna County**, receiving stream: Martins Creek to Tunkhannock Creek. Application received: October 5, 2015. Permit issued: May 26, 2016.

Permit No. 36900301C10 and NPDES Permit No. PA0594784. H & K Group, Inc., (PO Box 196, Skippack, PA 19474), renewal and correction to add a discharge point to the NPDES Permit for discharge of treated mine drainage from a quarry operation in Fulton Township, **Lancaster County** affecting 74.69 acres, receiving stream: unnamed tributary to Octoraro Creek. Application received: October 5, 2015. Correction issued: May 27, 2016.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Issued

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

08164103. M & J Explosives LLC (P.O. Box 1248, Carlisle, PA 17013). Blasting for well pad located in Albany Township, **Bradford County** with expiration date of May 24, 2017. Permit issued May 24, 2016.

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

63164001. Dyno Nobel (2795 E. Cottonwood Parkway, Suite 500, Salt Lake City, UT 84121). Blasting activity permit for the construction of the Gibraltar Pipeline Project, located in Donegal, Claysville and West Finley Townships, **Washington County** with an exploration date of December 31, 2016. Blasting permit issued: May 25, 2016.

63164002. Dyno Nobel (2795 E. Cottonwood Parkway, Suite 500, Salt Lake City, UT 84121). Blasting activity permit for the construction of the Buffalo Creek Pipeline Project, located in Mt. Pleasant, Hopewell, Buffalo, Blain & Donegal Townships, **Washington County** with an exploration date of December 25, 2016. Blasting permit issued: May 25, 2016.

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

Permit No. 06164106. Brubacher Excavating, Inc., (P.O. Box 528, Bowmansville, PA 17507), construction blasting for Exeter Commons in Exeter Township, **Berks County** with an expiration date of May 20, 2017. Permit issued: May 24, 2016.

Permit No. 36164129. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Meadow Ridge Subdivision in East Lampeter Township, **Lancaster County** with an expiration date of December 30, 2016. Permit issued: May 24, 2016.

Permit No. 48164108. Schlouch, Inc., (P.O. Box 69, Blandon, PA 19510), construction blasting for Saratoga Farms Phase 2 in Lower Nazareth Township, **Northampton County** an expiration date of May 23, 2017. Permit issued: May 26, 2016.

Permit No. 58164104. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for MacNew Compressor Station in Brooklyn Township, **Susquehanna County** with an expiration date of December 31, 2016. Permit issued: May 26, 2016.

Permit No. 64164104. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting at 34 Knollwood in Paupack Township, **Wayne County** with an expiration date of May 24, 2017. Permit issued: May 26, 2016.

Permit No. 36164130. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Keith Olin manure pit in Earl Township, **Lancaster County** with an expiration date of October 30, 2016. Permit issued: May 27, 2016.

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

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

E21-450: Mr. John Peters and Ms. Gina Peters, 17 South Ridge Road, Boiling Springs, PA 17007 in Monroe Township, Cumberland County, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a proposed single span reinforced concrete bridge crossing an unnamed tributary to Yellow Breeches Creek (HQ-CWF, MF). The proposed bridge dimensions consist of a 21-foot normal span, 12-foot out-to-out width, with a 4-foot average underclearance. No wetlands are within the project area. The project is located on Indian Peg Road (Latitude: 40° 08' 19"; Longitude: -77° 05' 14") approximately 0.25 mile east of its intersection with Kuhn Road in Monroe Township, Cumberland County. The permit was issued on May 11, 2016.

E21-441: Pennsylvania Turnpike Commission, PO Box 67676, Harrisburg, PA 17106-7676 in Middlesex Township, Cumberland County, U.S. Army Corps of Engineers Baltimore District.

To:

1. Replace and maintain an existing 18-inch Reinforced Concrete Pipe (RCP) extended by 14 feet on the upstream side for a total of 159 feet and relocating 25 linear feet of channel in an unnamed tributary to Newburg Run (WWF) at milepost 202.01 (Latitude: 40° 09' 48.82"; Longitude: -77° 36' 18.45");

2. Extend and maintain an existing 194 foot long 10 foot wide by 5.5 foot high concrete arch culvert by 36 feet on the downstream side with a 10 foot wide by 6 foot high concrete box culvert with fish baffles in Newburg Run (WWF) at milepost 202.58 and install and maintain a temporary stream crossing during construction (Latitude: 40° 09' 56.10"; Longitude: -77° 35' 41.34");

3. Extend and maintain an existing 255 foot long 42-inch RCP by 34 feet on the downstream side with a 42-inch RCP in an unnamed tributary to Newburg Run (WWF) at milepost 202.68 and install and maintain a temporary stream crossing during construction (Latitude: 40° 09' 56.76"; Longitude: -77° 35' 33.26");

4. Remove an existing 24-inch culvert and construct and maintain a 195 foot long 30-inch RCP culvert, relocating 162 linear feet of an unnamed tributary to Newburg Run (WWF) at milepost 202.76 and install and maintain a temporary stream crossing during construction (Latitude: 40° 09' 57.92"; Longitude: -77° 35' 29.23");

5. To place and maintain fill in 0.02 acre of Palustrine Emergent (PEM) wetland and 0.01 acre of Palustrine Scrub/Shrub (PSS) wetland, temporarily impacting 0.01 acre of wetland at milepost 202.79 (Latitude: 40° 09' 59.83"; Longitude: -77° 35' 27.42");

6. To extend and maintain an existing 132 foot long 42-inch RCP culvert with a 42-inch RCP culvert extension 28 feet on the upstream side with a 433 foot stream relocation, impacting 0.01 acre PEM/PSS wetlands, and 27 feet on the downstream side in an unnamed tributary to Peebles Run (WWF) at milepost 203.11 (Latitude: 40° 10' 01.93"; Longitude: -77° 35' 03.93");

7. Extend and maintain an existing 93 foot long 12 foot wide by 8 foot high concrete arch culvert with a 12 foot wide by 10.5 foot high concrete box culvert with fish baffles by 26.0 feet on the upstream side and 24 feet on the downstream side in Peebles Run (WWF) at milepost 203.53 and install and maintain a temporary stream crossing during construction (Latitude: 40° 10' 06.59"; Longitude: -77° 34' 37.85");

8. To place and maintain fill in 0.01 acre of PEM wetland, temporarily impacting 0.01 acre of PEM wetland at milepost 203.59 (Latitude: 40° 10' 8.40"; Longitude: -77° 34' 34.88");

9. To replace an existing 18-inch culvert with a 172 foot long 24-inch RCP culvert in an unnamed tributary to Peebles Run (WWF), impacting 0.01 acre of PEM wetland, 0.01 acre of PSS wetland and 0.01 acre of Palustrine Forested (PFO) wetland, all at milepost 203.59 (Latitude: 40° 10' 7.20"; Longitude: -77° 34' 34.36");

10. To place and maintain fill in 0.01 acre of Palustrine Emergent (PEM) wetland and 0.01 acre of Palustrine Scrub/Shrub (PSS) wetland, temporarily impacting 0.01 acre of wetland at milepost 203.85 (Latitude: 40° 10' 09.99"; Longitude: -77° 34' 16.92");

11. Extend and maintain an existing 137 foot long 8 foot wide by 4.5 foot high concrete arch culvert with an 8 foot wide by 6.5 foot high concrete box culvert with fish baffles by 17 feet on the upstream side, impacting 0.01 acre of PEM wetland, 0.01 acre of PFO wetland and 0.01 acre of PSS wetland; and 34 feet on the downstream side with an adjacent stormwater management basin, permanently impacting 0.01 acre of PEM wetlands, 0.01 acre of PSS wetlands and 0.05 acre of PFO wetlands as well as temporarily impacting 0.01 acre of PEM wetlands, 0.04 acre of PSS wetlands and 0.13 acre of PFO wetlands, all in an unnamed tributary to Peebles Run (WWF) at milepost 204.01 (Latitude: 40° 10' 11.46"; Longitude: -77° 34' 07.04");
 12. Extend and maintain an existing 93 foot long 14 foot wide by 7.5 foot high concrete arch culvert with a 14 foot wide by 9 foot high concrete box culvert with fish baffles 25 feet on the upstream side and 25 feet on the downstream side with an associated stormwater management facility outfall temporarily impacting 0.02 acre of PEM wetland at milepost 204.35 (Latitude: 40° 10' 15.77"; Longitude: -77° 33' 43.59");
 13. Extend and maintain an existing 120 foot long 8 foot wide by 7 foot high concrete arch culvert with an 8 foot wide by 6.5 foot high concrete box culvert with fish baffles 31 feet on the upstream side, permanently impacting 0.01 acre of PEM wetlands and 31 feet on the downstream side with an associated stormwater management facility outfall permanently impacting 0.09 acre of PEM wetland and temporarily impacting 0.04 acre of PEM wetland at milepost 204.69 (Latitude: 40° 10' 19.43"; Longitude: -77° 33' 20.30");
 14. To fill and maintain 0.04 acre of PEM wetland and construct and maintain 266 linear feet of retaining wall along the banks for Bore Mill Run (WWF) between milepost 205.45 and 205.56 to stabilize the stream banks (Latitude: 40° 10' 30.13"; Longitude: -77° 32' 26.36");
 15. To remove the existing structure and to construct and maintain a single span bridge with a clear span of 100 feet, a width of 39 feet and a minimum underclearance of 27.25 feet over Bore Mill Run (WWF), permanently impacting 0.47 acre of PEM wetland and 0.12 acre PFO wetland, temporarily impacting 0.11 acre of PEM wetland and 0.03 acre of PFO wetland, all carrying SR 0997 over Bore Mill Run and its wetlands (Latitude: 40° 10' 30.70"; Longitude: -77° 32' 34.90");
 16. To construct and maintain a 36-inch CMP culvert crossing, measuring 300 linear feet and enclosing 241 linear feet of stream channel, carrying SR 0997 over an unnamed tributary to Bore Mill Run (WWF) at milepost 205.35 (Latitude: 40° 10' 26.92"; Longitude: -77° 32' 34.85");
 17. To extend and maintain an existing 126 foot long 42-inch RCP culvert by 38 linear feet on the upstream side, permanently impacting 0.03 acre of PEM wetland and temporarily impacting 0.01 acre of PEM wetland, conveying an unnamed tributary to Bore Mill Run (WWF) at milepost 205.47 (Latitude: 40° 10' 28.58"; Longitude: -77° 32' 27.23");
 18. To remove the existing structure and to construct and maintain a single span bridge with a width of 139 feet, a span of 26 feet and a minimum underclearance of 7 feet over Bore Mill Run (WWF), permanently impacting 0.01 acre of PFO and 0.01 acre of PEM wetland and temporarily impacting 0.03 acre of PFO and 0.01 acre of PEM wetland at milepost 205.69 (Latitude: 40° 10' 31.34"; Longitude: -77° 32' 14.85");
 19. To remove the existing structure and to construct and maintain a 24-inch outfall structure, extended 6 linear feet in an unnamed tributary to Bore Mill Run (WWF) at milepost 205.78 (Latitude: 40° 10' 30.86"; Longitude: -77° 32' 12.63");
 20. To place and maintain fill impacting 0.11 acre of Palustrine Emergent (PEM) wetland, temporarily impacting 0.03 acre of PEM wetland at milepost 205.75 (Latitude: 40° 10' 32.26"; Longitude: -77° 32' 13.15");
 21. Extend and maintain an existing 119 foot long 24 foot wide by 12.5 foot high concrete arch culvert with an 24 foot wide by 11.5 foot high concrete arch culvert 33 feet on the upstream side and 33 feet on the downstream side with an associated stormwater management facility outfall permanently impacting 0.05 acre of PEM wetland and temporarily impacting 0.02 acre of PEM wetland at milepost 206.18 and install and maintain a temporary stream crossing during construction (Latitude: 40° 10' 36.04"; Longitude: -77° 31' 42.29");
 22. To relocate 336 linear feet of an unnamed tributary of Three Square Hollow Run (WWF), permanently impacting 0.02 acre of PEM wetlands and temporarily impacting 0.01 acre of PEM wetlands from milepost 206.22 to 206.18 (Latitude: 40° 10' 37.76"; Longitude: -77° 31' 40.70");
 23. To relocate 455 linear feet of an unnamed tributary of Three Square Hollow Run (WWF) from milepost 206.24 to 206.18 (Latitude: 40° 10' 36.34"; Longitude: -77° 31' 40.49");
 24. To remove the existing structure and to construct and maintain a 204 foot long 30-inch RCP outfall, extended by 40 feet with a 77 foot stream relocation all in an unnamed tributary to Three Square Hollow Run (WWF) at milepost 206.35 (Latitude: 40° 10' 38.25"; Longitude: -77° 31' 30.08");
 25. To extend and maintain an existing 49 foot long 36 inch HDPE culvert with a 36-inch HDPE culvert 13 linear feet on the upstream side, permanently impacting 0.03 acre of PEM wetland and temporarily impacting 0.02 acre of PEM wetland, all for carrying SR 0997 over an unnamed tributary to Bore Mill Run (Latitude: 40° 10' 34.05"; Longitude: -77° 32' 23.66").
- The project will also have temporary impacts associated with Erosion and Sedimentation Pollution Control (E&S) Best Management Practices (BMPs) during construction. The project purpose is to improve transportation safety and roadway standards. The project is located between mile markers 202 and 206 along the Pennsylvania Turnpike in Upper Mifflin and Hopewell Townships, Cumberland County. The applicant is required to provide compensation for 1,391 linear feet of stream impacts and has proposed mitigation through stream enhancements previously conducted at Big Spring Creek (HQ-CWF) in West Pennsboro Township and North Newton Township, Cumberland County originally authorized under Permit No. E21-422. Compensation for 1.34 acre of wetland impact will be deducted from the wetland mitigation site created as part of PA Turnpike Commission Permit No. E21-389 in Middlesex Township, Cumberland County. The permit was issued on May 26, 2016.

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

E17-497. Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. SR 0219, Section A14, Bridge to Box Culvert Replacement Project, Bell Township, **Clearfield County**. USACOE Baltimore District (McGees Mills, PA Quadrangle Latitude: 41° 53' 05.6"; Longitude: 78° 45' 23.7").

The applicant is seeking authorization to (1) remove the existing single span bridge that carries SR 0219, Section A14, Bridge across Whiskey Run (2) realign 80-feet of unnamed tributary channel, and (3) construct, operate and maintain a box culvert to carry SR 0219, Section A14, across Whiskey Run. Chapter 93 Rules and Regulations designate Whiskey Run and the unnamed tributary as Cold Water Fishery-Migratory Fish. The channel change of the unnamed tributary Run shall be limited to maximum 65-linear feet that shall result in successful establishment of a stable realigned channel and overbank areas. The box culvert to carry SR 0219 across Little Whiskey Run shall be constructed to minimally have a span of 30-feet and rise of -feet with invert depression of 1-foot. As proposed, SR 0219, Section A14, Bridge to Box Culvert Replacement Project will incur maximum 85-feet of temporary stream impact and 165-feet of permanent stream impact. The project is located along the western right-of-way of SR 0219 approximately 0.64-mile east of SR 0036 and SR 0219 intersection in Bell Township, Clearfield County.

ENVIRONMENTAL ASSESSMENTS

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

EA1109-006. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Cresson Acid Mine Drainage (AMD) Treatment Plant in Cresson Township, **Cambria County**, ACOE Baltimore District.

The applicant proposes to alter existing water courses in order to construct and operate the proposed Cresson AMD Treatment Plant. The following water courses that drain to an unnamed tributary (CWF) locally known as Trap Run of the Clearfield Creek (WWF) will be filled and relocated: approximately 233 linear feet of an existing stormwater ditch which collects surface and roadway runoff from Cresson Shaft Road (T.R. 441) that drains into approximately 355 linear feet of a first unnamed tributary (CWF), in addition approximately 218 linear feet of a second unnamed tributary (CWF) drains into the first unnamed tributary. This cumulative 806 linear feet (0.065 acre) of relocated water courses will be replaced with the construction of 323 linear feet of piping draining into 360 linear feet of relocated water course draining into the unnamed tributary (CWF) locally known as Trap Run of the Clearfield Creek (WWF). Relocating the watercourses is being proposed for the purpose of constructing and operating the Cresson AMD Treatment Plant having a maximum treatment capacity of approximately 6.3 million gallons per day (MGD) of treated water mine water discharging into locally named Trap Run, which is an unnamed tributary (CWF) to Clearfield Creek. The plant will be located adjacent to the northeast border of the Sankertown Borough boundary in Cresson Township along Cresson Shaft Road (T.R. 441). Once the plant is operating at an average design capacity of 4.4 MGD, the following historic heavily polluting AMD dis-

charges will be eliminated: Argyle Stone Bridge discharge, Gallitzin Shaft discharge and the Cresson Mine discharge. Therefore, the 806 linear feet (0.065 acre) of relocated water courses will support the elimination of the three discharges and with the additional 4.4 MGD average discharge of treated mine water, approximately 15 miles of Clearfield Creek (WWF) and six miles of Sugar Run (CWF) will be restored. In all, a total of 21 miles that are currently impaired by acid mine drainage will be restored with the cumulative 806 linear feet (0.065 acre) of relocated water courses. (Cresson, PA Quadrangle 40° 28' 18.5" N, 78° 35' 7.1" W).

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCP # ESG00081150002

Applicant Name Transcontinental Gas Pipe Line Co LLC
Contact Person Roberta Zwier
Address 2800 Post Oak Blvd, Level 6
City, State, Zip Houston, TX 77056
County Lycoming
Township(s) Mifflin Township
Receiving Stream(s) and Classification(s) Larrys Creek-EV; UNT to Larrys Creek-EV

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

ESCGP-2 #ESG15-019-0047—Vic Nor Farm to Gaw Gas Pipeline

Applicant Mountain Gathering, LLC
Contact Mr. Dewey Chalos
Address 810 Houston Street
City Fort Worth State TX Zip Code 76102
County Butler Township(s) Forward
Receiving Stream(s) and Classification(s) UNT to Connoquenessing Creek (WWF), Connoquenessing Creek (WWF) and UNT to Breakneck Creek (WWF)/Connoquenessing Creek

**STORAGE TANKS
SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
16-15-004	Longwood Gardens, Inc. P.O. Box 501 Kennett Square, PA 19348-0501 Attn: Kenneth Grablewski	Chester	East Marlborough Township	1 AST storing diesel fuel	25,000 gallons

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of May 2016 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Robert Beattie	351 Bangor Rd. Nazareth, PA 18064	Testing
Patrick Borkowski	PO Box 63827 Philadelphia, PA 19147	Testing
Steven Bukeavich	3418 Allegheny Rd. Erie, PA 16508	Mitigation
Jason Cramer	1771 Zinfandel Ct., W. Easton, PA 18045	Testing
Victor Delfi	1923 Hawk Dr. Stroudsburg, PA 18360	Testing
Gary Drenning	PO Box 237 Hollidaysburg, PA 16648	Testing
Enviroquest, Inc.	1738 N. 3rd St., Ste. A Harrisburg, PA 17102	Mitigation
Paul Fletcher Alpha Energy Laboratories	2501 Mayes Rd., Ste. 100 Carrollton, TX 75006	Laboratory Analysis
Adam Ginocchi	407 Jenny Ln. New Castle, PA 16101	Testing
Brian Griest	128 Boyd Dr. Butler, PA 16001	Testing
Thomas Hatton Clean Vapor, LLC	PO Box 688 Blairstown, NJ 07825	Mitigation
Robert Hewlett	PO Box 1942 Cranberry Twp., PA 16066	Mitigation
John Jenkins, Jr.	40 Sorber Rd. Shickshinny, PA 18655	Testing
Daniel Kostenbader	772 Golden Eagle Dr. Nazareth, PA 18064	Testing
Mark Maglioli Valley Radon Services	PO Box 82 Luzerne, PA 18709	Mitigation
Thomas McArdle Seitz Brothers	83 Claremont Ave. Tamaqua, PA 18252	Mitigation
Charles McKee	8777 E. Vin de Ventura, Ste. 188 Scottsdale, AZ 85258	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Michael Parenti	1120 Candy Ln. Erie, PA 16505	Mitigation
Celia Rajkovich	122 W. 5th Ave. Derry, PA 15627	Laboratory Analysis
James Rossi	18 Nutgrove Rd. Pine Grove, PA 17963	Mitigation
S.A.F.E. Inspection Services, LLC	PO Box 343 East Berlin, PA 17316	Testing
Edward Schluth	18 Farview Rd. Telford, PA 18969	Testing
Malissa Sears	1675 N. Commerce Pkwy. Weston, FL 33326	Laboratory Analysis
Brian Seitz Seitz Brothers	83 Claremont Ave. Tamaqua, PA 18252	Testing
Jon Shaffer	1115 Cornell St. Pittsburgh, PA 15212	Mitigation
William Thacker	33 Cherry Rd. Airville, PA 17302	Mitigation
Timothy A. Musser Co., Inc.	213 N. 14th St. Allentown, PA 18102	Mitigation

[Pa.B. Doc. No. 16-983. Filed for public inspection June 10, 2016, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Draft Technical Guidance Document: New Guidance

DEP ID: 563-2112-001. **Title:** Beneficial Use of General Permit (GP) Materials at Active Coal Mines. **Description:** This guidance explains how the Bureau of Mining Programs implements the beneficial use of materials authorized by a Bureau of Waste Management GP for a site covered under a coal mining permit. It clarifies the procedure for obtaining approval from the Department to

use these materials for coal mine reclamation and the guidelines for making the approval determination.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by July 11, 2016. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are urged to submit comments using the Department's online eComment at www.ahs.dep.pa.gov/eComment. Written comments should be submitted to ecomment@pa.gov or the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this technical guidance document should be directed to Sharon Hill at (717) 787-6842 or shill@pa.gov.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

Draft Technical Guidance Document: Substantive Revision

DEP ID: 563-2000-001. **Title:** Government-Financed Construction Contracts. **Description:** This guidance defines procedures for authorizing incidental and necessary coal extraction, coal refuse removal and utilization of excess spoil from an active mine for reclaiming abandoned mine lands under a government-financed construction contract. The substantive revisions made to the guidance include the following: expand the methodology for evaluating project eligibility to reflect the requirements in the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b); the application processing procedures; contract enforcement; and the deletion of Appendices B and H, which have been replaced by Departmental forms.

Written Comments: Interested persons may submit written comments on this draft technical guidance document on or by July 11, 2016. Comments submitted by

facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are urged to submit comments using the Department's online eComment at www.ahs.dep.pa.gov/eComment. Written comments should be submitted to ecomment@pa.gov or the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Chris Yeakle at (814) 797-1191 or cyeakle@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-984. Filed for public inspection June 10, 2016, 9:00 a.m.]

Laboratory Accreditation Advisory Committee Meeting Cancellations

The Laboratory Accreditation Advisory Committee (Committee) meetings scheduled for Tuesday, June 14, 2016, and Thursday, September 22, 2016, have been cancelled.

The Committee's next meeting is scheduled for December 7, 2016, and will be held in Room 206, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17105-1467. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's web site at <http://www.dep.pa.gov>.

Questions concerning the meeting cancellations or future meetings can be directed to Aaren S. Alger at (717) 346-8212 or aaalger@pa.gov.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-985. Filed for public inspection June 10, 2016, 9:00 a.m.]

Mining and Reclamation Advisory Board; Regulation, Legislation and Technical Committee Meeting

The Mining and Reclamation Advisory Board's (Board) Regulation, Legislation and Technical Committee (Committee) will meet on June 16, 2016, from 10 a.m. to 12 p.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting will also be offered in a conference call format for Board members or alternates (Committee and otherwise) who are not able to attend the meeting in person.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meeting are available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-986. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Northumberland County

The Department of General Services (Department) will accept bids for the purchase of 10 ± acres of land and 23,131 ± square feet of building areas at 206 Armory Road, Sunbury, Northumberland County. Bids are due Thursday, August 25, 2016. Interested parties wishing to receive a copy of Solicitation No. 94810 should view the Department's web site at www.dgs.pa.gov or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-987. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF HEALTH

Availability of Draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2016; Public Hearing

The Department of Health (Department) is making available copies of the proposed Preventive Health and Health Services Block Grant Application (application) for Federal Fiscal Year 2016 under section 300w-4 of the Public Health Service Act (act) (42 U.S.C.A § 300w-4). This application shall serve as the Commonwealth's request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2020 Health Status Objectives.

The application, describing proposed services, program goals, and objectives and activities, is available for public comment. Copies (electronic or hard copy) of the proposed application will be available on or after June 16, 2016, and can be obtained by calling the Bureau of Health Promotion and Risk Reduction (Bureau) at (717) 787-6214. Persons with a disability who require an alternative format of the application (for example, large print or Braille) should also contact the Bureau at (717) 787-6214 or (717) 783-6514 (TDD users).

A public hearing will be held by the Department for the purpose of receiving testimony on the application in accordance with section 300 w-4 of the act. Comments

and suggestions from the public should relate to the priorities and program plans included in the application.

The hearing will be held from 10:30 a.m. until 11:30 p.m. on June 21, 2016, in Conference Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA. Persons wishing to testify are requested to preregister by contacting the Bureau at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 5 minutes to testify. Testifiers must submit two written copies of their testimony to the Department at the time of the hearing.

Written comments will be accepted and should be sent to the Bureau of Health Promotion and Risk Reduction, 625 Forster Street, Room 1000, Health and Welfare Building, Harrisburg, PA 17120 and should be received no later than 4 p.m. on June 20, 2016.

Persons with a disability who wish to comment or who require an alternative format of this application (for example, large print or Braille) or who wish to attend the public hearing and require special accommodations to do so should contact Terry L. Walker, Administrative Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Department of Health, 625 Forster Street, Harrisburg, PA 17120, (717) 787-6214 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-988. Filed for public inspection June 10, 2016, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Hanover Hospital	28 Pa. Code § 133.21 (relating to facilities) 28 Pa. Code § 133.31 (relating to policies and procedures)
Indiana Regional Medical Center	28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations)
UPMC Mercy	28 Pa. Code § 107.61 (relating to written orders)
UPMC St. Margaret	28 Pa. Code § 107.26(b)(2) (relating to additional committees)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Holy Spirit Hospital	2.2-2.6.7.1(2)	Staff lounge facilities	2014
Thomas Jefferson University Hospital	3.8-3.1.2.1	Area (medical oncology)	2014
	3.8-3.1.2.1	Area (rheumatology)	2014
UPMC Presbyterian Shadyside	2.1-2.4.3.1(2)(a)	Seclusion rooms—location	2014
	2.1-2.4.3.9(1)(b)	Special design elements—architectural details	2014
	2.5-2.2.2.8	Patient storage	2014

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-989. Filed for public inspection June 10, 2016, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long term care facilities are seeking exceptions to 28 Pa. Code § 201.18(e) (relating to management):

Penn Center for Rehabilitation and Care
3609 Chestnut Street
Philadelphia, PA 19104
FAC ID # 180102

Presbyterian Center for Continuing Care
39th and Market Streets
Philadelphia, PA 19104
FAC ID # 421102

The Transitional Care Unit at Nazareth Hospital
2601 Holme Avenue
Philadelphia, PA 19152
FAC ID # 400302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.26(e) (relating to laundry):

Oakmont Center for Nursing and Rehabilitation
26 Ann Street
Oakmont, PA 15139
FAC ID # 410102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(b) (relating to utility room):

Oakmont Center for Nursing and Rehabilitation
26 Ann Street
Oakmont, PA 15139
FAC ID # 410102

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 205.6(a) (relating to function of building):

Quarryville Presbyterian Retirement Community
625 Robert Fulton Highway
Quarryville, PA 17566
FAC ID # 170102

The Shook Home
55 South Second Street
Chambersburg, PA 17201
FAC ID # 100902

Vincentian Home
111 Perrymont Road
Pittsburgh, PA 15237
FAC ID # 221002

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

Mountain Top Healthcare and Rehabilitation Center
185 South Mountain Boulevard
Mountain Top, PA 18707
FAC ID # 040802

Saint Martha Center for Rehabilitation and Healthcare
470 Manor Avenue
Downingtown, PA 19335
FAC ID # 457402

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facil-

ities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-990. Filed for public inspection June 10, 2016, 9:00 a.m.]

Public Health Council Meeting Regarding the Preventive Health and Health Services Block Grant

The Public Health Council will be holding a meeting (teleconference call) on Thursday, June 16, 2016, from 10 a.m. to 12 p.m. in the Health and Welfare Building, 625 Forster Street, Room 416, Harrisburg, PA 17120, under the requirements and provisions of the Federal Block Grant. The purposes of the meeting are to discuss and review the provisions of the Preventive Health and Health Services Block Grant (Grant) Federal Fiscal Year 2016 Application and the details of the Grant Work Plan.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other special accommodation to do so should contact Terry L. Walker, Administrative Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Department of Health, 625 Forster Street, Harrisburg, PA 17120, (717) 787-6214 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-991. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Hospital Payments for Qualified Acute Care General Hospital Burn Centers

The Department of Human Services (Department) is announcing its intent to allocate funding in Fiscal Year (FY) 2015-2016 for disproportionate share hospital (DSH)

payments made to qualifying Medical Assistance (MA) enrolled acute care general hospital burn centers. The Department is not otherwise changing its State Plan provisions addressing the qualifying criteria or payment methodology for this payment.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2015-2016 impact as a result of the funding allocation for these payments is \$7.880 million (\$3.782 million in State general funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider any comments received within 30 days in determining the final payment methodology for this DSH payment.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1028. (1) General Fund; (2) Implementing Year 2015-16 is \$3,782,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$3,782,000; 2013-14 Program—\$3,782,000; 2012-13 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. 16-992. Filed for public inspection June 10, 2016, 9:00 a.m.]

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Nucala, Provenge and Xofigo to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Human Services Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Nucala, Provenge and Xofigo. These prior authorization requirements apply to prescriptions dispensed on or after June 13, 2016.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications previously listed.

Fiscal Impact

These changes are estimated to result in minimal savings in the MA Fee-for-Service Program.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1027. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-993. Filed for public inspection June 10, 2016, 9:00 a.m.]

Supplemental Payment Program Changes

The Department of Human Services (Department) is providing final notice of its changes to its Medical Assistance (MA) Dependency Payment and MA Rehabilitation Adjustment Payment, as well as its New Hospital Payment program for Fiscal Year (FY) 2015-2016. Specifically, the Department has changed the eligibility criteria and payment methodology for the MA Dependency Payment and the payment methodology for the MA Rehabilitation Adjustment Payment. The Department has also increased its funding allocation for FY 2015-2016 for both payments. For new hospitals, the Department has changed the eligibility criteria and payment methodology for the MA Dependency Payment and has provided for funding for FY 2015-2016.

The Department published notice of its proposed changes to these supplemental payments and its payments for new hospitals at 46 Pa.B. 943 (February 20, 2016). The Department received no public comments during the 30-day comment period and has implemented the changes as described in its notice of intent.

Fiscal Impact

The FY 2015-2016 impact is \$51.725 million (\$24.823 million in State general funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1030. (1) General Fund; (2) Implementing Year 2015-16 is \$24,823,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-994. Filed for public inspection June 10, 2016, 9:00 a.m.]

DEPARTMENT OF REVENUE

Life Estate and Remainder Factors; Pennsylvania Realty Transfer Tax

In accordance with 61 Pa. Code § 91.165(d) (relating to reservations or conveyances of life estates), the Department of Revenue (Department) is required to periodically publish notice of the Life Estate and Remainder Factors and their effective date to be used for the calculation of the taxable value of a Life Estate and Remainder Interest in real estate.

Section 91.165(d)(1) of 61 Pa. Code provides that the factors will be based upon tables published by the Internal Revenue Service (IRS) for calculating the present worth of a Life Estate and Remainder Interest. See <https://www.irs.gov/retirement-plans/actuarial-tables>. The IRS table of factors to be used is the table based upon an average interest rate for the 36 months prior to publication of the factors in the *Pennsylvania Bulletin*. The average interest rate rounded to the nearest two tenths of a percent for the 36 months prior to publication of this notice (June 2013—May 2016) is 2.0%.

Effective July 1, 2016, the Department is updating the Life Estate and Remainder Factors to account for changes in mortality and interest rates as follows:

Pennsylvania Realty Transfer Tax Factors for Conveyances or Reservations of Life Estate and Remainder Interests in Real Estate

*IRS Publication 1457
Table S (2.0)*

*Single Life Factors Based on Life Table 2000CM
Interest at 2.0 Percent*

Age	Life Estate	Remainder
30	0.60041	0.39959
31	0.59302	0.40698
32	0.58551	0.41449
33	0.57787	0.42213
34	0.57012	0.42988
35	0.56226	0.43774
36	0.55428	0.44572
37	0.54619	0.45381
38	0.53799	0.46201
39	0.52968	0.47032
40	0.52127	0.47873
41	0.51276	0.48724
42	0.50415	0.49585
43	0.49543	0.50457
44	0.48662	0.51338
45	0.47772	0.52228
46	0.46871	0.53129
47	0.45963	0.54037
48	0.45045	0.54955
49	0.44118	0.55882
50	0.43181	0.56819
51	0.42234	0.57766
52	0.41278	0.58722
53	0.40313	0.59687
54	0.39342	0.60658
55	0.38365	0.61635
56	0.37387	0.62613
57	0.36407	0.63593
58	0.35427	0.64573
59	0.34447	0.65553
60	0.33466	0.66534
61	0.32485	0.67515
62	0.31506	0.68494
63	0.30530	0.69470
64	0.29557	0.70443
65	0.28589	0.71411
66	0.27615	0.72385
67	0.26641	0.73359
68	0.25669	0.74331
69	0.24701	0.75299
70	0.23740	0.76260
71	0.22785	0.77215
72	0.21838	0.78162
73	0.20902	0.79098
74	0.19981	0.80019
75	0.19077	0.80923
76	0.18193	0.81807
77	0.17329	0.82671
78	0.16485	0.83515
79	0.15663	0.84337
80	0.14865	0.85135
81	0.14090	0.85910
82	0.13340	0.86660
83	0.12615	0.87385
84	0.11916	0.88084
85	0.11243	0.88757
86	0.10598	0.89402
87	0.09979	0.90021
88	0.09388	0.90612
89	0.08824	0.91176
90	0.08287	0.91713
91	0.07777	0.92223
92	0.07293	0.92707
93	0.06837	0.93163
94	0.06405	0.93595
95	0.05998	0.94002
96	0.05616	0.94384
97	0.05258	0.94742

Age	Life Estate	Remainder
98	0.04922	0.95078
99	0.04606	0.95394
100	0.04313	0.95687
101	0.04036	0.95964
102	0.03780	0.96220
103	0.03527	0.96473
104	0.03295	0.96705
105	0.03066	0.96934
106	0.02782	0.97218
107	0.02461	0.97539
108	0.01951	0.98049
109	0.00980	0.99020

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-995. Filed for public inspection June 10, 2016, 9:00 a.m.]

Method of Filing Notice; Pennsylvania Motor Fuels Tax Reports, REV-1096A and REV-1096B

Filing of Pennsylvania Motor Fuels Tax Reports REV-1096A, REV-1096B; Schedules REV-1019, REV-1020

The Secretary of the Department of Revenue (Department) issues this notice under 75 Pa.C.S. § 9006 (relating to distributor's report and payment of tax). This notice applies to Motor Fuels Tax Reports (REV-1096A, REV-1096B) and Schedules (REV-1019, REV-1020) that are required to be filed by registered distributors for all tax periods ending on or after September 30, 2016.

Electronic Filing Requirement—Pennsylvania Motor Fuels Tax Reports REV-1096A, REV-1096B; Schedules REV-1019, REV-1020

Beginning with the filing of each registered distributor's September 2016 Pennsylvania Motor Fuels Tax Report, every registered distributor subject to 75 Pa.C.S. § 9006 is required to electronically file (e-file) in the manner prescribed by the Department's instructions.

Penalty

A registered distributor who fails to file a Pennsylvania Motor Fuels Tax Report by the method required under this notice shall be subject to a penalty of 10% of the tax due on the improperly filed report. In addition, the distributor's Liquid Fuels and Fuels Permit may be suspended or revoked by the Department.

Penalty Waiver

(a) The Department, at its discretion, may waive the penalties applicable to Motor Fuels Tax Reports that are not filed as prescribed in this notice if the Department determines the filing requirement of this notice constitutes undue hardship on the registered distributor.

(b) A registered distributor claiming hardship and requesting a waiver under subsection (a) must submit a written request for the waiver for every calendar year in which the waiver is sought. The request must clearly explain why the filing method causes an undue hardship. Waiver requests must be received by the Department by November 1 of the calendar year preceding the year for which the waiver is sought. Waiver requests shall be mailed to the Department of Revenue, Bureau of Motor and Alternative Fuel Taxes, Director's Office—Waiver Request, DEPT 280646, Harrisburg, PA 17128-0646

(c) For tax year 2016 only, waiver requests for tax periods subject to this requirement must be received by the Department on or before September 1, 2016.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-996. Filed for public inspection June 10, 2016, 9:00 a.m.]

Pennsylvania Fabulous \$500 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Fabulous \$500.

2. *Price:* The price of a Pennsylvania Fabulous \$500 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Fabulous \$500 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), \$ (DLRSN) symbol and a \$500 (WIN500) symbol.

4. *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), \$500 (FIV HUN), \$1,000 (ONE THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$500, \$1,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 13,200,000 tickets will be printed for the Pennsylvania Fabulous \$500 instant lottery game.

7. Determination of Prize Winners:

(a) 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 \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) 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.

(c) 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.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$500 (WIN500) symbol and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that \$500 (WIN500) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches 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.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches 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.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that \$ (DLRSN) 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 is a \$ (DLRSN) symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in the

“prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$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.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$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.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$15⁰⁰ (FIFTN) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$15.

(p) 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.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) 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.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$ (DLRSN) symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that \$ (DLRSN) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
\$5 w/ \$ SYMBOL	\$5	17.14	770,000
\$5	\$5	17.14	770,000
\$10 w/ \$ SYMBOL	\$10	30	440,000
\$10	\$10	60	220,000
\$5 × 3	\$15	200	66,000
\$15 w/ \$ SYMBOL	\$15	150	88,000
\$15	\$15	200	66,000
\$5 × 4	\$20	600	22,000
(\$10 w/ \$ SYMBOL) × 2	\$20	300	44,000

When Any Of Your Numbers Match
Any Winning Number, Win Prize
Shown Under The Matching Number.
Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 13,200,000 Tickets:
\$20 w/ \$ SYMBOL	\$20	200
\$20	\$20	600
\$5 × 8	\$40	600
(\$10 w/ \$ SYMBOL) × 4	\$40	600
\$40 w/ \$ SYMBOL	\$40	600
\$40	\$40	600
\$10 × 5	\$50	600
((20 w/ \$ SYMBOL) × 2) + \$10	\$50	600
\$50 w/ \$ SYMBOL	\$50	600
\$50	\$50	600
\$10 × 10	\$100	6,000
\$20 × 5	\$100	6,000
(\$10 × 8) + (\$5 × 4)	\$100	6,000
(\$10 w/ \$ SYMBOL) × 10	\$100	12,000
\$100 w/ \$ SYMBOL	\$100	6,000
\$100	\$100	12,000
\$100 × 5	\$500	4,000
(\$50 × 2) + (\$40 × 10)	\$500	4,000
\$500 w/ \$500 SYMBOL	\$500	666.67
\$500 w/ \$ SYMBOL	\$500	4,000
\$500	\$500	4,000
\$100 × 10	\$1,000	1,320,000
\$1,000	\$1,000	1,320,000
\$100,000	\$100,000	1,320,000

Reveal a "\$" (DLRSN) symbol, win prize shown under that symbol automatically.

Reveal a "\$500" (WIN500) symbol, win \$500 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fabulous \$500 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Fabulous \$500, prize money from winning Pennsylvania Fabulous \$500 instant lottery game tickets will be retained by the

Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Fabulous \$500 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Fabulous \$500 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-997. Filed for public inspection June 10, 2016, 9:00 a.m.]

Pennsylvania Match 3 Tripler '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Match 3 Tripler '16.

2. *Price:* The price of a Pennsylvania Match 3 Tripler '16 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Match 3 Tripler '16 instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" is played separately. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN) and a 3 (THREE) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1^{.00} (ONE DOL), \$2^{.00} (TWO DOL), \$3^{.00} (THR DOL), \$5^{.00} (FIV DOL), \$6^{.00} (SIX DOL), \$9^{.00} (NIN DOL), \$10^{.00} (TEN DOL), \$15^{.00} (FIFTN), \$18^{.00} (EGHTN), \$20^{.00} (TWENTY), \$30^{.00} (THIRTY), \$60^{.00} (SIXTY), \$90^{.00} (NINTY), \$100 (ONE HUN), \$300 (THR HUN), \$900 (NIN HUN) and \$3,000 (THR THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$5, \$6, \$9, \$10, \$15, \$18, \$20, \$30, \$60, \$90, \$100, \$300, \$900 and \$3,000. The player can win up to 4 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Match 3 Tripler '16 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$3,000 (THR THO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$3,000.

(b) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$900 (NIN HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$900.

(c) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$900.

(d) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$90^{.00} (NINTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$90.

(h) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$30^{.00} (THIRTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$90.

(i) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$60^{.00} (SIXTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$60.

(j) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$20^{.00} (TWENTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$60.

(k) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$30^{.00} (THIRTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$10^{.00} (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$20^{.00} (TWENTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$18^{.00} (EGHTN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$18.

(o) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$6^{.00} (SIX DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$18.

(p) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$15^{.00} (FIFTN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$5^{.00} (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$10^{.00} (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$9^{.00} (NIN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$9.

(t) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$3^{.00} (THR DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$9.

(u) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$6^{.00} (SIX DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$6.

(v) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$2^{.00} (TWO DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$6.

(w) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$5^{.00} (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(x) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$3^{.00} (THR DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(y) Holders of tickets with three 3 (THREE) symbols in the same "GAME," and a prize symbol of \$1^{.00} (ONE DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(z) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(aa) Holders of tickets with three like numbers in the same "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(bb) Holders of tickets with three like numbers in the

same "GAME," and a prize symbol of FREE (TICKET) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania Match 3 Tripler '16 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal Three Like Numbers In Any Game, Win Prize Shown For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
FREE	FREE \$1 TICKET	12	700,000
\$1	\$1	42.86	196,000
\$1 × 2	\$2	37.5	224,000
\$2	\$2	37.5	224,000
\$1 × 3	\$3	1,000	8,400
\$1 w/ THREE 3 SYMBOLS	\$3	46.15	182,000
\$3	\$3	1,500	5,600
\$3 + \$2	\$5	300	28,000
\$5	\$5	150	56,000
\$2 × 3	\$6	3,000	2,800
\$3 × 2	\$6	1,500	5,600
\$2 w/ THREE 3 SYMBOLS	\$6	142.86	58,800
\$6	\$6	3,000	2,800
\$3 × 3	\$9	3,000	2,800
\$6 + \$3	\$9	3,000	2,800
\$3 w/ THREE 3 SYMBOLS	\$9	1,500	5,600
\$9	\$9	3,000	2,800
(\$3 w/ THREE 3 SYMBOLS) + \$1	\$10	333.33	25,200
\$10	\$10	333.33	25,200
\$5 × 3	\$15	3,000	2,800
\$5 w/ THREE 3 SYMBOLS	\$15	3,000	2,800
\$15	\$15	3,000	2,800
\$9 × 2	\$18	3,000	2,800
\$6 w/ THREE 3 SYMBOLS	\$18	1,000	8,400
\$18	\$18	3,000	2,800
\$5 × 4	\$20	1,000	8,400
(\$6 w/ THREE 3 SYMBOLS) + (\$1 × 2)	\$20	600	14,000
\$20	\$20	1,500	5,600
\$10 × 3	\$30	9,600	875
\$15 × 2	\$30	24,000	350
(\$5 × 3) + \$15	\$30	16,000	525
\$10 w/ THREE 3 SYMBOLS	\$30	4,364	1,925
\$30	\$30	9,600	875
\$15 × 4	\$60	24,000	350
\$20 × 3	\$60	24,000	350
\$30 × 2	\$60	12,000	700
\$20 w/ THREE 3 SYMBOLS	\$60	8,000	1,050
\$60	\$60	24,000	350
\$30 × 3	\$90	24,000	350
(\$20 × 3) + \$30	\$90	24,000	350
\$30 w/ THREE 3 SYMBOLS	\$90	12,000	700
\$90	\$90	24,000	350
\$90 + \$10	\$100	24,000	350
\$100	\$100	16,000	525
\$100 × 3	\$300	840,000	10
\$100 w/ THREE 3 SYMBOLS	\$300	840,000	10
\$300	\$300	840,000	10
\$300 w/ THREE 3 SYMBOLS	\$900	840,000	10
\$900	\$900	840,000	10
\$3,000	\$3,000	840,000	10

Reveal three "3" (THREE) symbols in the same game, triple the prize shown for that game.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Match 3 Tripler '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Match 3 Tripler '16, prize money from winning Pennsylvania Match 3 Tripler '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Match 3 Tripler '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Match 3 Tripler '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-998. Filed for public inspection June 10, 2016, 9:00 a.m.]

Pennsylvania Mustang '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Mustang '16.

2. *Price:* The price of a Pennsylvania Mustang '16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Mustang '16 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. Additionally, each Pennsylvania Mustang '16 instant lottery game ticket will contain a "BONUS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 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 and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Key (KEY) symbol and a Map (MAP) symbol. The play symbols and their captions located in the "BONUS" area are: Tire (NO BONUS) symbol, Gas Pump (TRY AGAIN) symbol, Stop Sign (NO BONUS) symbol, Yield Sign (TRY AGAIN) symbol and a Car (CAR) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500, \$1,000 and \$100,000. The prize that can be won in the "BONUS" area is a Vehicle Prize as described in section (10)(e). A player can win up to 12 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct two Mustang second-chance drawings for which non-winning Pennsylvania Mustang '16 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Mustang '16 instant lottery game.

8. *Determination of Prize Winners:*

(a) 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 \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which a Car (CAR) symbol appears in the "BONUS" area, on a single ticket, shall be entitled to a Vehicle Prize as described in section (10)(e).

(c) 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.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Map (MAP) symbol and a prize symbol of \$100 (ONE HUN) appears in eight of the “prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the “prize” areas, 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 is a Key (KEY) symbol and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$400.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Map (MAP) symbol and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(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 \$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.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Map (MAP) symbol and a prize symbol of \$25⁰⁰ (TWY FIV) appears in two of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Map (MAP) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$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.

(o) 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.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(q) 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 \$25⁰⁰ (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$25.

(s) 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.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) 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.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) 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.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any
Winning Number, Win Prize Shown
Under The Matching Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,600,000 Tickets:
\$5 w/ KEY	\$5	17.14
\$5	\$5	20
\$5 × 2	\$10	60
(\$5 w/ KEY) × 2	\$10	60
\$10 w/ KEY	\$10	60
\$10	\$10	60
\$5 × 4	\$20	120
\$10 × 2	\$20	120
(\$5 w/ KEY) × 4	\$20	300
\$20 w/ KEY	\$20	200
\$20	\$20	120
\$5 × 5	\$25	600
(\$10 × 2) + \$5	\$25	600
(\$20 w/ KEY) + \$5	\$25	600
\$25 w/ KEY	\$25	200
\$25	\$25	600
\$5 × 8	\$40	300
\$10 × 4	\$40	600
\$20 × 2	\$40	600
(\$10 w/ KEY) × 4	\$40	300
\$40 w/ KEY	\$40	300
\$40	\$40	300
MAP w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	600
MAP w/ ((\$25 × 2) + (\$5 × 10))	\$100	685.71
\$20 × 5	\$100	4,800
\$25 × 4	\$100	4,800
(\$10 w/ KEY) × 10	\$100	4,800
\$100 w/ KEY	\$100	4,800
\$100	\$100	4,800
MAP w/ ((\$100 × 2) + (\$20 × 10))	\$400	60,000
\$40 × 10	\$400	120,000
\$100 × 4	\$400	120,000
(\$100 w/ KEY) × 4	\$400	120,000
\$400 w/ KEY	\$400	120,000
\$400	\$400	120,000
MAP w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	120,000
\$500 × 2	\$1,000	240,000
(\$100 w/ KEY) × 10	\$1,000	480,000
\$1,000 w/ KEY	\$1,000	480,000
\$1,000	\$1,000	240,000
FORD MUSTANG w/ CAR	FORD MUSTANG	1,200,000
\$100,000	\$100,000	960,000

Reveal a "KEY" (KEY) symbol, win prize shown under that symbol automatically.

Reveal a "MAP" (MAP) symbol, win all 12 prizes shown!

BONUS: Reveal a "CAR" (CAR) symbol, win a 2016 Ford Mustang GT Premium Fastback instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Mustang Second-Chance Drawings (hereafter, "Drawings").

(a) *Qualifying Tickets*: Non-winning PA-1219 Mustang instant game tickets (\$5) ("Qualifying Tickets") are eligible for entry into the Drawings.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawings. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/VIP-players-club/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawings, entrants must submit the identifying information from at least one Qualifying

Ticket via the Drawings' promotional website, available at <http://www.palottery.com> or the Pennsylvania Lottery's official mobile application, during the entry periods. The identifying information from a Qualifying Ticket may be submitted only once in the Drawings. Entries awarded will be applied to the active drawing at the time of successful submission of the entry and will not carry forward to the next 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 in the Drawings.

(c) *Drawings Description:*

(1) The Lottery will conduct two Mustang Second-Chance Drawings. All time references are Eastern Prevailing Time.

(i) All Drawings entries received after 11:59:59 p.m. June 19, 2016, through 11:59:59 p.m. July 28, 2016, will be entered into Drawing #1, held between July 29, 2016 and August 2, 2016.

(ii) All Drawings entries received after 11:59:59 p.m. July 28, 2016, through 11:59:59 p.m. September 8, 2016, will be entered into Drawing #2, held between September 9, 2016 and September 13, 2016.

(2) The entry periods for the Drawings will be posted to the Pennsylvania Lottery's publicly accessible website.

(3) A Qualifying Ticket will receive 5 entries.

(4) Players may review their entries for the Drawings via the Drawings' 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 sections 10(f) and 10(g), or mentioned anywhere else in these rules.

(2) The Lottery will conduct two drawings from among all the entries received during each entry period as described in section 10(c).

(3) The first entry selected from the entries submitted in each of the Drawings will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a Vehicle Prize as described in section 10(e).

(4) The second through the eleventh entries selected from the entries submitted in each of the Drawings shall be winning entries, and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(5) The number of winning entries to be selected for each Game drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(6) The odds of an entry being selected in each Game drawing depend upon the number of entries received for each drawing.

(7) A computer generated randomizer will be used to select the winning entries for the Drawings.

(e) *Description of Pennsylvania Lottery's Vehicle Prize:*

(1) Each Vehicle Prize shall have a value of \$60,000 and shall consist of a base model 2016 Ford Mustang GT Premium Fastback, 5.0 Liter Ti-VCT V8 engine, 6-speed manual transmission, coupe model with winner-selected options or an allowance for a 2017 model.

(2) The total value of each Vehicle Prize shall include dealers' fees, dealer preparation, set up fees, freight charges, delivery charges, registration and twenty-five percent (25%) federal income tax withholding.

(3) A Vehicle Prize winner opting for the cash value of the prize will receive the cash value of the Vehicle Prize minus required income tax withholding, subject to the provisions of section 10(f)(1), below.

(f) *Pennsylvania Lottery's Vehicle Prize Restrictions:*

(1) If the Department of Human Services, pursuant to 23 Pa.C.S.A. § 4308, determines that a winner of the Vehicle Prize is a delinquent support obligor as provided in 23 Pa.C.S.A. § 4308, the winner shall forfeit the Vehicle Prize and the amount of any arrearages shall be deducted from the cash value of the Vehicle Prize. After the delinquent support obligation is met, the winner will receive the remaining prize value, if any, according to Lottery procedure.

(2) In the event a prize described in section 10(d) 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.

(3) Each winner, his or her respective heirs, legal representatives, and assigns, agree to indemnify, defend, release, and discharge the Pennsylvania Lottery, its employees, officers, directors, and commissioners, and Ford Motor Company from and against any loss, claim, damage, suit, or injury arising out of or relating to these Second-Chance Drawings, acceptance and possession of the Vehicle Prize, or any action taken pursuant to the Official Rules. By entering, the winner indemnifies, releases, discharges, and agrees to hold harmless the Pennsylvania Lottery, its employees, officers, directors, and commissioners, and Ford Motor Company from unanticipated cancellation, suspension, or postponement of the promotion due to natural disaster, national emergency, or other unforeseen act of God or man.

(g) *Drawings Restrictions:*

(1) To be eligible to participate in the Drawings, 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 Drawings. The Lottery is not responsible for entries that are not entered into the Drawings because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected during or following the Drawings, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawings, 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 Drawings. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawings and change these rules if the Drawings 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 Drawings.

(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 Drawings or to be acting in violation of these rules or applicable law.

(8) The Drawings are governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the Drawing in which the prize was won. If no claim is made within one year of the date 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) A prize awarded in the Game 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 they are first selected in each of the Drawings. 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.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Mustang '16 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Mustang '16, prize money from winning Pennsylvania Mustang '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Mustang '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Mustang '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-999. Filed for public inspection June 10, 2016, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Lancaster Area Sewer Authority v. DEP; EHB Doc. No. 2016-087-M

Lancaster Area Sewer Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Lancaster Area Sewer Authority, Manor Township, Lancaster County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 16-1000. Filed for public inspection June 10, 2016, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the 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>
54-89	Pennsylvania Liquor Control Board Distributors Accepting Credit Cards from Licensees 46 Pa.B. 1652 (April 2, 2016)	5/2/16	6/1/16

**Pennsylvania Liquor Control Board Regulation
54-89 (IRRC # 3142)
Distributors Accepting Credit Cards from Licensees
June 1, 2016**

We submit for your consideration the following comments on the proposed rulemaking published in the April 2, 2016 *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 Pennsylvania Liquor Control Board (Board) to respond to all comments received from us or any other source.

1. Statutory authority; Possible conflict with or duplication of statutes or existing regulations; Clarity.

This proposed rulemaking would allow importing distributors and distributors to accept credit cards as payment for malt or brewed beverages from other licensees of the Board. The Board has cited its general rulemaking authority found at Section 207(i) of the Liquor Code and Section 493(2) of the Liquor Code as its statutory authority for the rulemaking. 47 P.S. §§ 2-207(i) and 4-493(2). The Board specifically cites the following provision of Section 493(2) of the Liquor Code as the statutory basis for this proposed regulatory change, "... it shall be permissible for the importing distributor or distributor to accept money orders or cashiers' checks for payment of any malt or brewed beverages *in addition to any other type of payment authorized by the board from anyone possessing a license under this article.*" (Emphasis added.)

Section 9.95(b) of the Board's existing regulations states the following: "Sales of malt or brewed beverages by distributors or importing distributors *shall* be for cash, checks or drafts under section 493(2) of the Liquor Code (47 P.S. § 4-493(2))." (Emphasis added.) We have two concerns. First, the acceptance of credit cards by importing distributors and distributors would conflict with this subsection of the Board's regulations. This would create confusion and uncertainty for the regulated community. Second, § 9.95(b) cites to the same section of the Liquor Code that the Board is relying on to promulgate this rulemaking. We note that a commentator has also questioned the Board's authority for this rulemaking. In light of these concerns, we ask the Board to provide a more detailed explanation of Section 493(2) of the Liquor Code and why it believes that entire section permits the Board to allow the acceptance of credit cards by importing distributors and distributors.

If the Board decides to amend § 9.95(b) to align it with Section 493(2) of the Liquor Code, we ask that it also

review § 9.95(c) of its existing regulations. This subsection allows importing distributors and distributors to accept debit card payments and specifically states that these types of transactions "shall be considered a cash equivalent which complies with the Liquor Code."

2. Implementation procedures.

This proposal would not require importing distributors and distributors to accept credit cards. As explained by the Board, the acceptance of credit cards would be voluntary and a business decision that each distributor would have to make. A commentator has stated that it will take time for distributors to establish relationships with credit card processors. They suggest that a clear effective date for the new payment option will give all concerned time to comport their business arrangements with the change. The Preamble to the proposal indicates that the rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*. We ask the Board to consult with the regulated community to ensure that this potential effective date will allow them the time needed to establish relationships with credit card processors.

3. Compliance with the RRA or the regulations of this Commission.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. The Commission also considers the information a promulgating agency is required to provide in the Regulatory Analysis Form (RAF). Question # 12 of the RAF asks how a regulation compares with those of other states and how this will affect Pennsylvania's ability to compete with other states. The LCB responded that a comparison of this regulation with the laws of other states would not be appropriate because each state has unique regulatory systems. In addition, the LCB states that it has no reason to believe the regulation would negatively impact Pennsylvania's ability to compete with other states. We agree that other states have different systems for regulating alcohol. However, we find the answer to Question # 12 to be incomplete. We ask the LCB to provide a comparison of how other states regulate the use of credit cards between businesses and/or licensees that sell alcohol to each other.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1001. Filed for public inspection June 10, 2016, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-329	State Board of Education Financial Recovery	5/26/16	6/30/16
6-333	State Board of Education Strategic Planning	5/26/16	6/30/16

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1002. Filed for public inspection June 10, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Tracy Rosensteel; File No. 16-188-194869; Erie Insurance Exchange; Doc. No. P16-04-003; July 21, 2016, 9 a.m.

Appeal of Nancy L. Griffith; File No. 16-115-193426; Nationwide Mutual Insurance Company; Doc. No. P16-03-021; July 21, 2016, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and

stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1003. Filed for public inspection June 10, 2016, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Hearing Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Suzanne Swan; File No. 16-188-195618; Erie Insurance Exchange; Doc. No. P16-04-023; July 21, 2016, 10 a.m.

Appeal of Denisa Tucek; File No. 16-130-195693; National Casualty Company; Doc. No. P16-05-007; July 21, 2016, 11 a.m.

Appeal of Andrea Matta; File No. 16-130-192752; State Farm Fire & Casualty Company; Doc. No. P16-03-020; July 21, 2016, 2 p.m.

Appeal of Donna L. Fry; File No. 16-116-195918; Property & Casualty Insurance Company Hartford; Doc. No. P16-05-017; July 22, 2016, 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will

be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1004. Filed for public inspection June 10, 2016, 9:00 a.m.]

MILK MARKETING BOARD

Sunshine Meeting Calendar for Fiscal Year 2016-2017

<i>Date</i>	<i>Room</i>	<i>Time</i>
Wednesday, July 6, 2016	309—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, August 3, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, September 7, 2016	309—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, October 5, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, November 2, 2016	309—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, December 7, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, January 4, 2017	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, February 1, 2017	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, March 1, 2017	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, April 5, 2017	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, May 3, 2017	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, June 7, 2017	202—Agriculture Building Harrisburg, PA 17110	1 p.m.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 16-1005. Filed for public inspection June 10, 2016, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene

must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 27, 2016. 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.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2016-2544831. D & R Amish Transportation, LLC (78 Slaymaker Hill Road, Kinzers, Lancaster County, PA 17535) in call or demand service, in the portion of Lancaster County east of State Route 501 north of U.S. Route 30, and in the portion of Lancaster County south of U.S. Route 30, the area east of U.S. Route 222 until it merges southwardly with State Route 272 until it again merges with U.S. Route 222, until it intersects with the Maryland state border. *Attorney:* Charles H. Rieck, IV, Blakinger Thomas, PC, 28 Penn Square, Lancaster, PA 17603.

Applications 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 each application.

A-2016-2547306. The Labor Team, LLC, t/a MoversFor.Me (1234 Summit Way, Mechanicsburg, Cumberland County, PA 17050) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2016-2547314. Affordable Guys Moving, LLC (614 Bishop Thorpe Street, Bethlehem, Lehigh County, PA 18015) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2016-2547573. Jose A. Torres Jr., t/a Ruth's Movers (817 Muschlitz Street, Bethlehem, Northampton County, PA 18015) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Counties of Berks, Bucks, Carbon, Lehigh, Monroe, Montgomery, Northampton and Pike. *Attorney:* Michael D. Recchiuti, Esq., 1502 Center Street, Suite 202, Bethlehem, PA 18018.

Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2016-2541995. Building Bridges Transportation, LLC (416 Trudy Road, Harrisburg, Dauphin County, PA 17109) discontinuance of service and cancellation of its certificate, as a common carrier, persons, in paratransit service, from points in Dauphin County to correctional institutions in Pennsylvania, and return.

A-2016-2547696. Continental Limousine Service, LLC (1442 Pottstown Pike # 259, West Chester, PA 19380) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, at A-6412324, authorizing the transportation of persons in limousine service, from points in the Counties of Chester, Montgomery, Bucks, Delaware, York, Lancaster, Berks, Lehigh, Northampton and Philadelphia, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1006. Filed for public inspection June 10, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 27, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. David J. Demand; Docket No. C-2016-2529731

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That David J. Demand, Respondent, maintains a principal place of business at 7100 Greensburg Pike, Apt. 1, Pittsburgh, Pennsylvania, 15221.

2. On February 2, 2016 PUC Supervisor Hawthorne received a complaint that a former taxi driver was now providing passenger transportation service without a PUC certificate. Supervisor Hawthorne was informed that the Respondent was the former taxi driver and that he is using his personal cell phone to arrange the transportation.

3. That Respondent, on March 29, 2016, operated a certain Ford van, bearing license number HXH8503 and Vehicle Identification No. 1FTNS2EL6BDB27832.

4. On March 29, 2016 PUC plainclothes Enforcement Officer James Murray called the Respondent's cell phone and left a voice mail message, requesting transportation from the Pittsburgh Amtrak Station, Liberty Avenue, Pittsburgh to the Allegheny General Hospital, Pittsburgh. The respondent called Officer Murray back and stated that he would be there soon to pick him up. The respondent stated that he charges a few bucks for the transportation.

5. The Respondent, on March 29, 2016 at 6:25 p.m., arrived at the front of the Amtrak Train Station. The Respondent then asked Officer Murray if he was the guy that needed to go to the North Side (location of Allegheny General Hospital). Officer Murray stated that he was the guy that requested the transportation.

6. That Respondent, by holding out to provide passenger service between points in Pennsylvania while not having operating authority with this Commission, violated the Public Utility Code, 66 Pa.C.S. § 1101. The penalty for this violation is \$1,000.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine David J. Demand, the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist

from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Atlantic Coastal Plain Transport, LLC; Docket No. C-2016-2539592

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Atlantic Coastal Plain Transport, LLC, (respondent) is under suspension effective March 23, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 426 Gilham Street, Philadelphia, PA 19111.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 09, 2015, at A-8917747.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917747 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. DNX Transportation, Inc., t/a Latino Xpress; Docket No. C-2016-2539801

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to DNX Transportation Inc., t/a Latino Xpress, (respondent) is under suspension effective March 24, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1221 North Church Street Suite 100, Hazle Township, PA 18202.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 16, 2013, at A-6415366.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6415366 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. T. Battistoni Trucking, LLC; Docket No. C-2016-2540363

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities

within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to T. Battistoni Trucking, LLC, (respondent) is under suspension effective April 08, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 275 E 7th Ave, Trappe, PA 19426.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 23, 2015, at A-8917151.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917151 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/26/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the

mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
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P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1007. Filed for public inspection June 10, 2016, 9:00 a.m.]

STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.
Timothy Woodard t/d/b/a Timothy Woodard Barber Shop; File No. 15-42-03197**

On April 7, 2016, Timothy Woodard t/d/b/a Timothy Woodard Barber Shop, barber shop license no. BO085898L, last known of Philadelphia, Philadelphia County, was issued a \$1,000 civil penalty for having operated on a lapsed or expired license.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Barber Examiners, P.O. Box 69523, Harrisburg, PA 17106-9523.

JOSEPH T. FERRUZZA,
Chairperson

[Pa.B. Doc. No. 16-1008. Filed for public inspection June 10, 2016, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.
Lindsay A. McCullough; Doc. No. 0681-45-16**

On April 1, 2016, Lindsay A. McCullough, cosmetology license no. CO238183, last known of Lock Haven, Clinton 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. 16-1009. Filed for public inspection June 10, 2016, 9:00 a.m.]

STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.
Lovina V.O. Inwang, RN; File No. 15-51-06906;
Doc. No. 0865-51-2016**

On April 28, 2016, Lovina V.O. Inwang, RN, of San Juan, Puerto Rico, was denied Pennsylvania licensure based on a history of fraud.

Individuals may obtain a copy of the final order by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-1010. Filed for public inspection June 10, 2016, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Max Howley Reed, LPN; File No. 13-51-11442;
Doc. No. 0944-51-15**

On April 25, 2016, Max Howley Reed, LPN, Pennsylvania license no. PN277970, of Phoenix, AZ, had his practical nurse license revoked based on disciplinary action being taken by another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, 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.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-1011. Filed for public inspection June 10, 2016, 9:00 a.m.]

