

# PENNSYLVANIA BULLETIN

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## Agencies in this issue

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The Courts

Board of Claims

Board of Finance and Revenue

Capitol Preservation Committee

Department of Banking and Securities

Department of Education

Department of Environmental Protection

Department of Health

Department of Labor and Industry

Department of Revenue

Department of Transportation

Environmental Hearing Board

Insurance Department

Legislative Reference Bureau

Pennsylvania Energy Development Authority

Pennsylvania Gaming Control Board

Pennsylvania Public Utility Commission

State Registration Board for Professional

Engineers, Land Surveyors and Geologists

Susquehanna River Basin Commission

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

**No. 486, May 2015**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

## 4 Pa. Code (Administration)

### Adopted Rules

1	653, 766, 1062
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## 10 Pa. Code (Banking and Securities)

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## 25 Pa. Code (Environmental Protection)

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## 40 Pa. Code (Liquor)

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

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## 52 Pa. Code (Public Utilities)

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## 58 Pa. Code (Recreation)

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

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

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

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

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# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meetings Scheduled

The Commission on Sentencing announces the following meetings to be held at the Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, PA and at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA:

Wednesday, June 3, 2015	3 p.m.	Public Hearing Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA
	6:30 p.m.	Dinner Meeting Harrisburg Hilton and Towers Hotel One North Second Street Harrisburg, PA
Thursday, June 4, 2015	9 a.m.	Policy Committee Meeting Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA
	11 a.m.	Quarterly Commission Meeting Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 15-903. Filed for public inspection May 15, 2015, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1910 ]

#### Order Amending Rules 1910.16-2 and 1910.16-4 of the Rules of Civil Procedure; No. 621 Civil Procedural Rules Doc.

#### Order

*Per Curiam*

And Now, this 29th day of April, 2015, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 42 Pa.B. 7404 (December 8, 2012) and republished for additional public comment in the *Pennsylvania Bulletin*, 43 Pa.B. 3932 (July 13, 2013):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.16-2 and 1910.16-4 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on July 1, 2015.

#### Annex A

#### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

#### Rule 1910.16-2. Support Guidelines. Calculation of Net Income.

\* \* \* \* \*

(b) *Treatment of Public Assistance, SSI Benefits, Social Security Payments to a Child Due to a Parent's Death, Disability or Retirement and Foster Care Payments.*

(1) *Public Assistance and SSI Benefits.* Neither public assistance nor Supplemental Security Income (SSI) benefits shall be counted as income for purposes of determining support.

[ (2) *Social Security Payments for a Child.* If a child for whom support is sought is receiving Social Security benefits as a result of a parent's retirement, death or disability, the benefits the child receives shall be added to the combined monthly net incomes of the obligor and the obligee to calculate the income available for support on the vertical axis of the basic child support schedule set forth in Rule 1910.16-3. The presumptive amount of support as set forth on the schedule at the combined income of the obligee, obligor and child's benefits shall then be reduced by the amount of the child's benefits before apportioning the remaining support obligation between the parties pursuant to Rule 1910.16-4. This calculation presumes that the primary custodial parent, or the shared custodial parent who is the obligee, is receiving the child's benefits. In cases in which the obligor is receiving the child's benefits, the amount of the child's ben-

efit shall be added to the obligor's income and support shall be calculated as in any other case without deduction of the amount of the benefit from the presumptive amount of support set forth in the basic support schedule. For purposes of determining the support obligation of a surviving parent when the child is receiving benefits as the result of the other parent's death, the income of a non-parent obligee who is caring for a child but has no support obligation to that child shall include only those funds the obligee is receiving on behalf of the child. ]

#### (2) *Social Security Derivative Benefits for a Child.*

(A) This subdivision (A) shall be applied if a child for whom support is sought is receiving Social Security derivative benefits as a result of either parent's retirement or disability.

(i) If a child for whom support is sought is receiving Social Security benefits as a result of a parent's retirement or disability, the amount of the benefit shall be added to the income of the party receiving the benefit on behalf of the child to calculate child support. Next, apportion the amount of basic child support set forth in the schedule in Rule 1910.16-3 between the parties based upon each party's percentage share of their combined net monthly income, including the child's benefit in the income of the party receiving it.

(ii) If the child's benefit is being paid to the obligee, the amount of the child's benefit shall be deducted from the basic support obligation of the party whose retirement or disability created the child's benefit. If the child's benefit is being paid to the obligor, the child's benefit shall not be deducted from the obligor's obligation, even if the obligor's retirement or disability created the child's benefit. In cases of equally shared custody, first determine which party has the higher income without the benefit, and thus is the obligor, before adding the child's benefit to the income of the party receiving it.

(iii) In cases in which the obligor is receiving the child's benefits, the domestic relations sections shall provide the parties with two calculations theoretically assigning the benefit to each household.

(iv) In allocating additional expenses pursuant to Rule 1910.16-6, the allocation shall be based upon the parties' incomes before the addition of the child's benefit to the income of the party receiving it.

(B) This subdivision (B) shall be applied when determining the support obligation of a surviving parent when the child for whom support is sought is receiving Social Security derivative benefits as a result of the other parent's death. The income of a non-parent obligee who is caring for a child but has no support obligation to that child shall include only those funds the obligee is receiving on behalf of the child, including the Social Security derivative benefits if they are being paid to the obligee. If the benefits are being paid to the surviving parent, the amount of the benefit shall be added to that parent's income to calculate child support.

(3) *Foster Care Payments.* If either party to a support action is a foster parent and/or is receiving payments from a public or private agency for the care of a child who is not his or her biological or adoptive child, those payments shall not be included in the income of the foster parent or other caretaker for purposes of calculating child support for the foster parent's or other caretaker's biological or adoptive child.

[*Example 1.* If the obligor has net income of \$1,200 per month; the obligee has net monthly income of \$800; and the child receives Social Security derivative benefits of \$300 per month as a result of either the obligor's or obligee's retirement or disability, then the total combined monthly net income is \$2,300. Using the schedule at Rule 1910.16-3 for one child, the amount of support is \$543 per month. From that amount, subtract the amount the child is receiving in Social Security derivative benefits (\$543 minus \$300 equals \$243). Then, apply the formula at Rule 1910.16-4 to apportion the remaining child support amount of \$243 between the obligor and the obligee in proportion to their respective incomes. The obligor's \$1,200 net income per month is 60% of the total of the obligor's and the obligee's combined net monthly income. Thus, the obligor's support obligation would be 60% of \$243, or \$146, per month. ]

*Example 1.* The obligor has net monthly income of \$2,000. The obligee's net monthly income is \$1,500 and the obligee, as primary custodial parent of the parties' two children, receives \$700 per month in Social Security derivative benefits on behalf of the children as a result of the obligor's disability. Add the children's benefit to the obligee's income, which now is \$2,200 per month. At the parties' combined net monthly income of \$4,200, the amount of basic child support for two children is \$1,272. As the obligor's income is 48% of the parties' combined monthly net income, the obligor's preliminary share of the basic support obligation is \$611. However, because the obligor's disability created the children's Social Security derivative benefits that the obligee is receiving, the obligor's obligation is reduced by the amount of the benefit, \$700. As the amount cannot be less than zero, the obligor's obligation is \$0 per month. If it were the obligee's disability that created the benefit, the obligor's obligation would remain \$611. If the obligor were receiving the children's benefit as a result of the obligor's retirement or disability, the obligor's income would include the amount of the benefit and total \$2,700, or 64% of the parties' combined net monthly income. The obligor's share of the basic support obligation would then be \$814 and would not be reduced by the amount of the children's benefit because the obligor, not the obligee, is receiving the benefit. Therefore, the obligor's obligation is less if the obligee is receiving the benefit created by the obligor.

*Example 2.* Two children live with Grandmother who receives [ \$400 ] \$800 per month in Social Security death benefits for the children as a result of their father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$1,500 net per month. For purposes of calculating Mother's support obligation, Grandmother's

income will be [ \$500 ] \$1300, the amount she receives on behalf of the children in Social Security derivative benefits and income from the trust. (If Mother were receiving the benefit on behalf of the children it would be added to her income such that Mother's income would be \$2,300 and Grandmother's would be \$500.) Therefore, the obligee's and [ the obligor's ] Grandmother's combined net monthly incomes total [ \$2,000 ] \$2,800. [ Add to that the \$400 in Social Security benefits Grandmother receives for the children to find the basic child support amount in Rule 1910.16-3. ] The basic support amount at the [ \$2,400 ] \$2,800 income level for two children is [ \$815 ] \$948. Subtracting from that amount the [ \$400 ] \$800 in Social Security derivative benefits Grandmother receives for the children, results in a basic support amount of [ \$415 ] \$148. As Mother's income of \$1,500 is [ 75% ] 54% of the parties' combined income of [ \$2,000 ] \$2,800, her support obligation to Grandmother is [ \$311 ] \$80 per month. If Grandmother were not receiving the children's derivative benefits or income from the trust, her income for purposes of calculating Mother's child support obligation would be zero and Mother would pay 100% of the basic support amount because Grandmother has no support obligation to the children.

**Official Note:** Care must be taken to distinguish Social Security from Supplemental Security Income (SSI) benefits. Social Security benefits are income pursuant to subdivision (a) of this rule.

\* \* \* \* \*

#### Explanatory Comment—2013

The SSR has been increased to \$931, the 2012 federal poverty level for one person. Subdivision (e) has been amended to require that when the obligor's income falls into the shaded area of the basic child support schedule in Rule 1910.16-3, two calculations must be performed. One calculation uses only the obligor's income and the other is a regular calculation using both parties' incomes, awarding the lower amount to the obligee. The two step process is intended to address those cases in which the obligor has minimal income and the obligee's income is substantially greater.

#### Explanatory Comment—2015

The rule has been amended to provide that a party's support obligation will be reduced by the amount of a child's Social Security derivative benefit if that party's retirement or disability created the benefit and the benefit is being paid to the household in which the child primarily resides or the obligee in cases of equally shared custody. In most cases, payment of the benefit to the obligee's household will increase the resources available to the child and the parties. The rule is intended to encourage parties to direct that the child's benefits be paid to the obligee.

#### Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation. Formula.

(a) The following formula shall be used to calculate the obligor's share of basic child support, either from the schedule in Rule 1910.16-3 or the formula in Rule 1910.16-3.1(a), as well as spousal support and alimony pendente lite obligations. In high income cases, Part IV shall be used as a preliminary analysis in the calculation of spousal support or alimony pendente lite obligations:

PART I. BASIC CHILD SUPPORT

		<i>OBLIGOR</i>	<i>OBLIGEE</i>
1.	Total Gross Income Per Pay Period	_____	_____
2.	Less Deductions	( _____ )	( _____ )
3.	Net Income	_____	_____
4.	Conversion to Monthly Amount (if pay period is other than monthly) [ <b>Include in the obligor's income the child's monthly Social Security retirement or disability benefit if the obligor is receiving the child's benefit. (See Rule 1910.16-2(b)(2))</b> ] <b>Include amount of child's monthly Social Security derivative benefit, if any, in the income of the party receiving it pursuant to Rule 1910.16-2(b)(2)(A) or (B).</b>	_____	_____
5.	Combined Total Monthly Net Income	_____	_____
[ 6. ]	<b>Plus Child's Monthly Social Security, Death, Retirement or Disability Derivative Benefit, if any. Do not add child's benefit if included in the obligor's income in line 4. (See Rule 1910.16-2(b)(2))</b>	+ _____	
7.	<b>Adjusted Combined Monthly Net Income</b>	_____	
8.	<b>PRELIMINARY BASIC CHILD SUPPORT OBLIGATION (determined from schedule at Rule 1910.16-3 based on number of children and line 7 adjusted combined monthly net income)</b>	_____	
9.	<b>Less Child's Monthly Social Security Derivative Benefit (Do not deduct the child's benefit if the obligor is receiving the child's benefit.)</b>	( _____ ) ]	
[ 10. ] 6.	<b>BASIC CHILD SUPPORT OBLIGATION (determined from schedule at Rule 1910.16-3 based on number of children and line 5 combined monthly net income)</b>	_____	
[ 11. ] 7.	Net Income Expressed as a Percentage Share of Income (divide line 4 by line 5 and multiply by 100)	_____ %	_____ %
[ 12. ] 8.	Each [ <b>Parent's</b> ] <b>Party's Preliminary Monthly Share of the Basic Child Support Obligation (multiply line [ 10 and 11 ] 6 and 7)</b>	_____	_____
9.	<b>Subtract Child's Social Security Derivative Disability or Retirement Benefit from the Monthly Share of Basic Child Support of the Party whose Retirement or Disability Created the Child's Benefits if the Benefits are Paid to the Obligee</b>	_____	_____
10.	<b>Each Party's Adjusted Monthly Share of the Basic Child Support Obligation (Not less than 0)</b>	_____	_____

PART II. SUBSTANTIAL [ *or* ] **OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE** (See subdivision (c) of this rule)

[ 13. ] 11.	a. Percentage of Time [ <b>Spent</b> ] <b>Obligor Spends</b> with Children (divide number of overnights with obligor by 365 and multiply by 100)	_____ %
	b. Subtract 30%	( _____ ) %
	c. Obligor's Adjusted Percentage Share of the Basic Monthly Support Obligation (subtract <b>result of calculation in</b> line [ 13b ] 11b from line [ 11 ] 7)	_____ %
	d. Obligor's <b>Preliminary</b> Adjusted Share of the Basic Monthly Support Obligation (multiply line [ 13c ] 11c and line [ 10 ] 6)	_____

e. Further adjustment, if necessary under subdivision (c)(2) of this rule \_\_\_\_\_

**f. Obligor’s Adjusted Share of the Basic Child Support Amount.** \_\_\_\_\_

*PART III. ADDITIONAL EXPENSES* (See Rule 1910.16-6)

- [ 14. ] 12. a. Obligor’s Share of Child Care Expenses \_\_\_\_\_
- b. Obligor’s Share of Health Insurance Premium (if the obligee is paying the premium) \_\_\_\_\_
- c. Less Obligee’s Share of the Health Insurance Premium (if the obligor is paying the premium) (\_\_\_\_\_)
- d. Obligor’s Share of Unreimbursed Medical Expenses \_\_\_\_\_
- e. Other Additional Expenses \_\_\_\_\_
- f. Total Additional Expenses \_\_\_\_\_

[ 15. ] 13. OBLIGOR’S TOTAL MONTHLY SUPPORT OBLIGATION [ (add line 12 (or 13(d or e) (if applicable) and line 14f) ] (add line 10 or 11f, if applicable, and line 12f) \_\_\_\_\_

*PART IV. SPOUSAL SUPPORT OR APL*

*With Dependent Children*

- [ 16. ] 14. Obligor’s Monthly Net Income (line 4) \_\_\_\_\_
- [ 17. ] 15. Less Obligor’s Support, Alimony Pendente Lite or Alimony Obligations, if any, to Children or Former Spouses who are not part of this action (see Rule 1910.16-2(c)(2)) (\_\_\_\_\_)
- [ 18. ] 16. Less Obligee’s Monthly Net Income ([ Line ] line 4) (\_\_\_\_\_)
- [ 19. ] 17. Difference \_\_\_\_\_
- [ 20. ] 18. Less Obligor’s Total Monthly Child Support Obligation Without Part II Substantial or Shared Custody Adjustment (Obligor’s line [ 12 ] 10 plus line [ 14 ] 12f) (\_\_\_\_\_)
- [ 21. ] 19. Difference \_\_\_\_\_
- [ 22. ] 20. Multiply by 30% x .30

[ 23. ] 21. AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL \_\_\_\_\_

*Without Dependent Children*

- [ 24. ] 22. Obligor’s Monthly Net Income (line 4) \_\_\_\_\_
- [ 25. ] 23. Less Obligor’s Support, Alimony Pendente Lite or Alimony Obligations, if any, to Children or Former Spouses who are not part of this action (see Rule 1910.16-2(c)(2)) (\_\_\_\_\_)
- [ 26. ] 24. Less Obligee’s Monthly Net Income ([ Line ] line 4) (\_\_\_\_\_)
- [ 27. ] 25. Difference \_\_\_\_\_
- [ 28. ] 26. Multiply by 40% x .40

[ 29. ] 27. PRELIMINARY AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL \_\_\_\_\_

[ 30. ] 28. Adjustments for Other Expenses (see Rule 1910.16-6) \_\_\_\_\_

[ 31. ] 29. TOTAL AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL \_\_\_\_\_

\* \* \* \* \*



# Title 255—LOCAL COURT RULES

## YORK COUNTY

### Amendment of Local Rule of Judicial Administration 112; AD 30 2015

#### Administrative Order Amending York County Local Rule of Judicial Administration 112

And Now, this 27th day of April, 2015, it is *Ordered* that York County Local Rule of Judicial Administration 112 is hereby amended as indicated in the following document, effective immediately.

The District Court Administrator shall publish this Order and the following Rule to:

(a) Administrative Office of Pennsylvania Courts, and the Pennsylvania Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, in accordance with the requirements of Pa.R.J.A. No. 103(c);

(b) York County Bar Association for publication in the *York Legal Record*.

By the Court

STEPHEN P. LINEBAUGH,  
*President Judge*

#### YCJA 112. Photography, Recording, Broadcasting and Electronic Equipment.

(A) The taking of photographs, including video pictures and recording, and the use of audio and video broadcast and audio recording equipment and any other device capable of capturing or transmitting sound or images, in a courtroom or hearing room or its environs during the progress of or in connection with any action, whether or not court is actually in session, is prohibited.

(B) *Environs Defined*: Environs of a courtroom or hearing room shall include the entire floor on which is located any courtroom, hearing room, jury room, grand jury room, sheriff's office or station, Prothonotary's or Clerk of Courts' office, office of the District Attorney, or any lockup or prisoner holding area. Environs also includes the corridor or lobby on the main floor or street floor, any elevator area and any area constituting an interior entrance area to the building of any courtroom, hearing room or grand jury room. **Environs includes the York County Judicial Center and all York County Magisterial District Court buildings.**

(C) *Cellular Telephones Prohibited*: Cameras, cellular telephones, portable electronic data devices and any other device capable of capturing or transmitting images or sound are prohibited inside of the York County Judicial Center[, and prohibited inside a Magisterial District Court at the discretion of the Magisterial District Judge] and all York County Magisterial District Court buildings.

(1) *Employee Exception*: The prohibition in Section (C) above shall not apply to those individuals employed in the Judicial Center, a Magisterial District Court or employed by the County of York, who clearly display an identification badge issued by the County of York, provided, however, that the device shall be in a "silent" or "vibrate only" mode when the employee enters a courtroom, hearing room, or grand jury room.

(2) *Attorney Exception*: The prohibition in Section (C) above shall not apply to an attorney at law who enters the Judicial Center or a Magisterial District Court on business related to the representation of a client, provided, however, that the device shall have the power switched "off" when the attorney enters a courtroom, hearing room, or grand jury room.

(3) *Emergency Responder Exception*: The prohibition in Section (C) above shall not apply to emergency medical or other personnel responding to a call within the Judicial Center or Magisterial District Court.

(4) *Other Exceptions*: The prohibition in Section (C) above may be waived by a judge, Court Administrator, or the Sheriff or his designee, in special circumstances.

(D) *Special Proceedings*: In the discretion of any judge, photographing, making video or audio recordings, or televising or broadcasting any special proceedings, such as investiture, naturalization, or ceremonial proceedings, in a courtroom or its environs may be permitted under such conditions as the judge may prescribe, consistent with the proscriptions of [ **Canon 3A (7) of the Code of Judicial Conduct** ] Pa.R.J.A. No. 1910.

(E) *Stenographic Recordings*: Except as permitted by law or rule of court, the recording by any means of any judicial proceedings by anyone other than the official court stenographer in a court case, for any purpose, is prohibited.

(F) *Special Permission*: The President Judge may, upon application, make exception to the prohibitions contained in this Rule under such circumstances and subject to such conditions as the President Judge may prescribe.

(1) The application shall include the reason for the request, the type of electronic medium intended to be used, the locations at which the electronic medium is to be used, and the date and times of the day for which the exception is being sought.

(2) If the exception is being sought in connection with any judicial proceeding, the caption and case number of the proceeding shall be included in the application.

(G) *Special Cases*: The court may make such orders as may be necessary in connection with any specific case to protect the rights of all parties and the public.

April 27, 2015 amendment: effective immediately, bold text in brackets is rescinded, and bold text is added.

[Pa.B. Doc. No. 15-905. Filed for public inspection May 15, 2015, 9:00 a.m.]

YORK COUNTY

Domestic Relations Section 2015 Schedule of Fees; CP-67-AD-27 2015

Administrative Order Setting the Schedule of Fees for the Domestic Relations Section

And Now, this 24th day of April, 2015, pursuant to Act 49 of 2009, the York County Domestic Relations Section shall charge fees for such matters as set forth in the following fee schedule. This order and the referenced fees shall be effective for matters pending on and after June 1, 2015 and shall be effective until further order of Court. This Court's previous administrative order dated January 14, 2003 and docketed at 2003-MI-0011 is revoked immediately. This Court's previous administrative order dated January 28, 2010 and docketed at 2010-MI-000036-55 is revoked effective June 1, 2015.

The District Court Administrator shall provide a copy of this order to the AOPC so that the revoked order dated January 14, 2003 may be removed from the UJS website.

By the Court

STEPHEN P. LINEBAUGH,
President Judge

York County Domestic Relations Section 2015 Fee Schedule

APPEALS:

To Supreme, Superior or Commonwealth Courts ..... \$73.50

CERTIFICATION:

Each Document .....\$5.00

CASE ADMINISTRATION FEE:

Assessed to Defendant in Case—Annual ..... \$26.00

CASE COPIES (per page) .....\$0.25

MODIFICATION ..... \$20.00

PERSONAL SERVICE (Bench Warrant/Transport):

Assessed to appropriate Party at Rate
Billed to DRS for service ..... \$39.50—\$75.00

RETURNED CHECK ..... \$25.00

UNIFIED JUDICIAL SYSTEM—remitted to AOPC

(Filing Fee):
Assessed to Plaintiff at commencement of support action ..... \$35.50

[Pa.B. Doc. No. 15-906. Filed for public inspection May 15, 2015, 9:00 a.m.]



# RULES AND REGULATIONS

## Title 58—RECREATION

### PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CH. 465a ]

#### Possession of Weapons within a Licensed Facility

With this final-omitted rulemaking, the Pennsylvania Gaming Control Board (Board) amends § 465a.13 (relating to possession of weapons within a licensed facility) to read as set forth in Annex A.

#### *Omission of Proposed Rulemaking*

Under section 204 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204), known as the Commonwealth Documents Law (CDL), and the regulation thereunder, 1 Pa. Code § 7.4 (relating to omission of notice of proposed rulemaking), the Board finds that notice of proposed rulemaking under these circumstances is unnecessary and impractical and is therefore omitted. The Board's justification for utilizing the final-omitted rulemaking process is that the amendments to § 465a.13 are required under the amendments to 18 Pa.C.S. (relating to Crimes Code) by the act of June 28, 2011 (P. L. 48, No. 10) (Act 10), which supersedes the Board's regulations on the possession of firearms in privately owned licensed casino facilities.

#### *Purpose of the Final-Omitted Rulemaking*

This final-omitted rulemaking eliminates the Board's prohibition on the possession of firearms within a licensed facility to conform to Act 10. Prohibiting the possession of firearms is left to the discretion of each licensed facility.

#### *Explanation*

In 2008, the Board promulgated regulations prohibiting the possession of weapons, including firearms, within a licensed facility. The regulations provided a mechanism by which individuals could request Board approval to possess weapons.

Act 10 amended the Commonwealth's firearms laws and in so doing prohibited Commonwealth agencies from regulating the possession of firearms in any manner inconsistent with 18 Pa.C.S. See 18 Pa.C.S. § 6109(m.3) (relating to licenses).

The Office of Attorney General reviewed for legality § 465a.13 on the possession of firearms and advised that in light of the statutory amendments to 18 Pa.C.S., the Board no longer had the authority to limit the possession of firearms in a licensed casino facility by persons who possess a valid permit to carry.

To comply with Act 10, the Board is amending the provisions on possession in § 465a.13 by deleting the Board mandated prohibition. The Board added to § 465a.13 that a licensee may exercise its common law right to prohibit the possession of firearms on its property provided that it posts notice of the prohibition at all entrances.

#### *Affected Parties*

Slot machine licensees will be impacted by this final-omitted rulemaking as it is left to the discretion of each operator to prohibit the possession of firearms on its property. On August 21, 2014, operators were notified that a rulemaking on firearms possession would be forthcoming.

#### *Fiscal Impact*

*Commonwealth.* The Board does not expect that this final-omitted rulemaking will have fiscal impact on the Board or other Commonwealth agencies.

*Political subdivisions.* This final-omitted rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

*Private sector.* This final-omitted rulemaking will not have fiscal impact on the private sector provided that if the regulated entities exercise their common law right to prohibit the possession of firearms on their property, they will be required to post notice of the prohibition at each entrance.

*General public.* This final-omitted rulemaking will not have fiscal impact on the general public.

#### *Paperwork Requirements*

There are no paperwork requirements associated with this final-omitted rulemaking.

#### *Effective Date*

The final-omitted rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

#### *Contact Person*

The contact person for questions about this final-omitted rulemaking is Susan A. Yocum, Assistant Chief Counsel, (717) 346-8324.

#### *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on March 11, 2015, the Board submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Community, Economic and Recreational Development Committee and the House Gaming Oversight Committee. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on April 15, 2015, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 16, 2015, and approved the final-omitted rulemaking.

#### *Findings*

The Board finds that:

(1) The final-omitted rulemaking is necessary for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

(2) The procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) are, under the circumstances, unnecessary.

#### *Order*

The Board, acting under 4 Pa.C.S. Part II, orders that:

(a) The regulations of the Board, 58 Pa. Code Chapter 465a, are amending by amending § 465a.13 to read as set forth in Annex A.

(b) The Chairperson of the Board certifies this order and Annex A and shall deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

WILLIAM H. RYAN, Jr.,  
Chairperson

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 45 Pa.B. 2218 (May 2, 2015).)*

**Fiscal Note:** 125-184. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART VII. GAMING CONTROL BOARD**

**Subpart E. SLOT MACHINES AND ASSOCIATED EQUIPMENT**

**CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS**

**§ 465a.13. Possession of weapons within a licensed facility.**

(a) Except as provided in subsection (b), individuals, including security department personnel, are prohibited from possessing weapons capable of producing death or serious bodily injury, as defined in 18 Pa.C.S. § 2301 (relating to definitions), stun guns or other devices designed to injure or incapacitate a person within a licensed facility.

(b) The Board's prohibition in subsection (a) does not apply to the possession of firearms carried in accordance with 18 Pa.C.S. §§ 6101—6127 (relating to Pennsylvania Uniform Firearms Act of 1995). A slot machine licensee may exercise its common law right to prohibit the possession of firearms in accordance with subsections (c) and (d).

(c) A licensee may not prohibit the following individuals from possessing a weapon capable of producing death or serious bodily injury, including a firearm, stun gun or other device designed to injure or incapacitate a person within its facility:

(1) Pennsylvania State Police assigned to its Gaming Enforcement Office.

(2) An on-duty officer or agent of any local, State or Federal law enforcement agency when the officer or agent is acting in an official capacity.

(d) A slot machine licensee that prohibits individuals from possessing firearms shall post in a conspicuous location at each entrance to the licensed facility signs that provide the public with notice that the possession of firearms, weapons capable of producing death or serious bodily injury, stun guns and other devices designed to injure or incapacitate a person is prohibited.

(e) A slot machine licensee that does not prohibit individuals from possessing firearms shall post in a conspicuous location at each entrance to the licensed facility signs that provide the public with notice that the possession of weapons capable of producing death or serious bodily injury, other than firearms carried in

accordance with 18 Pa.C.S. § 6109 (relating to licenses), stun guns or other devices designed to injure or incapacitate a person is prohibited.

[Pa.B. Doc. No. 15-907. Filed for public inspection May 15, 2015, 9:00 a.m.]

**Title 61—REVENUE**

**BOARD OF CLAIMS**

**[ 61 PA. CODE CH. 899]**

**Rules of Procedure**

The Board of Claims (Board) amends Chapter 899 (relating to Rules of Procedure) to read as set forth in Annex A. The Board acts under authority of 62 Pa.C.S. § 1722(6) (relating to powers and duties of board) and sections 504(a) and 1307 of the Right-to-Know Law (RTKL) (65 P. S. §§ 67.504(a) and 67.1307).

*Purpose and Explanation of this Final-Omitted Rulemaking*

This final-omitted rulemaking amends the Board's Rules of Procedure to conform to 62 Pa.C.S. §§ 1721—1726 (relating to Board of Claims), the Board's enabling statute, and the RTKL.

The definition of "claim" in Rule 899.103 (relating to definitions) is amended to conform to 62 Pa.C.S. §§ 1701 and 1712.1(c) (relating to definitions; and contract controversies). Rule 899.105 is rescinded to eliminate conflict with 62 Pa.C.S. § 1724 (relating to jurisdiction). Rules 899.108 and 899.201(c) (relating to service of legal papers; and statement of claim) are amended to conform to 62 Pa.C.S. § 1725(a) and (b) (relating to procedure). Amendments to Rule 899.109 (relating to copy fees) reflect the Board's publication of its Right-to-Know Policy in accordance with sections 504(b) and 1307 of the RTKL. The Board also makes a technical amendment to the form for notice of service in Rule 899.401(f) (relating to discovery), reflecting years beginning with "20" rather than "19."

*Contact Person*

Interested persons may contact Frank C. Kahoe, Jr., Counsel, Board of Claims, 200 North 3rd Street, Suite 700, Harrisburg, PA 17101-1518, (717) 787-3325, fkahoe@boc.state.pa.us.

*Effective Date*

This final-omitted rulemaking is effective upon publication in the *Pennsylvania Bulletin*.

*Final-Omitted Rulemaking*

The Board has promulgated these amendments as a final-omitted rulemaking. The Board believes the amendments meet the criteria in section 204(1)(iii) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(1)(iii)), known as the Commonwealth Documents Law (CDL), and 1 Pa. Code § 7.4(1)(iii) (relating to omission of notice of proposed rulemaking), which permit the omission of proposed rulemaking for regulations which relate to "agency procedure or practice." On February 10, 2015, the Board submitted the final-omitted rulemaking to the Office of Attorney General to conduct a pre-review of the

Board's justification for submittal as a final-omitted rulemaking under section 204(1)(iii) of the CDL. On February 17, 2015, the Office of Attorney General notified the Board that it approved the submission of the amendments as a final-omitted rulemaking.

#### *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on March 11, 2015, the Board submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Finance Committee and the Senate State Government Committee. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on April 15, 2015, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 16, 2015, and approved the final-omitted rulemaking.

#### *Findings*

The Board finds that:

(1) The Board may omit notice of proposed rulemaking under section 204(1)(iii) of the CDL and the regulation thereunder, 1 Pa. Code § 7.4(1)(iii).

(2) The amendments to Chapter 899 are necessary and appropriate for practice before the Board.

#### *Order*

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board, 61 Pa. Code Chapter 899, are amended by deleting Rule 899.105 and amending Rules 899.103, 899.108, 899.109, 899.201 and 899.401 to as set forth in Annex A.

(b) The Chief Administrative Law Judge shall submit this order and Annex A to the Office of Attorney General for approval as to form and legality as required by law.

(c) The Chief Administrative Law Judge shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

JEFFREY F. SMITH,  
Chairperson  
Chief Administrative Law Judge

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 45 Pa.B. 2218 (May 2, 2015).)*

**Fiscal Note:** 105-5. No fiscal impact; (8) recommends adoption.

### **Annex A**

#### **TITLE 61. REVENUE**

#### **PART VI. BOARD OF CLAIMS**

#### **CHAPTER 899. RULES OF PROCEDURE**

#### **Subchapter A. PRELIMINARY PROVISIONS**

#### **Rule 899.103. Definitions.**

In addition to the definitions in Pa.R.C.P. No. 76, the following words and terms, when used in this chapter,

have the following meanings, unless the context clearly indicates otherwise:

*Board*—The Board of Claims of the Commonwealth.

*Claim*—The statement of facts filed by a contractor or Commonwealth agency stating the grounds upon which the contractor or Commonwealth agency asserts a controversy exists.

*Rule*—A rule adopted by the Board.

#### **Rule 899.105. (Reserved).**

#### **Rule 899.108. Service of legal papers.**

Pleadings and other documents filed with the Board shall be served by the filing party upon all other parties to the action by mail. A certificate of service shall be attached to all filings with the Board.

#### **Rule 899.109. Copy fees.**

Charges for copying, certifying or otherwise producing documents requested from the Board will be as established by the Board in its Right-to-Know Law Policy which is posted at the Board's office and on its web site in accordance with the Right-to-Know Law (65 P. S. §§ 67.101—67.3104).

### **Subchapter B. PLEADINGS**

#### **Rule 899.201. Statement of claim.**

(a) A plaintiff shall prepare a concise and specific written statement of the claim, signed and verified by the plaintiff. The caption of the claim shall contain the full names of all parties to the claim. Each claim shall contain the name, address, telephone number and Supreme Court Identification Number of counsel for the plaintiff.

(b) The plaintiff shall file an original and three copies of the claim with the Board, accompanied by a \$50 check made payable to the Commonwealth of Pennsylvania.

(c) The Board will deliver to the Attorney General a copy of the claims, counterclaims or cross-claims made against the Commonwealth, and any amendments thereto.

### **Subchapter D. DISCOVERY**

#### **Rule 899.401. Discovery.**

(a) Except when required under subsection (c) or (d), discovery material may not be filed with the Board. The party serving the discovery material or taking the deposition shall retain the original and be custodian of it.

(b) If a part of discovery material is used as evidence in connection with a motion, the relevant part shall be set forth, verbatim, in the motion or response. If discovery material is used as evidence at the hearing, the party offering it shall read it into the record or, if directed to do so by the Board, offer it as an exhibit.

(c) The Board will resolve a dispute concerning the accuracy of a quotation of discovery material used as provided in subsection (b) and may require production of the original paper or transcript.

(d) The Board, on its own motion, on the motion of a party or on an application by a nonparty, may require the filing of original discovery material. The parties may provide for the filing by stipulation.

(e) A party serving a request for discovery including depositions by oral examination, and a party filing written responses thereto shall file with the Board and serve upon all other parties or their counsel a notice of service substantially in the form prescribed in subsection (f). A party which files a motion or petition under Rule 899.301 or Rule 899.402 (relating to motions and petitions; and discovery motions) in response to a discovery request or a discovery response is not required to file and serve a notice of service in addition thereto.

(f) The notice of service required by subsection (e) shall be substantially in the following form:

(CAPTION)

*Notice of Service*

You are hereby notified that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, (identify discovery request or response) was served upon the following parties or their counsel via United States Mail, first class, postage prepaid, and addressed as follows:

(names and addresses to whom discovery request or response were directed)

\_\_\_\_\_  
Name  
Supreme Court I. D. No.  
Address  
Phone  
Attorneys for

[Pa.B. Doc. No. 15-908. Filed for public inspection May 15, 2015, 9:00 a.m.]

\_\_\_\_\_



# PROPOSED RULEMAKING

## BOARD OF FINANCE AND REVENUE

[ 61 PA. CODE CHS. 701—703 ]

### General Provisions; Tax and Other Appeal Proceedings

The Board of Finance and Revenue (Board), under the general authority in section 2703.1(m) of the Tax Reform Code of 1971 (72 P. S. § 9703.1(m)), proposes to rescind Chapter 701 (relating to special rules of administrative practice and procedure) and add Chapters 702 and 703 (relating to general provisions; and tax and other appeal proceedings) to read as set forth in Annex A.

#### *Purpose of the Proposed Rulemaking*

The purpose of this proposed rulemaking is to add regulations consistent with the act of July 9, 2013 (P. L. 270, No. 52), which reorganized the Board and instituted new procedures for practicing before the Board. Proposed Chapters 702 and 703 include the following: an extensive definition section; filing procedures and deadlines; processes for representation by third parties before the Board, ex parte communications and petitioning the Board; compromise settlement procedures; procedures for the hearing process; and request for reconsideration.

#### *Chapter 702. General provisions*

Proposed Chapter 702 contains the following subchapters.

Subchapter A (relating to overview) provides the scope of Chapter 702 and for the liberal construction of the regulations so long as it does not affect the substantive rights of the parties. This subchapter also provides an extensive definition section. Additionally, the subchapter sets forth the following: the procedure on filing generally; the Board's office hours; administration of oaths; formal rules of evidence do not apply to Board matters; and the Board has no subpoena or deposition power.

Subchapter B (relating to time) contains the procedures for the date of filing a party's submission as well as how the Board will compute time for a submission.

Subchapter C (relating to representation before the Board) contains provisions for who may represent petitioners before the Board and the Board's criteria for limiting a person's right to practice before the Board.

Subchapter D (relating to ex parte communications) contains a definition section and the general rules for ex parte communication between a Board member or staff and a party.

#### *Chapter 703. Tax and other appeal proceedings*

Proposed Chapter 703 contains the following subchapters.

Subchapter A (relating to submissions) contains the general requirements for what information a Petition for Relief must contain at a minimum. Additionally, under this subchapter, the Board must acknowledge the receipt of the petition. This subchapter also contains the following requirements: Board-requested additional submissions from parties; consolidation of petitions; timeliness of submissions; and withdrawal or termination of appeals.

Subchapter B (relating to compromise procedures) sets forth the rules for compromise settlements before the Board. More specifically, the subchapter contains the rules for compromise settlements generally between the parties including time deadlines and waivers.

Subchapter C (relating to prehearing conferences) sets forth the procedure for requesting a prehearing conference, scheduling prehearing conferences and non-participation of one party.

Subchapter D (relating to hearings) sets forth the following: how to request a hearing; notice of proceedings will be in accordance with 65 Pa.C.S. Chapter 7 (relating to Sunshine Act); scheduling of hearings; hearing procedures; and a party's failure to appear.

Subchapter E (relating to request for reconsideration) sets forth the procedures for a party requesting reconsideration to object to a Board order including the following: the basis of the request for reconsideration; the time period for filing a request for reconsideration and extension; and the contents of the request. This subchapter also details how the Board will respond to requests for reconsideration and provides the party's appeal rights.

Subchapter F (relating to publication of orders) sets forth that the Board will publish on the Board's web site each final order, along with dissenting opinions, that grants or denies in whole or in part the petition. The subchapter also sets forth the timing of publication. Additionally, the subchapter sets forth what constitutes confidential information the Board will automatically redact and procedures for a petitioner to request additional redactions under the definition of "trade secret" or "confidential proprietary information" in section 102 of the Right-to-Know Law (65 P. S. § 67.102).

#### *Contact Person*

The contact person for this proposed rulemaking is Jennifer Langan, Deputy Chief Counsel, Treasury Department, (717) 787-9738.

#### *Affected Parties*

Taxpayers and representatives of taxpayers seeking relief in the administrative appeal process may be affected by this proposed rulemaking.

#### *Fiscal Impact*

The Board has determined that the proposed rulemaking will not have fiscal impact on the Commonwealth.

#### *Effective Date*

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

#### *Public Comments*

Interested persons are invited to submit in writing comments, suggestions or objections regarding the proposed rulemaking within 30 days after publication in the *Pennsylvania Bulletin* to Jacqueline Cook, Chairperson, Board of Finance and Revenue, 1101 South Front Street, Suite 400, Harrisburg, PA 17104-2539, Attention: Public Comment.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 10, 2015, the Board 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 Committee on Finance and the Senate Committee on Finance. A copy of this material is available to the public upon request and is available on the Board's web site at [www.patreasury.gov/bfr/](http://www.patreasury.gov/bfr/).

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

JACQUELINE COOK,  
*Chairperson*

**Fiscal Note:** 64-5. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 61. REVENUE**

**PART IV. BOARD OF FINANCE AND REVENUE**

**CHAPTER 701. [ SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE ]  
(Reserved)**

*(Editor's Note:* As part of this proposed rulemaking, the Board is proposing to rescind Chapter 701 which appears in 61 Pa. Code pages 701-1—701-3, serial pages (265847)—(265849).)

**§§ 701.1—701.7. (Reserved).**

*(Editor's Note:* Chapters 702 and 703 are new and printed in regular type to enhance readability.)

**CHAPTER 702. GENERAL PROVISIONS**

**Subchap.**

- A. OVERVIEW**
- B. TIME**
- C. REPRESENTATION BEFORE THE BOARD**
- D. EX PARTE COMMUNICATIONS**

**Subchapter A. OVERVIEW**

- Sec.
- 702.1. Scope.
- 702.2. Liberal construction.
- 702.3. Definitions.
- 702.4. Filing generally.
- 702.5. Board office hours.
- 702.6. Oaths.
- 702.7. Formal rules of evidence do not apply.
- 702.8. Subpoenas and depositions.

**§ 702.1. Scope.**

(a) This chapter establishes the practice and procedure before the Board.

(b) This chapter supersedes 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

(c) Subsection (a) supersedes 1 Pa. Code §§ 31.1 and 31.6 (relating to scope of part; and amendments to rules).

**§ 702.2. Liberal construction.**

(a) This chapter shall be liberally construed to secure the just, speedy and inexpensive determination of every proceeding before the Board. The Board, at any stage of a proceeding, may disregard an error or defect of procedure that does not affect the substantive rights of the parties.

(b) The Board, at any stage of a proceeding, may waive a requirement of this chapter, including a deadline, when

necessary or appropriate, if the waiver does not adversely affect a substantive right of either party.

(c) Subsections (a) and (b) supersede 1 Pa. Code § 31.2 (relating to liberal construction).

**§ 702.3. Definitions.**

(a) The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

*Board*—The Board of Finance and Revenue.

*Business day*—A day on which the Board's office is scheduled to be open excluding Saturdays, Sundays or legal holidays.

*Chairperson*—The State Treasurer or the State Treasurer's designee.

*Confidential proprietary information*—The term as defined in section 102 of the Right-to-Know Law (65 P. S. § 67.102).

*Department*—The Department of Revenue of the Commonwealth.

*Electronic delivery*—A method of dispatching or receiving a submittal by electronic means such as e-mail, facsimile or the Board's electronic filing system.

*Order*—A decision by the Board that becomes final unless a timely request for reconsideration is filed by a party and is timely granted by the Board.

*Party*—

(i) A person who appears in a proceeding before the Board.

(ii) The term includes the following:

(A) A taxpayer.

(B) The Department.

(C) The claimant and the opposing governmental agency in appeals filed under section 503 of The Fiscal Code (72 P. S. § 503).

*Personal financial information*—The term means any of the following:

(i) Personal credit, charge or debit card information.

(ii) Bank account information.

(iii) Bank, credit or financial statements.

(iv) Account or PIN numbers.

(v) Other information regarding an individual's personal finances.

*Petition*—An application to the Board in which a petitioner seeks relief or remedy.

*Petitioner*—A taxpayer or other claimant.

*Proceeding*—A matter before the Board, including a petition, hearing or claim.

*Secretary*—The secretary of the Board. This individual is the Board officer with whom documents are filed and by whom official records are kept.

*Staff*—The attorneys, nonattorney tax petition reviewers and administrative personnel employed to support the Board in the performance of its duties and responsibilities.

*Trade secret*—The term as defined in section 102 of the Right-to-Know Law.

(b) Subsection (a) supersedes 1 Pa. Code § 31.3 (relating to definitions).

**§ 702.4. Filing generally.**

(a) Documents filed with the Board should be submitted in one of the following manners:

(1) In person or by mail:

Secretary of the Board  
 Pennsylvania Board of Finance and Revenue  
 1101 South Front Street, Suite 400  
 Harrisburg, Pennsylvania 17104-2539

(2) Electronically at [bfr@patreasury.gov](mailto:bfr@patreasury.gov).

(3) By facsimile at (717) 783-4499.

(b) When the Board is of the opinion that a submission for filing does not sufficiently set forth required material or is otherwise insufficient, the Board may accept it for filing and advise the person submitting it of the deficiency and require that the deficiency be corrected.

(c) The petitioner bears the responsibility for the readability of documents filed with the Board. The petitioner accepts the risk that delay, disruption or interruption of a document filed with the Board by electronic delivery may cause the document to not be properly or timely filed.

(d) Subsections (a)—(c) supersede 1 Pa. Code §§ 31.4, 31.5 and 33.61 (relating to information and special instructions; communications and filings generally; and applications for waiver of formal requirements).

**§ 702.5. Board office hours.**

(a) Unless otherwise directed by the Chairperson, the Board offices will be scheduled to be open from 8 a.m. until 4:30 p.m. on business days.

(b) Subsection (a) supersedes 1 Pa. Code § 31.5 (relating to communications and filings generally).

**§ 702.6. Oaths.**

(a) A Board member or the secretary has the power to administer oaths or affirmations with respect to a proceeding.

(b) Subsection (a) supersedes 1 Pa. Code § 35.148 (relating to officer before whom deposition is taken).

**§ 702.7. Formal rules of evidence do not apply.**

(a) Formal rules of evidence do not apply to matters before the Board.

(b) Subsection (a) supersedes 1 Pa. Code §§ 35.161—35.169 and 35.173 (relating to evidence; and official notice of facts).

**§ 702.8. Subpoenas and depositions.**

(a) The Board does not possess the power to issue subpoenas or to take depositions.

(b) Subsection (a) supersedes 1 Pa. Code §§ 35.142 and 35.145—35.152 (relating to subpoenas; and depositions).

**Subchapter B. TIME**

Sec.  
 702.11. Date of filing.  
 702.12. Computation of time.

**§ 702.11. Date of filing.**

(a) Whenever a party's submission is required or permitted to be filed, it will be deemed to be filed on the earliest of the following dates:

(1) On the date actually received by the Board.

(2) On the date deposited with an IRS-designated private delivery service (as set forth in an IRS Notice) as shown on the delivery receipt attached to or included within the envelope containing the document.

(3) On the date deposited in the United States mail as shown by the United States Postal Service stamp on the envelope or noted on a United States Postal Service Form 3817, Certificate of Mailing. A mailing envelope stamped by an in-house postage meter is insufficient proof of the date of mailing.

(4) When a document is submitted by means of electronic delivery on a day other than a business day, the document will be deemed to be filed on the next business day.

(b) Subsection (a) supersedes 1 Pa. Code § 31.11 (relating to timely filing required).

**§ 702.12. Computation of time.**

(a) Except as otherwise provided by statute, in computing a period of time prescribed by law, the day of the act, event or default after which the designated period of time begins to run is not included. The last day of the period is included, unless it is not a business day, in which event the period runs until the end of the next business day.

(b) Subsection (a) supersedes 1 Pa. Code § 31.12 (relating to computation of time).

**Subchapter C. REPRESENTATION BEFORE THE BOARD**

Sec.  
 702.21. Representation.  
 702.22. Limited practice before the Board.

**§ 702.21. Representation.**

(a) *Representative.* Appearances in proceedings before the Board may be by the petitioner or by an attorney, accountant or other representative provided the representation does not constitute the unauthorized practice of law as administered by the Pennsylvania Supreme Court.

(b) *Power of attorney.* The Board may require in a proceeding that a power of attorney, signed and executed by the petitioner, be filed with the Board before recognizing a person as representing the petitioner.

(c) *Notice of petitioner's representative.* A petitioner or his designated representative shall file with the secretary a petition that includes the name of the petitioner and, if applicable, the petitioner's representative. Unless another method is prescribed, the Department will be deemed to be served electronically when the Board docketed the case onto the Department's appeal system.

(d) *Designated representative after petition filed.* If a petitioner authorizes a representative after the petition is filed, the petitioner shall file with the secretary a form prescribed by the Board or a letter on the petitioner's letterhead naming the representative.

(e) *Change in representative.* A change in representative that occurs during the course of a proceeding shall be reported promptly to the secretary.

(f) *Change in address.* A change in address that occurs during the course of a proceeding shall be reported promptly to the secretary.

(g) *Withdrawal of representative.* Representation continues until a petitioner or the petitioner's representative notifies the secretary in writing that the designation of representation is rescinded.

(h) *Supersession.* Subsections (a)—(g) supersede 1 Pa. Code §§ 31.21—31.26.



§ 702.22. Limited practice before the Board.

(a) The Board may deny, temporarily or permanently, the privilege of representing a party before it in any way to a person who is found by the Board, after notice and opportunity for hearing in the matter, to have done one or more of the following:

(1) Lacked the requisite qualifications to represent others.

(2) Engaged in unethical, contemptuous or improper conduct with respect to any matter before the Board.

(3) Repeatedly failed to follow Board directives.

(b) Subsection (a) supersedes 1 Pa. Code §§ 31.27 and 31.28 (relating to contemptuous conduct; and suspension and disbarment).

**Subchapter D. EX PARTE COMMUNICATIONS**

Sec.

702.31. Definitions.

702.32. General rules.

§ 702.31. Definitions.

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

*Communication*—A verbal, written or electronic correspondence.

*Ex parte communication*—A communication, regarding the merits of a petition, outside of a public hearing, by one party with the Board or the staff not in the presence of the other party.

*Waiver*—An acknowledgement to the staff by a party or its representative that the party chooses not to participate in a communication between the staff and the other party and agrees not to thereafter object to the communication. The waiver must be in a format designated by the Board and published on the Board’s web site.

§ 702.32. General rules.

(a) *Communication with Board members.* Board members may not participate in an ex parte communication.

(b) *Communication with staff.* The staff may not participate in an ex parte communication, except in either of the following situations:

(1) A party provides a waiver.

(2) The staff provides a party or its representative with 10 days written notice of a meeting at which a communication will occur and the party or its representative fails to participate in the meeting.

(c) *Written and electronic submission.* A written or electronic submission provided to the Board or staff by a party shall be promptly provided to the other party.

(d) *Notification.* The staff will make every reasonable effort to avoid an ex parte communication. Upon discovery of an ex parte communication, the staff will promptly notify the other party. The Board may take reasonable measures deemed necessary to remedy an ex parte communication.

**CHAPTER 703. TAX AND OTHER APPEAL PROCEEDINGS**

Subchap.

A. SUBMISSIONS

B. COMPROMISE PROCEDURES

C. PREHEARING CONFERENCES

D. HEARINGS

E. REQUEST FOR RECONSIDERATION

F. PUBLICATION OF ORDERS

**Subchapter A. SUBMISSIONS**

Sec.

703.1. Petitions generally.

703.2. Petition content.

703.3. Board acknowledgment.

703.4. Other submissions.

703.5. Service.

703.6. Consolidation.

703.7. Timeliness of submissions.

703.8. Withdrawal or termination of appeal.

§ 703.1. Petitions generally.

(a) *General requirements.* Petitions for relief must be in writing, state clearly and concisely the interest of the petitioner in the subject matter, the facts and the basis for the relief sought.

(b) *Petition form.* A petition shall be filed using the Board’s designated petition form or otherwise conform to the format of the Board’s designated form on the Board’s web site.

(c) *Supersession.* Subsections (a) and (b) supersede 1 Pa. Code § 35.17 (relating to petitions generally).

§ 703.2. Petition content.

(a) *General.* A petition must include the following, as applicable:

(1) The petitioner’s name, address, telephone number and e-mail address.

(2) The name, address, telephone number and e-mail address of the petitioner’s representative.

(3) The Board of Appeals docket number.

(4) The petitioner’s appropriate identifying designation, such as license number, Social Security number, claim number, file number, or corporate account or box number.

(5) The appeal type and relevant periods for review.

(6) The amount of tax or other amounts the petitioner claims to have been erroneously assessed or to have been overpaid.

(7) The basis upon which the petitioner claims that an assessment is erroneous or a refund is due.

(8) A statement of the relevant facts.

(9) A statement indicating whether a hearing before the Board is requested.

(b) *Accuracy of address for Board correspondence.* The Board is permitted to rely upon the accuracy of the physical or e-mail address provided by the petitioner. It is the duty of the petitioner to notify the Board when there is a change in an address provided to the Board.

(c) *Signature.* The petitioner or the petitioner’s authorized representative shall sign a petition. The Board may require evidence that the signatory has authority to sign on behalf of the petitioner.

(d) *Supersession.* Subsections (a)—(c) supersede 1 Pa. Code §§ 31.11—31.15, 33.1—33.4, 35.18—35.20, 35.23, 35.24, 35.27—35.32, 35.35—35.41 and 35.48—35.51, 35.54 and 35.55.

**§ 703.3. Board acknowledgment.**

The Board will acknowledge receipt of petitions. The acknowledgement will set forth deadlines for subsequent submissions.

**§ 703.4. Other submissions.**

(a) *Information requests.* The Board may request a party to furnish additional information in a format designated by the Board. The Board may deny the requested relief for failure to furnish the additional information.

(b) *Submissions.* Submissions filed subsequent to the petition must include the petitioner's name and the docket number.

(c) *Legibility.* Submissions made with the Board must be legible.

(d) *Copies.* Petitioners are required to file one copy of a document either in hard copy or electronically at the time of filing. In its sole discretion, the Board may require additional copies of submissions.

**(e) Electronic submissions.**

(1) An electronic submission made with the Board must be:

(i) In a format so that the document and, when feasible, its attachments are capable of being printed and copied without restriction, and may not require a password to view the contents.

(ii) Filed in accordance with the instructions regarding electronic submissions, if any, made available on the Board's web site.

(2) Petitioners may file one electronic copy at the e-mail address provided. Paper copies are not required unless the document is too large to transmit by means of electronic delivery.

(f) *Evidence will not be returned.* Evidence submitted to the Board will not be returned.

(g) *Supersession.* Subsections (a)—(e) supersedes 1 Pa. Code §§ 33.1—33.4, 33.11, 33.12, 33.15, 33.21—33.23, 33.31—33.37, 33.41, 35.1, 35.2, 35.5—35.7, 35.9—35.11, 35.14, 35.191—35.193, 35.201—35.207, 35.211—35.214 and 35.221.

**§ 703.5. Service.**

(a) A party shall serve the other party with each submission.

(b) The Board will publish on its web site instructions regarding service.

(c) Subsections (a) and (b) supersede 1 Pa. Code §§ 33.31—33.37 (relating to service of documents).

**§ 703.6. Consolidation.**

(a) The Board may consolidate petitions, issues or proceedings involving a common question of law or fact for the same petitioner. The Board may structure a proceeding to avoid unnecessary costs or delay.

(b) Subsection (a) is identical to 1 Pa. Code §§ 35.45 and 35.122 (relating to consolidation; and consolidation of formal proceedings).

**§ 703.7. Timeliness of submissions.**

(a) *Time.* Unless a different time is prescribed by the Board or staff, submissions shall be submitted no later than 60 days after the filing date of the petition. The Board will provide the opposing party 30 days to respond

to the submission. Evidence filed after the prescribed deadlines may not be reviewed by the Board.

(b) *Supersession.* Subsection (a) supersedes 1 Pa. Code § 35.35 (relating to answers to complaints and petitions).

**§ 703.8. Withdrawal or termination of appeal.**

(a) A petitioner that wishes to terminate an appeal before final decision by the Board shall submit to the Board a written request to withdraw the appeal.

(b) Subsection (a) supersedes 1 Pa. Code §§ 33.42 and 35.51 (relating to withdrawal or termination; and withdrawal of pleadings).

**Subchapter B. COMPROMISE PROCEDURES**

Sec.

703.11. Compromise generally.

**§ 703.11. Compromise generally.**

(a) A compromise settlement will be ordered by the Board only with the agreement of the parties.

(b) A petitioner offering a compromise shall submit to the Board and to the Department a completed Board of Finance and Revenue Request for Compromise Form, which is posted on the Board's web site, with a petition or within 30 days from the petition filing date.

(c) Negotiations of a compromise will take place between the petitioner and the Department.

(d) The timely submission of a completed Board of Finance and Revenue Request for Compromise Form is required for the Board to grant a continuance for the purpose of pursuing a potential compromise.

(e) If the parties fail to agree to a compromise within 90 days from the petition filing date, the Board will schedule the petition for a hearing, if requested, and for a decision on the merits.

(f) If the Board issues a compromise order, the parties agree, as a condition of the compromise to waive any right to:

(1) Appeal the compromise order.

(2) Claim a refund of money paid pursuant to the compromise order.

(3) File a petition or appeal that raises the same issues of the tax period and liability addressed in the compromise order.

(g) Subsections (a)—(f) supersede 1 Pa. Code § 35.115 (relating to offers of settlement).

**Subchapter C. PREHEARING CONFERENCES**

Sec.

703.21. Prehearing conference.

**§ 703.21. Prehearing conference.**

(a) *Request for a prehearing conference.* A party may request a prehearing conference with the staff. The staff may conduct a prehearing conference in response to a request or when the Board or staff deems necessary.

(b) *Scheduling prehearing conferences.* Staff will notify the parties of a prehearing conference date and time, which may be in the Board's office, by telephone or by another agreed-upon electronic method.

(c) *Nonparticipation of one Party.* A party may choose not to participate in the prehearing conference upon the submission of a waiver consistent with Chapter 702, Subchapter D (relating to ex parte communications) or by failing to participate in the prehearing conference after being provided notice and an opportunity to attend.

(d) *Supersession.* Subsections (a)—(c) supersede 1 Pa. Code §§ 35.111—35.116 (relating to prehearing conferences).

**Subchapter D. HEARINGS**

- Sec.
- 703.31. Disposition of petitions.
- 703.32. Notice of proceeding.
- 703.33. Scheduling of hearing.
- 703.34. Hearing procedure.
- 703.35. Failure to appear at hearing.

**§ 703.31. Disposition of petitions.**

(a) Petitions filed with the Board will be resolved by a written order of the majority of the Board based on the submissions and information available to the Board.

(b) A petitioner who wishes a hearing shall request it on the petition form or subsequently, in writing.

(c) Subsections (a) and (b) supersede 1 Pa. Code §§ 31.13, 35.101 and 35.121—35.128 (relating to issuance of agency orders; waiver of hearing; and hearing).

**§ 703.32. Notice of proceeding.**

(a) When notice of hearings is required, publication will be in accordance with 65 Pa.C.S. Chapter 7 (relating to Sunshine Act).

(b) Subsection (a) supersedes 1 Pa. Code §§ 33.51 and 35.103—35.106 (relating to docket; and notice of hearing).

**§ 703.33. Scheduling of hearing.**

(a) The secretary will schedule hearings and maintain a hearing calendar of the petitions scheduled for hearing.

(b) Public hearings of the Board ordinarily will be held in the hearing room in the Riverfront Office Center, 1101 South Front Street, Suite 400, Harrisburg, Pennsylvania 17104-2539.

(c) The Board will consider requests for remote access to hearings and, if feasible, will grant these requests.

(d) The secretary or the Board in the exercise of discretion, or upon application for cause, may reschedule a hearing.

(e) Subsections (a)—(d) supersede 1 Pa. Code §§ 31.15, 35.102—35.106 and 35.121.

**§ 703.34. Hearing procedure.**

(a) At a hearing, the petitioner shall present its case first. If the Department responds, the petitioner will be provided an opportunity to respond.

(b) The order of presentation in subsection (a) may be varied by the Board.

(c) Subsections (a) and (b) supersede 1 Pa. Code §§ 35.123, 35.125, 35.127, 35.128, 35.131—35.133, 35.137—35.139, 35.173, 35.177—35.180, 35.185—35.190 and 35.201.

**§ 703.35. Failure to appear at hearing.**

(a) If a party requests a hearing and thereafter fails to appear at the scheduled hearing, the opposing party may present its case to the Board at the scheduled hearing.

(b) Subsection (a) supersedes 1 Pa. Code §§ 35.124 and 35.126 (relating to appearances; and presentation by the parties).

**Subchapter E. REQUEST FOR RECONSIDERATION**

- Sec.
- 703.41. Request for reconsideration.
- 703.42. Time for filing request for reconsideration and extension.
- 703.43. Filing a request for reconsideration.
- 703.44. Board's response to request for reconsideration.
- 703.45. Appeal rights.

**§ 703.41. Request for reconsideration.**

(a) *Basis of request for reconsideration.* A request for reconsideration may be filed by a party to object to a Board order due to the Board's alleged failure to address an issue raised in the appeal, error of law or fact, or computational error. A request for reconsideration will not be granted to review issues or arguments not raised before the Board or to review evidence that was not previously submitted.

(b) *Supersession.* Subsection (a) supersedes 1 Pa. Code §§ 35.231—35.233 and 35.241 (relating to reopening and rehearing).

**§ 703.42. Time for filing request for reconsideration and extension.**

(a) A request for reconsideration shall be filed by a party and provided to the other party within 15 days from the mailing date indicated on the order. When necessary, a request for reconsideration will serve as an automatic request for an extension of time under section 2704(f)(1) of the Tax Reform Code of 1971 (72 P. S. § 9704(f)(1)).

(b) Subsection (a) supersedes 1 Pa. Code § 35.241 (relating to application for rehearing or reconsideration).

**§ 703.43. Filing a request for reconsideration.**

(a) *Request for reconsideration.* A request for reconsideration must be concise and identify the alleged error.

(b) *Manner of filing.* A request for reconsideration must be submitted to the Board electronically at [bfr@patreasury.gov](mailto:bfr@patreasury.gov), by facsimile at (717) 783-4499 or at the following address:

Board of Finance and Revenue  
 Riverfront Office Center  
 1101 South Front St., Suite 400  
 Harrisburg, Pennsylvania 17104-2539

(c) *Notice to the other party.* If the Department files a request for reconsideration, the Department will provide the petitioner, or the petitioner's representative, with a copy of the request for reconsideration at the same time the Department files the request. The notice must be made to the address in the Board's order or by electronic delivery to an e-mail address provided by the petitioner. If the petitioner files a request for reconsideration, a copy of the request for reconsideration shall be provided to the Department electronically at [RA-RVOCBFRNOTIF@pa.gov](mailto:RA-RVOCBFRNOTIF@pa.gov) or at the following address:

Pennsylvania Department of Revenue  
 Office of Chief Counsel  
 Attn: Request for BF&R Reconsideration  
 10th Floor, Strawberry Square  
 Harrisburg, Pennsylvania 17128-1061

(d) *Supersession.* Subsections (a)—(c) supersede 1 Pa. Code § 35.241 (relating to application for rehearing or reconsideration).

**§ 703.44. Board's response to request for reconsideration.**

The Board will respond to requests for reconsideration either granting or denying the request. If the Board



grants a request for reconsideration, the Board will issue a letter to both parties setting forth any future applicable deadlines. In all cases for which a reconsideration request is granted, the Board will subsequently issue a reconsidered order.

#### § 703.45. Appeal rights.

(a) *Appeal rights.* A request for reconsideration is not a substitute for a court appeal. When the Board denies the request for reconsideration, the Board's order is a "final order" for purposes of appeal to Commonwealth Court within the time specified by Pennsylvania Rule of Appellate Procedure 1571(b) (relating to determinations of the Board of Finance and Review). When the Board grants a request for reconsideration and issues a reconsidered order, the reconsidered order will be a "final order" appealable to Court within the time specified by Pennsylvania Rule of Appellate Procedure 1571(b).

(b) *Supersession.* Subsection (a) supersedes 1 Pa. Code §§ 31.14, 35.190, 35.225, 35.226 and 35.251.

#### Subchapter F. PUBLICATION OF ORDERS

Sec.

703.51. Publication of orders.

703.52. Redaction.

#### § 703.51. Publication of orders.

(a) *General rule.* The Board will publish each final order, along with any dissenting opinion, that grants or denies in whole or in part a petition.

(b) *Location of order publication.* Published orders will be indexed and published on a publicly accessible web site maintained by the Board and accessible through the Board's web site.

(c) *Timing of publication.* The Board will not publish an order for at least 30 days after the order's mailing date to enable the petitioner to identify a trade secret or confidential proprietary information that needs to be redacted from the order.

#### § 703.52. Redaction.

(a) *Redaction of confidential information.* Prior to publication of an order, the Board will edit the order to redact the following:

(1) An individual's Social Security number, home address, driver's license number, personal financial information as defined in section 102 of the Right-to-Know Law (65 P. S. § 67.102), home, cellular and personal telephone numbers, personal e-mail addresses, employee number or other confidential personal identification number, and a record identifying the name, home address or date of birth of a child 17 years of age or younger.

(2) Specific dollar amounts of tax.

(3) Information identified by the petitioner as and that meets the definition of a trade secret or confidential proprietary information as defined in section 102 of the Right-to-Know Law. The petitioner is responsible for notifying the Board within 30 days of the mailing date of the order of a trade secret or confidential proprietary information that the petitioner does not want to be published. The notification must clearly identify the language in the order that should be redacted and the reason for the requested redaction.

(b) *Confidential information in a published order.* If, after an order is published, it is discovered that the published order contains confidential information that should not have been published, the Board should be

notified as soon as possible and it will make every reasonable effort to redact the confidential information promptly.

[Pa.B. Doc. No. 15-909. Filed for public inspection May 15, 2015, 9:00 a.m.]

## STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

[ 49 PA. CODE CH. 37 ]

### Renewal Fee

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) proposes to amend § 37.17 (relating to schedule of fees) to read as set forth in Annex A.

#### *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*. It is anticipated that the increased biennial renewal fees will be implemented with the September 30, 2017, biennial renewal.

#### *Statutory Authority*

Section 9(a) of the Engineer, Land Surveyor and Geologist Registration Law (act) (63 P. S. § 156(a)) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

#### *Background and Need for the Proposed Rulemaking*

Under section 9 of the act, the Board is required by law to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises the majority of its revenue through biennial renewal fees. A small percentage of its revenue comes from other fees, fines and civil penalties. If fees are inadequate to meet the minimum enforcement efforts required, section 9(b) of the act requires the Bureau of Professional and Occupational Affairs, after consultation with the Board, to increase the fees so that adequate revenues are raised to meet the required enforcement effort.

At the Board's meeting on March 12, 2014, representatives from the Department of State's Bureau of Finance and Operations (BFO) presented a summary of the Board's actual revenue and expenses for Fiscal Year (FY) 2006-2007 through FY 2012-2013 and projected revenue and expenses through FY 2026-2027. At the end of FY 2012-2013 (a nonrenewal year), the Board accrued a deficit of approximately \$660,000. The BFO projects that at the end of FY 2013-2014 (a renewal year), the Board's deficit will be approximately \$226,000 and that by the

end of FY 2014-2015 (a nonrenewal year), the deficit will grow to approximately \$1.383 million. The BFO further projects that if the renewal fee is not increased, by the end of FY 2016-2017 (a nonrenewal year) the deficit will swell to approximately \$2.27 million and will continue to grow thereafter. However, if the renewal fee are increased to \$125 beginning with renewals in 2017, the BFO projects that the Board will have a positive balance of \$370,000 at the end of FY 2017-2018 (a renewal year) and a balance of \$1.626 million at the end of FY 2019-2020 (a renewal year).

During FYs 2011-2012 and 2012-2013 (roughly corresponding to the 2011-2013 biennial renewal period), the Board's revenue was \$2,020,257, and its expenses were \$2,585,258, for an operating deficit of \$565,000. During FYs 2013-2014 and 2014-2015, the BFO projects revenue of \$1.981 million and expenses of \$2.704 million, for an operating deficit of \$723,000. Without an increase in the renewal fee, these operating deficits will continue to grow due to ever-increasing expenses of operating the Board and its required enforcement efforts.

As a result, the Board voted at its March 12, 2014, meeting to increase biennial renewal fees from \$50 to \$100 to read as proposed in Annex A. With approximately 31,750 active licensees, this fee will raise \$3.175 million during each biennial renewal period. The Board believes that this fee will be adequate to cover operating expenses through at least the 2021-2023 biennial renewal period and, together with application fees and revenue from civil penalties, will be adequate to erase the overall deficit by the 2019-2021 biennium and continue a positive balance through FY 2026-2027.

*Description of the Proposed Amendment*

The proposed rulemaking would amend § 37.17 to increase the biennial renewal fees for professional engineers, land surveyors and geologists from \$50 to \$100.

*Fiscal Impact and Paperwork Requirements*

The proposed rulemaking will increase the biennial renewal fees for licensees of the Board. There are currently approximately 27,550 licensed professional engineers, 1,975 professional land surveyors and 2,225 licensed professional geologists, for a total of approximately 31,750 licensees who will be required to pay more to renew their licenses when they expire in 2015 and thereafter. The vast majority of licensees are considered to be working for small businesses. They will be impacted because their license fees will increase. The proposed rulemaking should not have other fiscal impact on the private sector, the general public or political subdivisions of this Commonwealth.

The proposed rulemaking will require the Board to alter some of its forms to reflect the new fees. However, the proposed rulemaking will not create additional paperwork for the regulated community or the private sector.

*Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 4, 2015, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

*Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Unit Counsel, Department of State, State Registration Board for Professional Engineers, Land Surveyors and Geologists, P. O. Box 2649, Harrisburg, PA 17105-2649, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-4713 (renewal fee) when submitting comments.

MICHAEL F. BRINKASH, PLS,  
*President*

**Fiscal Note:** 16A-4713. No fiscal impact. The fee increase is necessary to offset costs of the Board. (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS**

**QUALIFICATIONS FOR LICENSURE**

**§ 37.17. Schedule of fees.**

(a) *Renewal fee.* The Board will charge the following renewal fee:

Biennial renewal of registration . . . . . [ \$50 ] \$100

\* \* \* \* \*

[Pa.B. Doc. No. 15-910. Filed for public inspection May 15, 2015, 9:00 a.m.]

# NOTICES

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 15.150: Maintenance Relamping of the House Chamber.** The project includes scaffolding to access four large and two small ceiling hung chandeliers to relamp and clean the chandeliers. The successful proposer will be responsible for all protection, labor, supervision and materials (save the lamps) to execute this project.

The issue date of the request for proposal was on May 11, 2015. A mandatory preproposal conference and walk through will be held on June 5, 2015, in Room 630, Main Capitol at 10:30 a.m. The proposal receipt date is June 24, 2015, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 15-911. Filed for public inspection May 15, 2015, 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 5, 2015.

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

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-2-2015	S&T Bank Indiana Indiana County	227 Butler Road Kittanning Armstrong County	Opened

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-30-2015	First Commonwealth Bank Indiana Indiana County	131 Fleming Avenue Johnstown Cambria County	Closed
4-30-2015	First Commonwealth Bank Indiana Indiana County	11 South Main Street Cherry Tree Indiana County	Closed
4-30-2015	First Commonwealth Bank Indiana Indiana County	5780 Kennedy Avenue Export Westmoreland County	Closed
4-30-2015	First Priority Bank Malvern Chester County	29 North Sixth Street Reading Berks County	Closed

## CREDIT UNIONS

## Change of Principal Place of Business

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Address</i>	<i>Action</i>
5-1-2015	Community Regional Credit Union Kingston Luzerne County	<i>To:</i> 584 Wyoming Avenue Kingston Luzerne County  <i>From:</i> 510 Bridge Street Old Forge Lackawanna County	Effective

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

ROBIN L. WIESSMANN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-912. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of June 2015

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of June, 2015, is 4 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.29 to which was added 2.50 percentage points for a total of 4.79 that by law is rounded off to the nearest quarter at 4 3/4%.

ROBIN L. WIESSMANN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-913. Filed for public inspection May 15, 2015, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application by Reconstructionist Rabbinical College to Amend Articles of Incorporation

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Reconstructionist Rabbinical College to amend its Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,  
*Acting Secretary*

[Pa.B. Doc. No. 15-914. Filed for public inspection May 15, 2015, 9:00 a.m.]



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063061 (Industrial Waste)	Ashland Water Treatment Plant Malones Road Ashland, PA 17921	Schuylkill County Butler Township	Little Mahanoy Creek (6-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0031551 SEW	Chambersburg Area School District 435 Stanley Avenue Chambersburg, PA 17201	Franklin County Lurgan Township	Conodoguinet Creek/7-B	Y
PA0081591 SEW	Eastern York County Sewer Authority PO Box 6202 Hellam, PA 17406	York County Hellam Township	Kreutz Creek/7-I	Y
PA0086754 IW	East Penn Manufacturing Co. PO Box 147 Deka Road Lyon Station, PA 19536-0147	Berks County Richmond Township Lyons Borough	Sacony Creek/3-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0104396 (Industrial Waste)	V L Greenhouse PA Division 568 Tomato Drive Punxsutawney, PA 15767	Jefferson County Ringgold Township	Caylor Run (17-D)	Y
PA0263648 (sewage)	Don Thompson SFTF 1895 Weiler Road Warren, PA 16365	Warren County Conewango Township	Un-named tributary of Morse Run (16-B)	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*

**PA0053015**, Sewage, SIC Code 5812, **Joseph F. Werner**, 1007 Route 313, Perkasie, PA 18944. Facility Name: Country Place Restaurant STP. This existing facility is located in East Rockhill Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Three mile Run, is located in State Water Plan watershed 2-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00432 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.17	XXX	0.32
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1.0

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP when Municipal Sewers Available
- E. Chlorine Optimization
- F. Small Stream Discharge

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.

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

**PA0275671**, Stormwater, SIC Code 3713, **Westport Group**, 650 Boulder Drive, Suite 100A, Breinigsville, PA 18031. Facility Name: Westport Group. This existing facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of industrial stormwater.

The receiving stream, Iron Run, is located in State Water Plan watershed 02C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 002 are based on a design flow of 0.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Daily Maximum	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX

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

- Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570.826.5472.

The EPA Waiver is in effect.

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

**PA0055328**, Industrial Waste, SIC Code 4953, New Morgan Landfill Co. Inc., 420 Quarry Road, P O Box 128, Morgantown, PA 19543-0128. Facility Name: Conestoga Landfill. This existing facility is located in New Morgan Borough, **Berks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.075 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	13.1	26.3	XXX	21	42	53
Total Suspended Solids	16.9	55.0	XXX	27	88	110
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen	3.1	6.3	XXX	Geo Mean 4.9	10	12.5
a-Terpineol	0.010	0.021	XXX	0.016	0.033	0.041
Benzoic Acid	0.044	0.075	XXX	0.071	0.12	0.18
p-Cresol	0.009	0.016	XXX	0.014	0.025	0.035
Phenol	0.009	0.016	XXX	0.015	0.026	0.038
Total Zinc	0.069	0.125	XXX	0.11	0.20	0.28
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs)	Report	64.0	XXX	XXX	XXX	XXX
	Total Monthly	Total Annual				
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Chloride	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Bromide	Report	XXX	XXX	Report	XXX	XXX
Sulfate	Report	XXX	XXX	Report	XXX	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	XXX	XXX
Total Antimony	XXX	XXX	XXX	Report	XXX	XXX
Total Arsenic	XXX	XXX	XXX	Report	XXX	XXX
Total Cadmium	XXX	XXX	XXX	Report	XXX	XXX
Hexavalent Chromium	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	12,500	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX

The proposed monitoring requirements for Outfalls 002 through 008 (design flow of 0 MGD) are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Arsenic	XXX	XXX	XXX	XXX	Report	XXX
Total Barium	XXX	XXX	XXX	XXX	Report	XXX
Total Cadmium	XXX	XXX	XXX	XXX	Report	XXX
Total Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Cyanide	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX
Total Selenium	XXX	XXX	XXX	XXX	Report	XXX
Total Silver	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

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

- Permission to use stormwater outfalls 002 and 005 as representative of the other stormwater outfalls such that sampling and reporting may be conducted for outfalls 002 and 005 instead of for all seven stormwater outfalls.
- A reopener clause allowing the DEP to amend the permit if the new treatment plant does not perform as expected.

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

The EPA Waiver is not in effect.

**PA0009423**, Industrial Waste, SIC Code 4941, **Everett Borough Area Municipal Authority Bedford County**, 100 Mechanic Street, Everett, PA 15537-1177. Facility Name: Everett Borough Water System. This existing facility is located in West Providence Township, **Bedford County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated water treatment filter backwash.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.028 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg	XXX	XXX
Total Aluminum	0.35	0.69	XXX	1.48	2.96	3.70
Total Iron	Report	Report	XXX	2.0	4.0	5.0
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

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

- Sedimentation basin cleaning requirements

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

The EPA Waiver is in effect.

**PA0046221**, Sewage, SIC Code 4952, **Newville Borough Water & Sewer Authority**, 99 Cove Alley, Newville, PA 17241. Facility Name: Newville Borough STP. This existing facility is located in Newville Borough, **Cumberland County**.

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

The receiving stream(s), Big Spring Creek, is located in State Water Plan watershed 7-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation (Basin, SR 3007 (T 333) to Mouth). The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV Intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	125	200	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	150	225	XXX	30	45	60
		WklyAvg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	90	XXX	XXX	18	XXX	36
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	5.0	XXX	XXX	1.0	XXX	2.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX



<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	7,306	XXX	XXX	XXX
Net Total Phosphorus	Report	974	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

**PA0260118**, Sewage, SIC Code 6515, **Chesapeake Estates of New Oxford LLLP**, 585 Martin Road, Gettysburg, PA 17325. Facility Name: Chesapeake Estates of New Oxford MHP STP. This existing facility is located in Mount Pleasant Township, **Adams 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, South Branch Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.062328 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Geo Mean</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
UV Intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	Report	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	1,339	XXX	XXX	XXX
Net Total Phosphorus	Report	243	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

**Application No. PA0246808**, Concentrated Animal Feeding Operation (CAFO), **Hurst Clair (Hurst Farm CAFO)**, 788 Kingpen Road, Kirkwood, PA 17536.

Hurst Clair has submitted an application for an Individual NPDES permit for an existing CAFO known as Hurst Farm CAFO, located in Little Britain Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to West Branch Octoraro Creek in Watershed 7-K, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 504.22 animal equivalent units (AEUs) consisting of 3,600 Finishing Swine, 50 Milking Cows, 5 Dry Cows and 16 Heifers. Manure is stored in an underbarn, deep pit, concrete storage, or a concrete bottom manure storage lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

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

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

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

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

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

**PA0021598**, Sewage, SIC Code 4952, **Conneaut Lake Joint Municipal Authority**, 9888 Highway 285, Conneaut Lake, PA 16316. Facility Name: Conneaut Lake Joint Municipal Authority STP. This existing facility is located in Sadsbury Township, **Crawford 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, Conneaut Outlet, is located in State Water Plan watershed 16-D and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.1 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.04	XXX	0.13
CBOD <sub>5</sub>						
May 1 - Oct 31	138	211	XXX	15	23	30
Nov 1 - Apr 30	229	367	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	275	413	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000 Geo Mean	XXX	10,000

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	38.5	XXX	XXX	4.2	XXX	8.4
Nov 1 - Apr 30	115	XXX	XXX	12.5	XXX	25
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Chronic Toxicity -						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	3.85	XXX	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	3.85	XXX	XXX
Pimephales Survival (TUc)	XXX	XXX	XXX	3.85	XXX	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	3.85	XXX	XXX

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

- Whole Effluent Toxicity testing requirement with a Chronic Toxicity (TUc) limit
- Solids Management
- Electronic Discharge Monitoring Reporting use requirement

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

The EPA Waiver is not in effect.

**PA0024571**, Sewage, SIC Code 4952, **Cranberry Township**, 2525 Rochester Road, Cranberry Twp., PA 16066-6420. Facility Name: Brush Creek STP. This existing facility is located in Cranberry Township, **Butler County**.

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

The receiving stream(s), Brush Creek (Outfalls 001 & 005) and an Unnamed Tributary to Brush Creek (Outfalls 002—004), are located in State Water Plan watershed 20-C and are classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.5 MGDs (Interim) and 8.73 MGDs (Final).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	5	XXX	XXX	XXX
Total Residual Chlorine						
(Interim)	XXX	XXX	XXX	0.18	XXX	0.59
(Final)	XXX	XXX	XXX	0.16	XXX	0.5
CBOD <sub>5</sub>						
May 1 - Oct 31	375	563	XXX	10	15	20
Nov 1 - Apr 30	751	1,126	XXX	20	30	40
BOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1,126	1,689	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	75.1	XXX	XXX	2	XXX	4
Nov 1 - Apr 30 (Interim)	188	XXX	XXX	5	XXX	10
May 1 - Oct 31 (Final)	75.1	XXX	XXX	1.5	XXX	3
Nov 1 - Apr 30 (Final)	188	XXX	XXX	3.5	XXX	7
Total Phosphorus	75.1	XXX	XXX	2	XXX	4

The proposed effluent limits for Outfalls 002—004 are based on a design flow of N/A MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Minimum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX

The discharge(s) shall comply with the effluent limitations as required for Outfall 001.

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

- Stormwater Best Management Practices (Outfall 005)
- Annual Whole Effluent Toxicity Testing requirement
- Solids Management
- Federal Pretreatment Program Implementation
- Electronic Discharge Monitoring Reporting requirement

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

The EPA Waiver is not in effect.

**PA0025356**, Sewage, SIC Code 4952, Mercer Borough, 147 North Pitt Street, Mercer, PA 16137-1206. Facility Name: Mercer Borough WWTP. This existing facility is located in Mercer Borough, **Mercer County**.

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

The receiving stream, Neshannock Creek, is located in State Water Plan watershed 20-A 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 1.04 MGD (Interim) and 1.568 MGD (Final).

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31 (Interim)	130	199	XXX	15	23	30
Nov 1 - Apr 30 (Interim)	217	347	XXX	25	40	50
May 1 - Oct 31 (Final)	131	196	XXX	10	15	20
Nov 1 - Apr 30 (Final)	261	392	XXX	20	30	40
BOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
(Interim)	260	390	XXX	30	45	60
(Final)	392	588	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Residual Chlorine						
(Interim)	XXX	XXX	XXX	0.42	XXX	1.4
UV Intensity (µw/cm <sup>2</sup> )						
(Final)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	34.7	XXX	XXX	4	XXX	8
Nov 1 - Apr 30 (Interim)	104	XXX	XXX	12	XXX	24
May 1 - Oct 31 (Final)	32.7	XXX	XXX	2.5	XXX	5
Nov 1 - Apr 30 (Final)	98	XXX	XXX	7.5	XXX	15
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Annual Whole Effluent Toxicity testing requirement
- Solids Management
- Electronic Discharge Monitoring Reporting requirement

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

The EPA Waiver is not in effect.

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*Central Office: Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8184, Telephone: 717.787.8184.*

**PA0270792**, Pesticides, SIC Code 4959, **PennDOT Highway Administration**, Commonwealth Keystone Building, Harrisburg, PA 17120.

Description of Proposed Activity: The application is for a new NPDES permit for discharges associated with the application of pesticides to control weeds and roadside vegetation in PennDOT Right-Of-Ways (ROWs) and along roadsides and other PennDOT Facilities throughout the Commonwealth to maintain a travel way free of obstructing vegetation.

Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. Applicators are required to coordinate with the operators of such drinking water treatment plants prior to treatment to avoid any shortages. The discharges associated with the pesticide applications by PennDOT are not expected to affect public water supplies.

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-787-8184. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is not in effect.

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

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

**QM Permit No. WQG01211502**, Sewerage, **Arlington R. Miller**, 440 Wildwood Road, Carlisle, PA 17015.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment facility to serve their residence.

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

**QM Permit No. 0215404**, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15222. The facility is located in Pittsburgh City, **Allegheny County**.

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

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

**QM Permit No. 4315404**, Sewage, **Stephen G Paxson**, 51 Quarry Hill Rd, Greenville, PA 16125.

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

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023915003	Todd Bergery Southern Lehigh School District 5775 Main Street Center Valley, PA 18034	Lehigh	Upper Saucon Township	UNT to Saucon Creek (CWF, MF) (EV Wetlands)



*Northampton County Conservation District, 14 Gracedale Avenue Greystone Building, Nazareth, PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804032R	Nic Zawarski & Sons Developers, Inc. Taras W. Zawarski 1441 Linden Street Bethlehem, PA 18018-2695	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)
PAI024815002	Keystone Shed Company Trisha Moser PO Box 220 Temple, PA 19560	Northampton	Lower Nazareth Township	Monocacy Creek (HQ-CWF, MF)
PAI024815004	Freshpet Michael Hieger 176 North Commerce Way Bethlehem, PA 18017	Northampton	Hanover Township	Monocacy Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032115002	Pinnacle Construction and Development Group 4545 Spring Road Cleveland, OH 44131	Cumberland	Hampden Township	Trindle Spring Run (HQ-CWF, MF)
PAI033615002	David M. Greek 848 Lancaster Pike Quarryville, PA 17566	Lancaster	Providence Township	Conowingo Creek (HQ-CWF)
PAI032108018R	US Army Carlisle Barracks 330 Engineer Avenue Carlisle, PA 17013	Cumberland	Middlesex Township	UNT Letort Spring Run (HQ-CWF, MF)
PAI033615004	Joseph Nolt 1075 Steinmetz Road Denver, PA 17517	Lancaster	West Cocalico	EV Wetlands UNT Cocalico Creek (HQ-WWF)

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

*Erie County Conservation District, 1927 Wager Road, Erie, PA 16509*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062510001R	Roseanne Palermo Trinity Equestrian Center 3437 West Lake Road Erie, PA 16505	Erie	Fairview Township	Bear Run CWF; MF

*Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI090408001R(1)	Attention: Patrick M. Webb Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800	Beaver County	South Beaver Township	Brush Run, HQ-CWF, Unnamed Tributary to Brush Run, HQ-CWF

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


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PAG-12                      CAFOs

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**CAFO Notices of Intent Received**


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

**PAG123806**, CAFO, **Rohrer Farms, LLC**, 750 Doe Run Road, Lititz, PA 17543.

This proposed facility is located in Penn & Warwick Townships, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 1,585.6 AEUs Swine & Pullet operation.

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

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

**PAG123693**, CAFO, **Funk Family Farms**, 18255 Fort Davis Road, Mercersburg, PA 17236.

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

Description of Size and Scope of Proposed Operation/Activity: 677.64 AEUs Beef, Heifer & Swine operation.

The receiving stream, UNT Little Cove Creek, is in watershed 13-B, and classified for: CWF.

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

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**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.

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**SAFE DRINKING WATER**


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


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

**Permit No. [9996286]**, Public Water Supply.

Applicant	<b>[Mountainwood Spring Water Company]</b>
[Township or Borough]	[Blairstown, New Jersey]
Responsible Official	[William R. Egan, President]
Type of Facility	[Out of State Bottled Water System]
Application Received Date	[April 27, 2015]
Description of Action	[Applicant requesting Department approval to sell bottled water in Pennsylvania under the brand name: Mountainwood Natural Spring Water.]

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

**Permit No. 2115505 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>South Middleton Township Municipal Authority</b>
Municipality	South Middleton Township
County	<b>Cumberland</b>

Responsible Official Lance E. Hoover, Assistant  
Operations Manager  
345 Lear Lane  
Boiling Springs, PA 17007

Type of Facility Public Water Supply

Consulting Engineer Peter Lusardi, P.E.  
GHD, Inc.  
1240 N. Mountain Rd.  
Harrisburg, PA 17112

Application Received: 4/13/2015

Description of Action Relocation of the groundwater  
rule compliance monitoring  
location.

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

**Permit No. 5615507**, Public Water Supply.

Applicant **North Star Middle School**  
1200 Morris Avenue  
Boswell, PA 15531

[Township or Borough] Quemahoning Township

Responsible Official Dr. B. Christopher Cooper,  
School Superintendent  
North Star Middle School  
1200 Morris Avenue  
Boswell, PA 15531

Type of Facility Water system

Consulting Engineer Somerset Planning and  
Engineering Services, LLC  
222 West Main Street  
Suite 100  
Somerset, PA 15501

Application Received Date April 8, 2015

Description of Action Installation of sodium hydroxide  
for corrosion control.

#### 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. 5615508MA**, Minor Amendment.

Applicant **Somerset County General Authority**  
300 North Center Avenue  
Somerset, PA 15501

[Township or Borough] Jenner Township

Responsible Official Lladel Lichty, Chairperson  
Somerset County General  
Authority  
300 North Center Avenue  
Somerset, PA 15501

Type of Facility Water system

Consulting Engineer Somerset Planning and  
Engineering Services, LLC  
222 West Main Street  
Suite 100  
Somerset, PA 15501

Application Received Date April 17, 2015

Description of Action Construction of a 1.0 million  
gallon water storage tank and  
transmission lines.

**Application No. 0215514MA**, Minor Amendment.

Applicant **Moon Township Municipal Authority**  
1700 Beaver Grade Road  
Suite 200  
Moon Township, PA 15108

[Township or Borough] Moon Township

Responsible Official John F. Riley, General Manager  
Moon Township Municipal  
Authority  
1700 Beaver Grade Road  
Suite 200  
Moon Township, PA 15108

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received Date March 13, 2015

Description of Action Replacement of booster  
chlorination equipment.

**Application No. 3015503MA**, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Township or Borough] Luzerne and Redstone  
Townships

Responsible Official John W. Golding, Manager  
Southwestern Pennsylvania  
Water Authority  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Suite 200  
Cheswick, PA 15024

Application Received Date April 24, 2015

Description of Action Installation of approximately 550  
feet of 8-inch and 12-inch  
diameter waterlines.

**Application No. 3015504MA**, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**  
1442 Jefferson Road  
PO Box 187  
Jefferson, PA 15344

[Township or Borough] Luzerne and Redstone  
Townships

Responsible Official	John W. Golding, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	April 24, 2015
Description of Action	Installation of approximately 19,000 feet of 16-inch diameter waterlines along SR 0188 and SR 0221.

**Application No. 0315502MA, Minor Amendment.**

Applicant	<b>Kittanning Suburban Joint Water Authority</b> 710 Tarrtown Road Adrian, PA 16210
[Township or Borough]	East Franklin Township
Responsible Official	Donald B. Norton, Chairman Kittanning Suburban Joint Water Authority 710 Tarrtown Road Adrian, PA 16210
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	April 30, 2015
Description of Action	Installation of approximately 1,480 feet of 12-inch diameter waterline along SR 268.

**RESIDUAL WASTE GENERAL PERMITS**

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

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application No. WMGR082D004. Green Knight Economic Development Corp.,** 2147 Pen Argyl Road, Pen Argyl, PA 18072; Site: GK Industrial Park II, Male Road, Wind Gap, PA 18091. This general permit application is for a determination of applicability for the processing of iron slag found on-site for beneficial use as an on-site construction material. The application was determined to be administratively complete by Central Office on April 28, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, General Permits/

Beneficial Use 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 Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place “Comments on WMGR082D004” in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

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

**Application Received 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 Application No. 101639. L & S Demo Recycling,** 884 Brook Road, Conshohocken, PA 19428-1160. This application is for a 10-year permit renewal of the existing Solid Waste Permit No. 101639 to continue to operate at the L&S Demo Recycling Transfer Facility, an existing construction and demolition (C&D) waste transfer and processing facility, located at 884 Brook Road in Plymouth Township, **Montgomery County**. The application was received by the Southeast Regional Office on April 30, 2015.

**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.

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

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

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

**09-0110F: Riverside Construction Materials, Inc.** (7900 North Radcliffe Street, Bristol, PA 19007; Attn: Mr. Tim Kurz) for the installation of a replacement dual cement load-out station and the installation of an additional load-out station. This facility is a non-Title V facility, located in Bristol Township, **Bucks County**. Riverside Construction Materials will replace an existing dual cement load-out station, identified as the Truck Load-Out #1 With Dust Collection (Source ID 108), with a new dual cement load-out station, to be designated as Source ID 110. Riverside Construction Materials also proposes to install an addition cement load-out station on an existing Dome #2 (Source ID 105), to be designated as Source ID 111. The new dual cement load-out station, Source ID 110, will have two loading bins, each configured with a dust collection system for transferring material into the loading bins. Each bin will have a loading spout that is equipped with a dust collection system to minimize fugitive emissions. The new cement load-out

station, Source ID 111, will consist of one large loading bin, configured with a dust collection system for transferring material into the loading bin. The loading bin will have two identical loading spouts, each with a dust collection system for minimizing fugitive emissions. Total potential emissions of PM from Source ID 110 are approximately 6.38 TPY. Total potential emissions on PM from Source ID 110 are approximately 3.65 TPY. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

**17-00021A: West Branch Area School District** (516 Allport Cutoff, Morrisdale, PA 16858-9725) for the construction of a 5.8 MMBtu/hr Hurst FB-900 biomass-fired boiler and for the installation of a Clarage, Inc. high efficiency, multiple cyclone at their facility located in Morris Township, **Clearfield County**.

The Department of Environmental Protection's (Department's) review of the information submitted by West Branch Area School District indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, 40 CFR Sections 63.11193 through 63.11237, 25 Pa. Code Chapter 123 and 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 construction.

The emissions from the proposed biomass-fired boiler will not exceed the following limits: 0.20 lb/MMBtu and 5.08 TPY NO<sub>x</sub>, 0.16 lb/MMBtu and 4.06 TPY CO, 0.017 lb/MMBtu and 0.43 TPY VOCs, 0.025 lb/MMBtu and 0.64 TPY SO<sub>x</sub>, 0.20 lb/MMBtu and 5.08 TPY PM/PM<sub>10</sub>/PM<sub>2.5</sub>.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements.

The biomass-fired boiler shall be fired only on virgin wood chips; the boiler water temperature will be monitored and will modulate the boiler's fuel feed and combustion air rates to ensure good combustion; the boiler and multiple cyclone shall be operated in accordance with the manufacturers' specifications and good air pollution control practices; the multiple cyclone shall be equipped with instrumentation to monitor the pressure drop across the unit; the conveyance of biomass fuel and the removal of ash shall be conducted to prevent fugitive emissions.

The facility is a State Only 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 17-00021A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 17-00021 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

All pertinent documents used in the evaluation of the application are available for public review during normal



business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**19-00002A: Foam Fabricators, Inc.** (7050 Columbia Boulevard, Bloomsburg, PA 17815) for the modification of an expandable polystyrene foam operation at the Bloomsburg facility located in South Centre Township, **Columbia County**. The respective facility will become a major facility for which a Title V operating permit has not been issued.

The Department of Environmental Protection's (Department) review of the information submitted by Foam Fabricators, Inc. indicates that the air contamination sources 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 requirements (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 emission from each proposed source included in this project will not exceed the following limits: NO<sub>x</sub>—10.87 tons; CO—9.48 tons; VOCs—85.00 tons; SO<sub>x</sub>—0.08 ton; PM<sub>10</sub>—1.03 ton; HAPs—0.26 ton.

In addition to the emission limitations, the following is a brief description of the conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements.

1. The volatile organic compound emissions from the facility shall not exceed 85.00 tons in any 12 consecutive month period.

2. The expandable polystyrene beads used at this facility shall not contain more than 6.0% pentane, by weight.

3. The permittee shall maintain accurate and comprehensive records of the type and amount of expandable polystyrene beads used at the facility on a daily basis and calculate the emission of volatile organic compound on a monthly basis. Records of the monthly volatile organic compound emission calculations shall be submitted to the Department on a quarterly basis.

4. The total combined emission of volatile organic compound emissions from the natural gas-fired heat radiators shall not exceed 2.70 tons in any 12 consecutive month period.

5. The total combined emission of volatile organic compound emissions from the degreasing operation shall not exceed 2.70 tons in any 12 consecutive month period.

6. The degreasing operation shall be operated in compliance with all applicable requirements specified in 25 Pa. Code § 129.63.

7. The permittee shall submit an application for a Title V operating permit in accordance with the requirements specified in 25 Pa. Code §§ 127.411 and 127.503 within 120 days from the date of plan approval issuance.

8. All conditions contained in State Only Operating Permit 19-00002 remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in State Only Operating Permit 19-00002, the permittee shall comply with the condition or requirement contained in this plan approval rather

than the conflicting condition or requirement contained in State Only Operating Permit 19-00002.

The facility will become a major (Title V) facility. If the Department determines that the sources are modified and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 19-00002A, the requirements established in the plan approval will be incorporated into a Title V Operating Permit pursuant to 25 Pa. Code §§ 127.411 and 127.503.

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.

**14-00033A: Spectra Wood, Inc.** (2651 Carolean Industrial Drive, State College, PA 16801-7506) for the construction of three surface coating spray booths (Source IDs P107, P108 and P109) to be incorporated in the wood furniture finishing operation at the State College facility located in College Township, **Centre County**.

The Department of Environmental Protection's (Department) review of the information submitted by Spectra Wood, Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including 25 Pa. Code § 129.52 for the surface coating operation, 25 Pa. Code §§ 129.101—129.107 for the wood furniture manufacturing operation, and the best available technology requirements (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 construction.

The emission from the proposed sources included in this project will not exceed the following limits: VOCs—17.83 tons; PM<sub>10</sub>—7.45 tons; HAPs—0.39 ton; Acetone—0.61 ton.

In addition to the emission limitations, the following is a brief description of the conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements.

Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the volatile organic compound emissions from the spray booths (IDs P107, P108 and P109) shall not exceed 17.83 tons in any 12 consecutive month period. Additionally, the total combined emissions of hazardous air pollutants shall not exceed 0.39 ton in any 12 consecutive month period. The concentration of particulate matter emissions from the exhaust associated with each spray booth shall not exceed 0.01 grain per dry standard cubic feet at any time. The volatile organic compound content of any sealers used in Source IDs P107—P109 shall not exceed 1.9 pound of volatile organic compounds per pound of coating solids, as mixed for application. The volatile organic compound content of any topcoats used in Source IDs P107—P109 shall not exceed 1.8 pound of volatile organic compounds per pound of coating solids, as mixed for application. The volatile organic compound content of any stains used in Source IDs P107—P109 shall not exceed 11.9 pounds of volatile organic compounds per pound of coating solids, as mixed for application. The volatile organic compound content of any washcoats used in Source IDs P107—P109 shall not exceed 14.3 pounds of volatile organic compounds per pound of coating solids, as mixed for application. The volatile organic compound content of any

basecoats used in Source IDs P107—P109 shall not exceed 2.2 pounds of volatile organic compounds per pound of coating solids, as mixed for application. The only solvents which shall be used for cleanup purposes shall be acetone and Sherwin Williams R7K120 “lacquer thinner” as described in the application and supplemental materials submitted for this plan approval. As an alternate to Sherwin Williams R7K120 “lacquer thinner”, other material having an equivalent, or lower, volatile organic compounds or hazardous air pollutant content, as determined by the Department). Additionally, no more than 186 gallons of acetone and 210 gallons of lacquer thinner (and/or alternate material) may be used in any 12 consecutive month period. The only oils which may be applied to wood in Source IDs P107—P109 are mineral oil, linseed oil, or an alternate oil which has a vapor pressure of less than 1 millimeter of mercury at 20 Degree Celsius. All coating/finishing materials used in Source IDs P107—P109 shall be applied using high volume low pressure (HVLP) or air-assisted airless spray technology. All volatile organic compound-containing or volatile hazardous pollutant-containing materials (coating/finishing, clean up materials, etc.) shall be stored in closed containers when not in actual use; spray gun lines shall be cleaned by flushing solvent through the lines and into closed containers; all used cleaning rags shall be stored in closed containers and shall never be “treated” so as to unnecessarily promote the evaporative loss of solvents to the atmosphere. Source IDs P107—P109 shall be equipped with a full set of spray booth filters (each with a minimum control efficiency of at least 99%) at any time the booth is in use. Additionally, Source IDs P107—P109 shall be equipped with instrumentation to continuously monitor the differential pressure across the spray booth filters.

The wood furniture finishing operation associated with Source IDs P107—P109 shall comply with all applicable requirements of 25 Pa. Code § 129.52 and 25 Pa. Code §§ 129.101—129.107.

The permittee shall maintain accurate and comprehensive records of the following: The identity and amount of each individual coating/finishing material and coating/finishing material additive used each month; the identity and amount of each cleanup solvent used each month; the identity and amount of each individual “wood oil” (mineral oil, etc.) used each month.

Additionally, the permittee shall maintain product composition sheets for all coating/finishing materials, coating/finishing material additives, “wood oils” and cleanup solvents used in Source IDs P107—P109. At a minimum, the sheets shall identify the amount of volatile organic compounds, the amount of hazardous air pollutants and the amount of solids contained in each of the respective materials.

The facility will remain as a minor facility. If the Department determines that the sources are modified and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 14-00033A, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to 25 Pa. Code § 127.411.

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

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

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

**10-368D: MarkWest Liberty Bluestone, LLC** (1515 Arapahoe St., Suite 1600, Denver, CO 80202) for construction of additional sources at their existing natural gas processing plant in Jackson Township, **Butler County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 10-368D to MarkWest Liberty Bluestone, LLC for the construction of additional sources at their existing Bluestone Gas Processing Plant facility located at 440 Hartmann Rd., Jackson Township, Butler County. The Plan Approval will subsequently be incorporated into the facility’s Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-368D is for the construction of two (2) 200 MMCFs/day capacity cryogenic natural gas processing plant(s), a deethanizer, fractionator, and associated process heaters and storage tanks, and three (3) additional emergency generators. Additionally, the facility proposes to remove one existing process heater, modify an additional existing process heater, replaces the existing flare, remove ten (10) existing natural gas-fired compressor engines, and replace them with electrically-driven compression. Based on the information provided by the applicant and DEP’s own analysis, the subject facility will have the potential to emit approximately 22.11 tons of carbon monoxide, 21.51 tons of nitrogen oxides, 10.24 tons of volatile organic compounds (VOCs), 3.21 tons of particulate matter, 1.04 ton of sulfur oxides, and 1.42 ton of total Hazardous Air Pollutants (HAP) per year.

The Plan Approval will contain additional testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The facility will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subparts OOOO, for Onshore Natural Gas Processing Plants, IIII, for Stationary Compression Ignition Internal Combustion Engines, and JJJJ, for Stationary Spark Ignition Internal Combustion Engines.

Copies of the application, DEP’s analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 10-368D and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the

decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward Orris, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

**20-123F: Lord Corporation** (124 Grant Street, Cambridge Springs, PA 16403), Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to issue a plan approval to Lord Corporation for the installation of one surface coating application booth (adhesive), one natural gas fired drying/staging oven, and one thermal oxidizer at their existing Cambridge Springs Plant in **Crawford County**.

The facility currently operates in accordance with Title V Operating Permit No. TV-20-00123. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This project is subject to 25 Pa. Code § 129.77 concerning non-compliant coatings. The regenerative thermal oxidizer will have a control efficiency of 85% or more.

Best Available Technology for the source will be contained in the plan approval including the use of an RTO to control VOC and HAP emissions. Emissions from the source are as follows: NO<sub>x</sub> 2.5 tpy, CO 2.1 tpy, SO<sub>x</sub> 0.02 tpy, VOC 1.97 tpy, and PM<sub>10</sub>/PM<sub>2.5</sub> 0.2 tpy. This project has been reviewed for PSD/NSR applicability. PSD/NSR program action will not be triggered. This Plan Approval will contain emission restrictions along with testing, monitoring, recordkeeping, reporting, work practice, and additional requirements, which will satisfy 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions). These conditions include, but are not limited to, the following abbreviated conditions:

#### Work Practice

1. The RTO and Drying Oven shall operate using only natural gas as a fuel source.
2. The control device (C151) shall be operated and maintained as recommended by the manufacturer and in accordance with this plan approval.
3. A copy of the RTO manufacturer's operational and maintenance literature shall be maintained onsite with the control device at all times and shall be readily available.
4. The permittee shall perform operational inspections at a minimum of once daily on days which the control device is to be used (C151).
5. The permittee shall maintain written procedures for performing the operational inspection of the control device (151) and its associated equipment.
6. The permittee shall adhere to the RTO's approved indicator range so that operation within the range shall provide reasonable assurance of compliance. The permittee, with prior Departmental approval, may conduct a performance test to determine a new indicator range. The Department, at its discretion, may approve or deny a request to adjust the above indicator ranges.
7. The RTO's minimum chamber temperature shall be the three-hour average chamber temperature during the most recently approved performance test or 1,500°F, whichever is higher.

8. The permittee shall utilize approved QA/QC practices that are adequate to ensure continuing validity of data and proper performance of the control device (C151).

9. The permittee shall maintain all monitoring equipment and stock spare parts as necessary for routine onsite repairs.

10. The permittee shall ensure that at least 90% of the approved monitoring data has been properly and accurately collected.

11. The permittee shall ensure that the RTO has reached its minimum chamber temperature prior to placing any affected source on line.

12. The permittee shall perform monthly external inspections of the control system and annual internal inspections of the RTO.

#### Monitoring

1. A manometer (or equivalent) shall be maintained to monitor the pressure differential across the spray booth filter.
2. A manometer (or equivalent) shall be maintained to monitor the inlet pressure of the RTO.
3. The permittee shall continuously monitor the chamber temperature of this RTO whenever the source is in operation.
4. The permittee shall continuously monitor the airflow (or fan amperage/frequency) for the RTO.

#### Testing

(a) A stack test shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack test shall be conducted to determine the overall VOC control efficiency (using EPA Method 25A as appropriate) at the outlet of the RTO.

(b) A test shall be performed to demonstrate 100% capture efficiency of emissions generated in the surface coating booth. Testing is to be performed using EPA Method 204.

#### Recordkeeping

1. The permittee shall maintain records of all preventative maintenance, repairs, and inspections performed on the sources, monitoring equipment, and control devices.
2. The permittee shall maintain records of the following operational parameters (these records may be done with strip charts recorders, data acquisition systems, or manual log entries): 1. Inlet pressure of the RTO (daily), 2 Pressure drop across the RTO (daily), 3 RTO Chamber temperature (continuously), 4 The RTO airflow (or fan amperage) as measured in Hz (continuously), 5 Pressure drop across the spray booth's particulate filter (daily).
3. The permittee shall monitor and record the spray booth's inlet duct pressure/vacuum at a minimum of once daily when in use. The inlet duct pressure/vacuum shall be within +/- 20% of the pressure/vacuum measured during the latest successful capture efficiency test. The permittee shall maintain a log of when the position of any ductwork damper between the surface coating booth and control devices has been changed.
4. The permittee shall record all excursions from the specified operational parameters for the control devices, the corrective actions taken in response to an excursion, and the time elapsed until the corrective actions have been taken.



5. The permittee shall maintain records of all monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable). The permittee shall also record the dates, times and durations, probable causes and corrective actions taken for the incidents.

6. The permittee shall maintain records sufficient to demonstrate compliance with the restrictions and conditions of this plan approval. At a minimum, the permittee shall maintain daily records of the gallons of coating used, the coating density before and after the addition of diluents, the gallons of diluents used, the density of the diluents, the gallons of water contained in the coating, the MSDS of each VOC/HAP containing material consumed, and the weight percent of both the organic volatiles and HAPs in the coating.

#### Emission Restrictions

1. No person may permit the emission of particulate matter into the outdoor atmosphere in a manner that the concentration of particulate matter in the effluent gas exceeds 0.02 grain per dry standard cubic foot.

2. The RTO shall maintain a capture efficiency of 100%.

3. The RTO's VOC control efficiency shall be greater than 85% by weight. Compliance with this requirement will be demonstrated by performing stack testing.

4. Combined pre-control VOC emissions from Sources 150 and 151 shall not exceed 40 tpy.

#### Reporting

1. The permittee shall report all excursions and corrective actions.

2. The permittee shall report all monitoring downtime incidents.

#### Additional

1. Issuance of an operating permit is contingent upon satisfactory compliance with conditions numbered above, upon the source and control devices being constructed and operated as stated on the application, and upon the satisfactory demonstration that the emissions from the source will not be in violation of applicable Rules & Regulations of the Department of Environmental Protection.

2. The permittee shall develop and implement a Quality Improvement Plan (QIP) as expeditiously as practicable within 60 days if any of the following occurs: For properly and accurately collected data, accumulated excursions exceed two percent (2%) of the data for VOC, Six (6) excursions occur in a six (6) month reporting period, or the Department determines after review of all reported information that the permittee has not responded acceptably to an excursion.

3. The permittee shall provide a copy of the QIP to the Department once it is developed.

4. The QIP shall include procedures for evaluating the control performance problems. Based on the results of the evaluation procedures, the permittee shall modify the QIP and provide the Department with a copy.

5. Following implementation of a QIP, the Department will require reasonable revisions to the QIP if the plan has failed to either:

(a) Address the cause of the control device performance problem.

(b) Provide adequate procedures for correcting control device performance problems in as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

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 Edward Orris, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6636.

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 below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit [Plan Approval No. 20-123F] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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 Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Edward Orris or the Pennsylvania AT&T relay service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

**43-196D: General Transportations—Grove City Plant** (1503 W. Main Street Extension, Grove City, PA 16127-2513), for the modification of test cells #5 & #6 to allow for testing of newer engine models in Grove City Borough, **Mercer County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the Title V operating permit at a later date.

Plan approval No 43-196D is for the proposed modification of Test Cell #5. Plan approval 43-196C, issued on October 26, 2012, was for the installation of a control system for Test Cell #5 and the construction of Test Cell #6 with the control system. Test Cell #5 will not include a control system. This project will result in projected actual emissions of 45.92 tpy for NO<sub>x</sub>, 3.24 tpy for CO, 1.41 tpy for VOC, 0.92 tpy for PM, 0.92 tpy for PM<sub>10</sub>, 0.92 tpy for PM<sub>2.5</sub>, 0.12 tpy for SO<sub>x</sub>, and 14,520 tpy for CO<sub>2</sub>(e). This Plan Approval will contain conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Existing test cells 1—4
  - All the conditions from plan approval 43-196C issued on October 26, 2012, remain in effect.
- Source 132E (Diesel Engine Test Cell 5):
  - The following air contaminant emission limits are approved for the test cell.
    - The company shall limit the emissions of nitrogen oxides (calculated as NO<sub>2</sub>) to 36.88 tons, or less, in a 12 month rolling period. [This condition replaces the following condition from plan approval 43-196C: The company shall limit the emissions of nitrogen oxides (calculated as NO<sub>2</sub>) to 7.85 tons, or less, in a 12 month rolling period.]
    - The company shall limit the emissions of carbon monoxide (CO) to 3.01 tons, or less, in a 12 month rolling period. [This condition replaces the following condition from plan approval 43-196C: The company shall limit the emissions of carbon monoxide (CO) to 0.20 ton, or less, in a 12 month rolling period.]
    - The company shall limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 0.05 ton, or less, in a 12 month rolling period. [This condition replaces the following condition from plan approval 43-196C: The company shall limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 0.065 ton, or less, in a 12 month rolling period.]
    - The company shall limit the emissions of PM<sub>10</sub> to 0.76 ton, or less, in a 12 month rolling period. [This condition replaces the following condition from plan approval 43-196C: The company shall limit the emissions of PM<sub>10</sub> to 0.135 ton, or less, in a 12 month rolling period.]
    - The company shall limit the emissions of VOC to 1.24 ton, or less, in a 12 month rolling period. [This condition replaces the following condition from plan approval 43-196C: The company shall limit the emissions of VOC to 0.135 ton, or less, in a 12 month rolling period.]
    - The annual emission limit for the pollutants listed above includes the emissions from start-ups and shutdowns.
  - The following short-term air contaminant emission limits are approved for this test cell.
    - Deleted [The company shall limit the emissions of ammonia to 10 ppmdvs, or less.]
    - The company shall limit the emissions of nitrogen oxides (calculated as NO<sub>2</sub>) to 0.389 pound per gallon.
    - The company shall limit the emissions of carbon monoxide (CO) to 0.045 pound per gallon.
    - The company shall limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 0.00021 pound per gallon when burning ULSD and 0.0043 pound per gallon when burning Certification Fuel.
    - The company shall limit the emissions of PM<sub>10</sub> to 0.017 pound per gallon.
    - The company shall limit the emissions of volatile organic compounds (as methane) to 0.025 pound per gallon.
  - Compliance with the short-term emission limits shall be determined by the average of the 3 runs conducted during the stack test that is required by this plan approval.
  - The short-term emission limits apply at all times except during start-up and shutdown periods.
  - The company shall limit the sulfur content of the fuel combusted in the engine to a maximum of:
    - For ULSD: 15 ppms
    - For Certification Fuel: 300 ppms
  - The company shall limit the amount of fuel combusted in this test cell to 478,180 gallons in a 12 month rolling period.
  - The company shall perform an initial stack test within 180 days of the start-up of the test cell to determine the emissions of PM<sub>10</sub>, nitrogen oxides, sulfur dioxide, volatile organic compounds, and carbon monoxide. In addition to the initial stack test, the facility shall conduct subsequent performance testing within six (6) to twelve (12) months prior to the expiration date of the operating permit, for PM<sub>10</sub> (both filterable & condensable), NO<sub>x</sub>, SO<sub>x</sub>, VOC, and CO using the methods above and in accordance with the provisions of Chapter 139 (relating to sampling and testing).
  - Deleted [The company shall, prior to the testing of the engine and at the end of the testing, monitor the amount of fuel combusted.]
  - Deleted [The company shall continuously monitor the temperature of the influent to the selective catalyst reduction system when an engine is operating in the test cell.]
  - Deleted [The company shall continuously monitor the inlet and outlet temperature of the catalyst bed for both the SCR and the DOC when an engine is operating in the test cell.]
  - The company shall, at least once per day, during daylight hours, when an engine is operating in the test cell, perform a Method 22-like visual observation to determine if there are any visible emissions from the stack of the test cell. If any emissions are detected by a Method 22-like procedure, a Method 9 test shall be performed immediately. If a Method 9 certified observer is not available at the time emissions are detected by the Method 22-like procedure, the Method 9 test shall be performed within 24-hours, except that the Method 9 test may be performed within 48 hours if emissions are detected on a Saturday, Sunday, or holiday. If a Method 9 test cannot be performed immediately, the rationale for testing at a later time shall be documented and these records kept for a period of five years. The Department shall be notified, in writing, of any such occurrence immediately. The approved frequency is Method 22 like visual observation at least once per 24-hour period when in operation and Method 9 if emissions are detected by Method 22 like visual observation.
  - All recordkeeping shall commence upon startup of the source. All records shall be kept for a minimum of five (5) years and shall be made available to the Department upon request.
  - The permittee shall record the following operational data from the source (these records may be



done with strip charts recorders, data acquisition systems, or manual log entries):

- Deleted [Inlet & Outlet Temperature of catalyst bed for both the SCR and the DOC-daily defined as once per calendar day]
- Deleted [Inlet Temperature of SCR-daily defined as once per calendar day]
- Visible emission check-daily defined as once per calendar day
- Deleted [The company shall keep a copy of the control device manufacturer's specifications for: the (DPF) diesel particulate filter; the (DOC) diesel oxidation catalyst; & the (SCR) selective catalytic reduction system]
- Deleted [The permittee shall maintain a record of all preventive maintenance inspections of the control device. These records shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.]
- Deleted [The company shall, on a testing basis, keep a record of the fuel combusted in each test cell.]
- The company shall, on a monthly basis, keep a record of the fuel combusted in each test cell.
- The company shall keep a record of the sulfur content (in ppm) in the fuel being combusted in the test cell.
- Deleted [The company shall keep a record of: 1. the date and time that engine started operation in the test cell; 2. the date and time that the engine ceased operation in the test cell; 3. the total amount of time that the engine operated in the test cell; 4. the time that the oxidation catalyst achieved the minimum operating temperature and, 5. the time that the SCR catalyst achieved the minimum operating temperature.]
- The company shall keep a record of any mass balance calculation(s) for sulfur dioxide to demonstrate that the short-term emission limit for sulfur dioxide has not been exceeded.
- The permittee shall perform a daily visible emission (VE) observation of the stack. The VE observation shall be 60 seconds in length and if any visible emissions are observed, a Method 9 observation shall be conducted to determine compliance with the opacity limitations.
- Deleted [The company shall operate the control device (the DPF, the DOC, and the SCR system) any time an engine is being operated in the test cell.]
- Deleted [The company shall limit the temperature of the influent to the selective catalytic reduction system to a maximum of 950F and a minimum of 570F. The temperature range may be amended upon the company demonstrating that the temperature range is different during operation. The new temperature range will be incorporated in to the facility's operating permit.]
- The company shall install, operate and maintain the engine test cell in accordance with the manufacturer's specifications as well as good air pollution control practices.

- All the conditions from the facility operating permit revised on October 1, 2012, for Source 132 which included test cells 1—5 remain in effect unless superseded in this plan approval.
- Source 132F (Diesel Engine Test Cell 6):
  - All the conditions from plan approval 43-196C issued on October 26, 2012, remain in effect.

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

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-196D] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

#### OPERATING PERMITS

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

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

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

**23-00089: FPL Energy Marcus Hook, L.P.** (100 Green Street, Marcus Hook, PA 19061) for renewal of a Title V Operating Permit in Marcus Hook Borough, **Delaware County**. There have been no source changes at the facility since the operating permit was issued in 2009. Sources at the facility include three (3) combined cycle natural-gas fired combustion turbines with duct

burners, one (1) cooling tower with twelve (12) cells, and a parts washing unit. FPL Energy Marcus Hook is a major facility for NO<sub>x</sub>, VOC, CO, and PM. The renewal of the permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

The turbines are subject to Phase II (Title IV) Acid Rain requirements of 40 CFR Part 72. The facility shall hold sufficient SO<sub>2</sub> allowances for each affected unit in accordance with 40 CFR 72.9(c)(1). The applicable requirements are incorporated into a Title IV permit (ORIS No. 55801) issued under separate cover concurrently with the Title V Operating Permit. All monitoring, recordkeeping, and reporting shall be in conformance with 25 Pa. Code § 127.531 and the Acid Rain Permit application.

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

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

**40-00002: Transcontinental Gas Pipe Line Co. LLC** (2800 Post Oak Blvd., Houston, TX 77056) The Department intends to issue a renewal Title V Operating Permit for a gas transmission station in Buck Township, **Luzerne County**. The facility's main sources include (1) natural gas fired boiler, (17) natural gas fired space heaters, (5) natural gas fired compressors, (1) emergency generator, (1) parts washer/degreaser and (2) gas turbines. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**46-00270: Timberlane, Inc.** (150 Demorah Drive, Montgomeryville, PA 18936) for the operation of a spray booth operation located in Montgomeryville Township, **Montgomery County**. The renewal permit is for a non-Title V (State Only) facility. The facility elects to limit VOC emissions to less than 25 tons per year; therefore, the facility is considered a Synthetic Minor. There are no changes to sources operating at the plant since the last permit action and there are no new applicable State or Federal requirements at this time. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**39-00037: Nestle Purina PetCare Company**, (2050 Pope Road, Allentown, PA 18104) The Department intends to issue a renewal State Only (Synthetic Minor) Operating Permit for a dog and cat food manufacturing facility located in South Whitehall Township, **Lehigh**

**County**. The sources at the facility include two (2) natural gas/#2 fuel oil fired boilers. The permittee shall demonstrate compliance through site level emission limitations and fuel usage restrictions. The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards used to ensure facility compliance with Federal and State air pollution regulations.

**58-00010: Williams Field Services Company, LLC** (51 Warren Street, Tunkhannock, PA 18657) The Department intends to issue a State Only (Synthetic Minor) Operating Permit for a gas compression station located in Springville Township, **Susquehanna County**. Potential Emissions before limitations as reported by the facility in the permit application include: NO<sub>x</sub>—74.89 tpy, CO—131.12 tpy, VOC—75.72 tpy, SO<sub>2</sub>—0.13 tpy, PM—2.21 tpy, and HAP—35.86 tpy. The facility is using oxidation catalyst control devices on four (4) compressor engines to limit emissions of Carbon Monoxide (CO), Volatile Organic Compounds (VOC), and Hazardous Air Pollutants (HAPs). The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards used to verify facility compliance with Federal and State Air Pollution Regulations.

## 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*

**26081601 and NPDES No. PA0235920. Alpha PA Coal Terminal, LLC**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To renew the permit for the LaBelle Dock Site in Luzerne Township, **Fayette County** and related NPDES permit. The application was considered administratively complete on May 4, 2015. Application received January 16, 2015.

**32130701 and NPDES No. PA0236250. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To operate the Brush Valley Coal Refuse Disposal Area in Center Township, **Indiana County** for a new coal refuse disposal facility with a related NPDES permit. Coal Refuse Disposal Support Acres Proposed 43.9, Coal Refuse Disposal Acres Proposed 17.7. Receiving Stream: Unnamed Tributary to Tearing Run, classified for the following use: CWF. The application was considered administratively complete on April 28, 2015. Application received October 27, 2014.

**56841328 and NPDES No. PA0033677. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Mine 78 in Adams Township, **Cambria County** and related NPDES permit to construct the Blue Shaft Site for an air and elevator shaft and a sedimentation pond for surface runoff for NPDES Outfall 006. Surface Acres Proposed 19.3. Application also includes a request for a Section 401 Water Quality Certification. Receiving Stream: Unnamed Tributary to Sandy Run, classified for the following use: CWF. The application was considered administratively complete on April 28, 2015. Application received December 11, 2014.

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

**16140109 and NPDES Permit No. PA0259594. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Commencement, operation and restoration of a bituminous surface mine in Washington Township, **Jefferson County**, affecting 58.0 acres. Receiving streams:

Unnamed tributary to East Sandy Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application includes a request for a post-mining land use change from forestland to pastureland/land occasionally cut for hay on the Weaver Holdings, LLC property. Application received: April 13, 2015.

**10130103. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Revision to an existing bituminous surface mine to add 4.9 acres in Clay Township, **Butler County**, affecting a total of 48.9 acres. Receiving streams: Muddy Creek, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application includes a request for a post-mining land use change from forestland to unmanaged natural habitat on the Prime Choice Properties, LLC property. Application received: April 24, 2015.

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

**17080112 and NPDES PA0256919. Kasubick Brothers Coal Company** (501 David Street, Houtzdale, PA 16651). Permit renewal for continued operation and restoration of a bituminous surface mine located in Woodward Township, **Clearfield County** affecting 46.8 acres. Receiving stream(s): Unnamed Tributary to Upper Morgan Run and North Branch to Morgan Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 22, 2015.

#### **MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

#### *Effluent Limits for Coal Mining Activities*

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

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

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

\*The parameter is applicable at all times.



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

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

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

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

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

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

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

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

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

Persons wishing to comment on an NPDES draft permit should submit a written statement to the 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*

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

**NPDES No. PA0262579 (Mining Permit No. 56080101), Coal Loaders, Inc.**, 210 E. Main Street, P. O. Box 556 Ligonier, PA 15658, renewal of an NPDES permit for discharge of stormwater from a reclaimed surface coal mine in Stonycreek and Quemahoning Townships, **Somerset County**, affecting 108 acres. Receiving stream: Stonycreek River classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 9, 2015.

The outfall listed below discharge to Stonycreek River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
003 (Sediment Pond 1)	N

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

<i>Outfall: 003 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.8	3.6	4.5
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			

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

**NPDES No. PA0259560 (Permit No. 33140101). P. and N. Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767) New NPDES permit for a bituminous surface mine in McCalmont & Young Townships, **Jefferson County**, affecting 245.6 acres. Receiving streams: Unnamed tributaries to Little Elk Run, unnamed tributaries to Elk Run to Mahoning Creek, classified for the following uses: CWF. TMDL: None. Application received: February 24, 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 outfall(s) listed below discharge to unnamed tributaries 1 & 2 to Little Elk Run, unnamed tributaries 2 & 4 to Elk Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB1	Y
TB2	Y
TB3	Y
TB4	Y
TB5	Y
TB6	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

The outfall(s) listed below discharge to unnamed tributaries 1 & 2 to Little Elk Run, unnamed tributaries 1 & 2 to Elk Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
B	Y
C	Y
D	Y
E	Y
F	Y
ST1	Y

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

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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



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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E36-937: PPL Electric Utilities Corp.**, 2 North Ninth Street, Allentown, 18101-1179 in Brecknock Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To relocate and maintain an existing 1,170 lineal feet of an unnamed tributary to Muddy Run (TSF, MF) (Latitude: 40° 03' 16"; Longitude: -76° 33' 42") in Brecknock Township, Lancaster County. The relocated tributary will be 2,060 feet in length. Within the relocated tributary, the project proposes to install and maintain a 72 lineal feet, 2 feet tall by 4 feet wide, depressed 6 inches, baffled, concrete box culvert. Permanent impacts to wetlands include 0.035 acre of PEM wetlands and 0.008 acre of PEM/PSS wetlands. The wetland impacts are de minimus and no mitigation is being required.

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

**E26-372. Board of Supervisors of German Township**, 2 Long Street, McClelland, PA 15458; German Township, **Fayette County**; ACOE Pittsburgh

The applicant is proposing to amend Permit No. E26-306, which authorized the construction and maintenance of six (6) former railroad bridges and one (1) highway bridge along a two mile stretch in order to construct a trail. The bridges include a 3-span bridge with each span being 59.5'; a 3-span bridge with each span being 44'; three 2-span bridges with each span being 38.5'; a 3-span bridge with each span being 23.5'; and a single span 51' highway bridge. The repairs will consist of placing new superstructures on the existing abutments with the seats higher, therefore, since the waterway openings are unchanged, the proposed project will not raise the existing 100-year water surface elevations, to construct and maintain a steel beam bridge with wood decking on existing abutments and piers, having a clear span of 110 feet and an underclearance of 10 feet, across Browns Run (WWF). The construction of this bridge was previously authorized under Permit No. E26-306; however, it was not constructed, prior to the expiration date of this permit. (Five (5) of the seven (7) previously authorized bridges have been built between Varsity Road and Shortcut Road. One (1) of the final two (2) bridges will not be built, as this is the final phase of this project.) This bridge, which will be constructed as per the previously proposed design, will complete the final segment of the Brown's Run Trail, a bicycle and pedestrian trail that is being built on an abandoned rail line. The Browns Run Trail is located between Varsity Road and Shortcut Road (Masontown, PA Quadrangle; Latitude: 39°52'14.7"; Longitude: -79°54'42"), in German Township, Fayette County.

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

**E25-774, ITC Lake Erie Connector, LLC**, 27175 Energy Way, Novi, Michigan, 48377. Lake Erie Connector Project Geotechnical Survey, in **Lake Erie**, Pennsylvania, ACOE Pittsburgh District.

To conduct geotechnical survey associated with design of a proposed high voltage direct current (HVDC) electric transmission line across Lake Erie, of which approximately 57 kilometers (35.4 miles) are within Pennsylvania waters. Survey will occur within an approximately 500 meter (1,640 feet) wide corridor in Lake Erie beginning at the US/Canada border near Latitude 42.417642 north, Longitude -80.013391 west in a southwesterly direction consisting of approximately 57 kilometers (35.4 miles) to a point near Latitude 42.013724 north, Longitude -80.403666 west just off the shoreline. Survey includes approximately 72 vibracore samples penetrating approximately 15 feet into the bed and 5 rock cores extending up to approximately 80 feet into the lake bed. Sampling will be conducted from a ship or barge. Based on the results, additional cores may be added and cone penetrometer tests may be conducted along the corridor.

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

**E0829-106: Appalachia Midstream, LLC**, 400 IST Center Suite 404, Horseheads, NY 14845, Overton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. an 8 inch diameter natural gas line and a temporary timber mat bridge impacting 3,383 square feet of a Palustrine Forested Wetland (Overton, PA Quadrangle, Latitude: 41°34'50", Longitude: -76°34'30");

2. an 8 inch diameter natural gas line impacting 6 linear feet of an unnamed tributary to Lick Creek (EV, MF) and impacting 486 square feet of an adjacent Palustrine Forested and Palustrine Emergent Wetland (EV) (Overton, PA Quadrangle, Latitude: 41°34'47", Longitude: -76°34'56");

The project will result in 6 linear feet or 4 square feet of temporary stream impacts and 2,356 square feet (0.05 acre) of temporary PEM and PFO and 1,513 square feet (0.04 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Overton Township, Bradford County.

**E1229-004: Seneca Resources Corporation**, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237, Shippen Township, **Cameron County**, ACOE Baltimore District.

To construct, operate and maintain the Clermont to Rich Valley Temporary Waterline Project, which consists of one 16-inch high density polyethylene (HDPE) temporary waterline along an existing access road right-of-way. The project does not propose to have any earth disturbances associated with it, and has the following impacts:

1. 4.0 linear feet of Oviatt Branch (EV, CWF) via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'57.00", Longitude: W78°24'17.00");

2. 4.0 linear feet of a UNT to Brewer Fork (EV, CWF), via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'55.00", Longitude: W78°23'43.00");

3. 2.0 linear feet of a UNT to Brewer Fork (EV, CWF), via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'54.00", Longitude: W78°23'40.00");

4. 5.0 linear feet of a UNT to Brewer Fork (EV, CWF), via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'41.00", Longitude: W78°23'25.00"); and

5. 12.0 linear feet of a Brewer Fork (EV, CWF) via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°36'39.00", Longitude: W78°22'57.00").

The project will result in 27.0 linear feet of temporary stream impacts, all for the purpose of installing a temporary waterline for Marcellus shale development.

**E42-08-016: Seneca Resources Corporation**, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237, Norwich Township, **McKean County**, ACOE Baltimore District.

To construct, operate and maintain the Clermont to Rich Valley Temporary Waterline Project, which consists of one 16-inch high density polyethylene (HDPE) temporary waterline along an existing access road right-of-way. The project does not propose to have any earth disturbances associated with it, and has the following impacts:

1. 3.0 linear feet of Elk Fork (EV, CWF) via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°37'22.00", Longitude: W78°25'23.00"); and

2. 2.0 linear feet of a UNT to Elk Fork (EV, CWF) via an existing culvert crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°37'14.00", Longitude: W78°24'56.00").

The project will result in 5.0 linear feet of temporary stream impacts, all for the purpose of installing a temporary waterline for Marcellus shale development.

#### ENVIRONMENTAL ASSESSMENTS

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

**D24-063EA. Ms. Jenifer Christman**, Western Pennsylvania Conservancy, 1067 Philadelphia Street, Suite 101, Indiana, PA 15701. Jay Township, **Elk County**, USACOE Baltimore District.

Project proposes to remove Cherry Run Dam for the purpose of eliminating a threat to public safety and restoring approximately 375 feet of stream channel to a free-flowing condition. The dam is located across Cherry Run (HQ-CWF, MF) (Kersey, PA Quadrangle; Latitude: 41.2630, Longitude: -78.5202).

## STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

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

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

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15008	Euclid Oil Company P. O. Box 128 Ft. Washington, PA 19034 Attn: Joseph P. Pluck	Montgomery	Hatfield Township	7 ASTs storing petroleum products	52,000 gallons total

## ACTIONS

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

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

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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits.

The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0022187 (Sewage)	Beavertown Municipal Authority 419 Old Orchard Drive Beavertown, PA 17813	Snyder County Beavertown Borough	Luphers Run (6-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0205028 (Industrial)	Buckeye Terminals, LLC Greensburg Facility 134 BP Tank Lane Greensburg, PA 15601	Westmoreland County Hempfield Township	Unnamed Tributary to Jacks Run (19-D)	N

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. 1588442**, Sewage, Renewal, **East Vincent Township**, 262 Ridge Road, Spring City, PA 19475-2203.

This proposed facility is located in East Vincent Township, **Chester County**.

Description of Action/Activity: Request for approval for continued operation of the Bartons Meadow Sewage Treatment Plant.

**WQM Permit No. 0915402**, Sewage, **Bristol Borough Water & Sewer Authority**, 250 Pond Street, Bristol, PA 19007.

This proposed facility is located in Bristol Borough, **Bucks County**.

Description of Action/Activity: Approval for upgrades to the existing wastewater pump station that currently serves Villas at River View to increase pump capacity.

**WQM Permit No. 0903409**, Sewage, Transfer, **Chad Rouse**, 1438 Meetinghouse Road, Warminster, PA 18974.

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



Description of Action/Activity: Permit transferring from permittee William and Marilyn Wagner to Michael Gorman and Chad Rouse.

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

**WQM Permit No. 1314403**, Sewage, SIC Code 4952, **Bowmanstown Borough Carbon County**, 490 Ore Street, Bowmanstown, PA 18030.

This proposed facility is located in Bowmanstown Borough, **Carbon County**.

Description of Proposed Action/Activity: A new spiral screen for the separation of municipal wastewater and a grinder that will be installed prior to the spiral screen at the wastewater treatment plant.

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

**WQM Permit No. 6774414 Amendment #2**, Sewerage, **New Life For Girls Inc.**, 5925 Lewisberry Road, PO Box 170, Dover, PA 17315-1832.

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

Description of Proposed Action/Activity: Permit approval for the replacement of an existing old treatment plant with a new donated extended aeration process plant.

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

**WQM Permit No. 0215403**, Sewage, SIC Code 8811, **Robert Ulm**, 543 Twele Road, Greenock, PA 15047.

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

Description of Proposed Action/Activity: Construction of a 0.0004 MGD SR STP to serve the Robert Ulm Property.

**WQM Permit No. 6507205**, Industrial Waste, SIC Code 5171, **Buckeye Terminals, LLC**, 5 TEK Park, Breinigsville, PA 18031.

This proposed facility is located in Hempfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: Approve the installation and operation of a 4,000-gallon, American Petroleum Institute certified oil/water separator and a wastewater aeration vault.

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

**WQM Permit No. 3799402**, Sewage, Amendment No. 1, SIC Code 4952, **Taylor Township Lawrence County**, PO Box 489, West Pittsburgh, PA 16160-0489.

This existing facility is located in Taylor Township, **Lawrence County**.

Description of Proposed Action/Activity: Amendment to replace sewage treatment plant.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010915002	Bucks County Industrial Development Authority 11 Weldon Drive, Suite 100 Doylestown, PA 18901	Bucks	Sellersville Borough	East Branch Perkiomen Creek MF-TSF
PAI010915004	Environmental Consulting, Inc. 2002 Renaissance Boulevard Suite 110 King of Prussia, PA 19406	Bucks	Bristol Township	Delaware River WWF-MF Adams Hollow Creek WWF-MF-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914023	Pennsylvania Turnpike Commission c/o Mr. Gary Graham, PE PO Box 67676 Harrisburg, PA 17106-7676	Lehigh	Washington Township	Trout Creek and UNTs thereof (CWF, MF); EV Wetlands
PAI024513001(4)	Kalahari Resorts, LLC 1305 Kalahari Drive, P. O. Box 590 Wisconsin Dells, WI 53965  Pocono Manor Investors, PT-L1 P. O. Box 38, The Inn at Pocono Manor Pocono Manor, PA 18349	Monroe	Tobyhanna Township, Pocono Township	Swiftwater Creek (EV) Unnamed Tributaries to Swiftwater Creek (EV) Indian Run (EV) Unnamed Tributaries to Indian Run (EV)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024514008	Monroe Retail, LLC 668 Cresent Ave, 2nd Floor Bronx, NY 10458	Monroe	Chestnuthill Township	Poplar Creek (EV)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030714006 Issued	Altoona Blair County Development Corporation 3900 Industrial Drive Altoona, PA 16602	Blair	Greenfield Township	Beaverdam Creek (CWF) EV Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050209003R	Brooks & Blair Waterfront Properties, L.P. 310 Seven Fields Boulevard, Suite 350 Seven Fields, PA 16046	Allegheny	Oakmont Borough	Plum Creek (WWF) and Allegheny River (WWF-N)
PAI050214003	Regional Industrial Development Corp (RIDC) 210 Sixth Avenue, Suite 3620 Pittsburgh, PA 15222-2602 and ALMONO, LP 210 Sixth Avenue, Suite 3620 Pittsburgh, PA 15222-2602	Allegheny	City of Pittsburgh	Monongahela River (WWF-N)
PAI052614001	Verizon Wireless 18 Abele Road Bridgeville, PA 15017	Fayette	Dunbar Township	Morgan Run (HQ-CWF)
PAI055614003	Verizon Wireless 18 Abele Road Bridgeville, PA 15107	Somerset	Southampton Township	UNT to Gladdens Run (HQ-CWF)
PAI056314003	TriState Supply Co., Inc. 371 W. Chestnut Street Washington, PA 15301	Washington	Buffalo Township	Buffalo Creek (HQ-WWF)
PAI056314004	Pennsylvania American Water Company 300 Galley Road McMurray, PA 15317	Washington	Buffalo Township	Buffalo Creek (HQ-WWF)
PAI056314006	Ashwood Land Partners, L.P. 3625 Washington Pike Bridgeville, PA 15017	Washington	North Strabane Township	UNT to Little Chartiers Creek (HQ WWF)
PAI056514010	North Huntingdon Township Sewer Authority 11265 Center Highway North Huntingdon, PA 15642-2018	Westmoreland	North Huntingdon Township	Long Run (HQ-CWF)

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems

PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Tullytown Borough Bucks County	PAG02000914051	Southeastern Pennsylvania Transportation Authority 1234 Market Street, 12th Floor Philadelphia, PA 19107	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG02002314039	Radnor Township School District 135 South Wayne Avenue Radnor, PA 19087	Hardings Run CWF Browns Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Rose Valley Borough Delaware County	PAG02002306058R1	NVWS Associates, LP 347 East Conestoga Road Wayne, PA 19087	Ridley Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Old Forge Borough Lackawanna County	PAG02003515008	Walter Ermolovich Forge Estates 10 Tanya Drive Old Forge, PA 18518	St. John's Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Coopersburg Borough Lehigh County	PAG02003914005	Fred Derby FPM Development, LLC PO Box 307 Coopersburg, PA 18036	Laurel Run (CWF, MF)	Lehigh County Conservation District 610-391-9583
Wilkes-Barre City Luzerne County	PAG02004014039	Turkey Hill, LP Bill Weisser 257 Centerville Road Lancaster, PA 17603	Susquehanna River (WWF, MF)	Luzerne Conservation District 570-674-7991

NOTICES

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Freedom Township Adams County	PAG02000115010 Issued	Walter Robert Koon & Corrine A. Blank 6127 Stegen Drive Alexandria, VA 22310	Marsh Creek/ CWF, MF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
Oxford Township Adams County	PAG02000114038 Issued	John J. Burdis 1830 Carlisle Pike Hanover, PA 17331-8970	UNT to South Branch Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
Caernarvon Township Berks County	PAG02000614006 Issued	Morgan Court Associates PO Box 490 Honeybrook, PA 19344	East Branch Conestoga River/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Kutztown Borough Berks County	PAG02000615016 Issued	Grande Land, LP 2213 Quarry Drive West Lawn, PA 19609	UNT to Sacony Creek/TSF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Upper Tulpehocken Township Berks County	PAG02000615009 Issued	William W. Leshner 94 Leshner Road Bernville, PA 19506	Little Northkill, Spring Creek/CWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
South Heidelberg Township Berks County	PAG02000615012 Issued	VIST Bank 1240 Broadcasting Road Wyomissing, PA 19610	Manor Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Exeter Township Berks County	PAG02000614064 Issued	Pasquale Mascaro MB Investments 2650 Audubon Road Audubon, PA 19403	UNT to Schuylkill/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Lower Mifflin Township Cumberland County	PAG02002115001 Issued	Clifford & Magdalene Hawbaker 2300 Edenville Road Chambersburg, PA 17022	Back Creek/WWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.5359
Borough of Carlisle Cumberland County	PAG02002115012 Issued	Carlisle Area School District 623 West Penn Street Carlisle, PA 17013 and New Enterprise Stone & Lime Company 3912 Brumbaugh Road New Enterprise, PA 16664	Conodoguinet Creek/WWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.5359
Swatara Township Dauphin County	PAG02002214057 Issued	Chick-Fil-A 5200 Buffington Road Atlanta, GA 30349	Spring Creek (West)/ CWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County	PAG02002215001 Issued	MS Hershey Foundation 63 West Chocolate Avenue Hershey, PA 17033	Spring Creek (East)/WWF and Swatara Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Washington Township Dauphin County	PAG02002215009 Issued	Kepler Land 18, LLC 44 South Market Street Elizabethville, PA 17023	Wiconisco Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Warwick Township Lancaster County	PAG02003613067(2) Issued	Rock Lititz Clair Global One Ellen Avenue Lititz, PA 17543	Santo Domingo Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 121
East Lampeter Township Lancaster	PAG02003615036 Issued	Jonathan Gibson 965 May Post Office Road Strasburg, PA 17579	Pequea Creek/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 121



**NOTICES**

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Jackson Township Lebanon County	PAG02003815007 Issued	Clyde Deck 60 North Ramona Road Myerstown, PA 17067	Tulpehocken Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042
Union Township Lebanon County	PAG02003809011R Issued	Ken Harner PO Box 472 950 East Main Street Schuylkill Haven, PA 17972	Aires Run/WWF, MF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042
Carroll Township York County	PAG02006709054R Issued	Gary D. Reihart 150 Ore Bank Road Dillsburg, PA 17019-9334	Fishers Run/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Manchester Township York County	PAG02006715006 Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	UNT to Codorus Creek/WWF and UNT to Little Conewago Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manchester Township York County	PAG02006713010-2 Issued	Manchester Mall Associates, LLC 12700 Park Central Drive, Suite 110 Dallas, TX 75251	UNT to Willis Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manheim Township York County	PAG02006703021R-1 Issued	Woodhaven Building and Development, Inc. 4175 Hanover Pike Manchester, MD 21002	Indian Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Centre County Ferguson Twp	PAG02001415002	Ferguson Twp 3147 Research Dr State College, PA 16801	UNT to Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Ave, Ste 4 Bellefonte, PA 16823 (814) 355-6817
Centre County College Twp	PAG02001415008	Pennsylvania State Univ 139J Physical Plant Bldg University Park, PA 16802	Big Hollow CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Clearfield County Lawrence & Pike Twps.	PAG02001712018(1)	Clearfield Mun Auth 107 E Market St Clearfield, PA 16830	UNT to WB Susquehanna River CWF Montgomery Creek CWF Wolf Run CWF WB Susquehanna River WWF	Clearfield County Conservation District 511 Spruce St., Ste 6 Clearfield, PA 16830 (814) 765-2629
Clearfield County Bradford Twp	PAG02001715003 Correction	NRG REMA LLC 121 Champion Way Canonsburg, PA 15317	WB Susquehanna River WWF	Clearfield County Conservation District 511 Spruce St., Ste 6 Clearfield, PA 16830 (814) 765-2629

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Nesquehoning Borough Carbon County	PAR802211	Kovatch Mobile Equipment Corp. One Industrial Complex Nesquehoning, PA 18240	Nesquehoning Creek—02B	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
East Huntingdon Township Westmoreland County	PAR116127	ABB, Inc. 100 Distribution Circle Mt Pleasant, PA 15666-1044	Unnamed Tributary of Buffalo Run—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Slippery Rock Township Lawrence County	PAR608348	Alum & Carbon Plus Inc. 2207 Perry Highway Portersville, PA 16051	Muddy Creek—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing the Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Dr. Joe Jurgielewicz & Son, Ltd. Neilson Farm 177 Seip Lane Shoemakersville, PA 19555	Berks	50.3	120.61	Laying Hens	N/A	Approved
Dr. Joe Jurgielewicz & Son, Ltd. Bethel Farm 1301 Airport Road Bethel, PA 19507	Berks	31.1	47.40	Grow Out Ducks	NA	Approved
Dr. Joe Jurgielewicz & Son, Ltd. Home Farm PO Box 257 Shartlesville, PA 19554	Berks	223.8	505.36	Laying Hens and Grow Out Ducks	NA	Approved
Randy Weaver 3888 Smaltz Road Womelsdorf, PA 19567	Berks	0	541.8	Laying Hens	NA	Approved
Curtis Lehman 514 Bricker Road Bernville, PA 19506	Berks	158.7	409.97	Broiler Hens	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 3480030, Operations Permit, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania Inc. c/o Patrick R. Burke</b> 1 Aqua Way White Haven, PA 18661
[Borough or Township]	Moore Township
County	<b>Northampton</b>
Type of Facility	PWS
Consulting Engineer	Jonathan Morris, PE CET Engineering Services—GHD, 326 E. 2nd Street Bloomsburg, PA 17815
Permit to Operate Issued	04/22/2015

**Permit No. 2450129, Transfer Operations Permit, Public Water Supply.**

Applicant	<b>Cressona Point Properties LLC (Formerly Rocky Ridge Water Company)</b> P. O. Box 53 Ashfield, PA 18212
[Borough or Township]	Middle Smithfield Township
County	<b>Monroe</b>

Type of Facility PWS  
 Consulting Engineer N/A  
 Permit to Operate 04/27/2015  
 Issued

**Permit No. 4015506 Minor Amendment**, Public Water Supply.

Applicant **Aqua PA, Inc.**  
 1 Aqua Way  
 White Haven, PA 18661

[Township or Borough] Black Creek Township,  
**Luzerne County**

Responsible Official Patrick R. Burke, PE  
 Aqua PA, Inc.  
 204 E. Sunbury Street  
 Shamokin, PA 17872

Type of Facility PWS  
 Consulting Engineer Peter Lusardi, PE  
 GHD  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 (717) 541-0622

Permit to Construct 04/27/2015  
 Issued

**Permit No. 3480089, Operation Permit**, Public Water Supply.

Applicant **LURRS**  
**(Heritage Village)**  
 4196A Heritage Lane  
 Walnutport, PA 18088

[Borough or Township] Lehigh Township  
 County **Northampton**

Type of Facility PWS  
 Consulting Engineer N/A  
 Permit to Operate May 4, 2015  
 Issued

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

**Permit No. 3614518**, Public Water Supply.

Applicant **Warwick Township Municipal Authority**

Municipality Warwick Township  
 County **Lancaster**

Responsible Official Daniel Zimmerman,  
 Authority Administrator  
 315 Clary Road  
 Litiz, PA 17543

Type of Facility New Well No. 2 for the  
 Rothsville System of Warwick  
 Township Municipal Authority.

Consulting Engineer Steven E. Riley, P.E.  
 Entech Engineering, Inc  
 PO Box 32  
 Reading, PA 19603

Permit to Construct 4/30/2015  
 Issued

**Permit No. 0515501 MA, Minor Amendment**, Public Water Supply.

Applicant **Hyndman Borough**

Municipality Hyndman Borough  
 County **Bedford**  
 Responsible Official Todd Rizer, Council President  
 3945 Center Street  
 Suite 2  
 Hundman, PA 15545

Type of Facility Modifications to storage tanks  
 within the Hyndman Borough  
 Water system to improve plant  
 flows and water quality.

Consulting Engineer Andrew H. Johnson, P.E.  
 Gwin, Dobson & Foreman, Inc.  
 3121 Fairway Drive  
 Altoona, PA 16602-4475

Permit to Construct 4/29/2015  
 Issued

**Operation Permit No. 0615503 MA** issued to: **Renninger's Farm Market** (PWS ID No. 3060584), Maxatawny Township, **Berks County** on 4/24/2015 for facilities approved under Construction Permit No. 0615503 MA.

**Emergency Operation Permit No. 0115505 E** issued to: **The York Water Company** (PWS ID No. 7010044), Cumberland Township, **Adams County** on 4/27/2015 for a 90-day duration. Action is for the modification of permit special conditions related to well rates and GWR 4-Log inactivation of viruses. Submitted for the Eastern Cumberland Water System under Application No. 0115505 E received on 4/15/2015.

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

**Permit No. 5515501-MA—Construction—Public Water Supply.**

Applicant **Beavertown Municipal Authority**  
 Township/Borough Beavertown Borough  
 County **Snyder**  
 Responsible Official Fred Wagner, Authority  
 President  
 Beavertown Municipal Authority  
 419 Old Orchard Drive  
 Beavertown, PA 17813

Type of Facility Public Water Supply  
 Consulting Engineer Edward J. Brown  
 Larson Design Group  
 1000 Commerce Park Drive  
 Suite 201  
 Williamsport, PA 17701

Permit Issued April 30, 2015  
 Description of Action Rehabilitation of your 423,000  
 gallon glass-coated, bolted steel  
 water storage tank and the  
 installation of temporary water  
 storage tanks during  
 rehabilitation of the existing  
 tank. This permit will also be  
 subject to temporarily revised  
 conditions to achieve and  
 monitor 4-log treatment of  
 viruses



**Permit No. 1415502-MA—Construction—Public Water Supply.**

Applicant **State College Borough Water Authority**

Township/Borough Ferguson Township

County **Centre**

Responsible Official Mr. Brian C. Heiser  
Assistant Executive Director  
State College Borough Water Authority  
1201 West Branch Road  
State College, PA 16801

Type of Facility Public Water Supply

Consulting Engineer Mark V. Glenn  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Drive  
Altoona, PA 16602

Permit Issued May 5, 2015

Description of Action Authorizes repainting, adding a mixing system, maintenance and various improvements to the 1,000,000 gallon finished water storage tank no. 5.

**Permit No. 4914501—Partial Operation No. 3—Public Water Supply.**

Applicant **Cherokee Pharmaceuticals LLC, a Subsidiary of Merck Sharp & Dohme Corp.**

Township/Borough Riverside Borough

County **Northumberland**

Responsible Official Brian Killen, Plant Manager  
Cherokee Pharmaceuticals LLC,  
a Subsidiary of Merck Sharp & Dohme Corp.  
100 Avenue C  
Riverside, PA 17868

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued May 5, 2015

Description of Action Authorizes operation of one of the new second stage river water pumps (PU-7023) and the East Basin Flow Meter (FE-110-1).

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

**Permit No. 2614507, Public Water Supply.**

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

[Borough or Township] North Versailles Township

County **Allegheny**

Type of Facility Ice Plant Hill pump station

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct May 4, 2015  
Issued

**Permit No. 2614507, Public Water Supply.**

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

[Borough or Township] North Versailles Township

County **Allegheny**

Type of Facility Ross Street pump station

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct May 4, 2015  
Issued

**Permit No. 2614506, Public Water Supply.**

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

[Borough or Township] North Versailles Township

County **Allegheny**

Type of Facility West Point pump station

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct May 4, 2015  
Issued

**Operations Permit** issued to: **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Moon Township, PA 15108 (PWSID #5020011) Moon Township, **Allegheny County** on April 14, 2015 for the operation of facilities approved under Construction Permit # 0213528.

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

**Operation Permit** issued to **Pennsylvania American Water Company**, PWSID No. 6370034, Neshannock Township, **Lawrence County**. Permit Number 3713502 issued May 1, 2015 for the operation of the ammonia hydroxide feed system and chlorine gas scrubber. This permit is issued in response to a pre-operation inspection conducted by the Department of Environmental Protection personnel on October 28, 2014 and April 29, 2015.

**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.**

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

**WA 36-1035, Water Allocations. West Earl Water Authority** (PWS ID No. 7360143), Lancaster County. The applicant is requesting the right to purchase up to 675,000 gallons per day, based on a 30-day average, from the City of Lancaster through an interconnection in

Manheim Township, **Lancaster County**. Permittee Contact: Jeff Zimmerman, Chairperson, West Earl Water Authority, 157 West Metzler Road, PO Box 787, Brownstown, PA 17508. Consulting Engineer: Matthew D. Warfel, The ARRO Consulting, Inc., 108 West Airport Road, Lititz, PA 17543. Permit Issued: 5/4/2015.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Taylor Township	218 Industrial Street P. O. Box 489 West Pittsburgh, PA 16160	Lawrence

*Plan Description:* The approved plan provides for upgrades to the existing wastewater treatment plant. The upgrades include: a new headworks building with a mechanically cleaned bar screen and flow meter; flow division boxes; new aeration equipment in existing aeration tanks; two new settling tanks; new chlorine contact tank; new sludge/dewatering system building; new aerobic digester; and a new building for chlorination/dechlorination equipment. The cost estimate for this proposal is \$4,706,000. The design flow of 0.20 MGD will be retained. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Allen Township	2233 Gettysburg Road Camp Hill, PA 17233	Cumberland

*Plan Description:* Approval is granted for a revision to the official plan of Lower Allen Township, Cumberland County. The project is known as 1852 Sheepford Road. The plan provides for a new small flow treatment facility with discharge to a dry stream tributary to the Yellow Breeches Creek to serve a residence with a malfunctioning onlot sewage disposal system. Proposed sewage flows are 400 gallons per day. The property is located at 1852 Sheepford Road, Mechanicsburg, PA 17055. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21912-241-3s and the APS Id is 863533. The permit for the small flow treatment facility must be obtained in the name of the property owner.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Former Cerro Metals Plant, Titan Energy Park, 2022 Axemann Road, Spring Township, Centre County.** P. Joseph Lehman Engineers, 117 Olde Farm Office Centre, Holidaysburg, PA 16648 on behalf of The Marmon Group, LLC, 181 W. Madison Street, Chicago, Illinois 60602 submitted a Remedial Investigation Report and Risk Assessment Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents and aromatic hydro carbons. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**1122 Broad LLC, 1130 West Broad Street, City of Bethlehem, Lehigh County.** EarthRes Group Inc., on behalf of 1122 Broad LLC, P. O. Box 90084, Allentown, PA 18109, submitted a Final Report concerning remediation of site soils contaminated with 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, 1,2-Dichlorobenzene, 1,4-dichlorobenzene, Naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**General Dynamics Land Systems, 175 East Street, Archbald Borough, Lackawanna County.** Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on

behalf of General Dynamics Land Systems, 175 East Street, Eynon, PA 18403, submitted a Final Report concerning remediation of site groundwater contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, MTBE, Naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, Total Xylenes, Chlorobenzene, 1,2-Dibromoethane, 1,2-Dichloroethane, 1,1-Dichloroethene, 1,1-Dichloroethane, cis 1,2-Dichloroethene, trans 1,2-Dichloroethene, Methylene Chloride, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethene, Lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**West Lampeter Township Maintenance Building**, 912 Village Road, Lampeter, PA 17537, West Lampeter Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of West Lampeter Township, 852 Village Road, Lancaster, PA 17537, submitted a Final Report concerning remediation of site soils contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**842 East Thayer Property**, 842 East Thayer Street, City of Philadelphia, **Philadelphia County**. Bruno Mercuri, Mercuri & Associates, Inc., 627b Hampton Avenue, Southampton, PA 18966, Joe Crooks, Superior Tank and Energy Co LLC, 302 Jefferson Avenue, Bristol, PA 19007-5241 on behalf of Dana Saunders, PAREO Inc., 759 Bristol Pike, Bensalem, PA 19020 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF784346.

**Providence Village Plaza**, 519 North Oak Avenue, Aldan Borough, **Delaware County**. Thomas Petrecz, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Michael D. Lattanze, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Gordon Saul, Providence Village Associates, LP, c/o Saul Associates, 115 Old York Road, Jenkintown, PA 19046 has submitted a Cleanup Plan and Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with voc. The report is intended to document remediation of the site to meet the Site Specific Standard. PF784565.

**Wynnefield Plaza**, 1717-25 North 54th Street, City of Philadelphia, **Philadelphia County**. Mark Irani, Land Recycling Solutions, LLC, 3101 Mt. Carmel Avenue, Suite 3, Glenside, PA 19038 on behalf of Bill Canteen, Wynnefield Place LP, 2000 Joshua Road, Lafayette Hill, PA 19444 has submitted a Final Report concerning remediation of site soil contaminated with lead, pahs. The report is intended to document remediation of the site to meet Statewide Health Standard. PF767730.

**Cardone Industries Inc. Plant 15 and 16**, City of Philadelphia, **Philadelphia County**. Mark Kuczynski, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Glen DePalantino, Cardone Industrial, Inc., 5501 Whitaker Avenue, Philadelphia, PA 19124 has submitted a Risk Assessment/Cleanup

Plan/Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard. PF758578.

**Loos & Dilworth Bristol Facility**, 61 East Green Lane, Bristol Township/Bristol Borough, **Bucks County**. Rich Renner, Loos and Dilworth, Inc., 61 East Green Lane, Bristol, PA 19007, Rick Renner, PetroChoice Holding, Inc., 61 East Green Lane, Bristol, PA 19007, Laura George, ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103, Rich Campbell, L&D Chemical, LLC, 1616 Paper Mill Road, Meadowbrook, PA 19046, Rick Renner, Tri-County Petroleum, Inc., Route 1036, Riddlesburg, PA 16672 on behalf of Barry Fleck, Fleck Investment, LLC, 300 Ben Fairless Hills, PA 19030 has submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with no. 6 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF723058.

**State Road Land Partners LP Parcel B**, 2215 State Road, Bensalem Township, **Bucks County**. Jeffery K. Walsh, P.G., Penn Environmental & Remediation, 13180 Route 6, Mansfield, PA 16933 on behalf of Arnold Boyer, Waterside Construction, LP/Waterside Phase I, LLC, 2310 Terwood Drive, Huntingdon Valley, PA 19006 has submitted a Final Report concerning remediation of site soil contaminated with vocs, svoc, pesticides, pcbs and metals. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF620175.

**Gorski Residence**, 43 Upland Township, Middletown Township, **Bucks County**. Thomas Hippensteal, P.G., Envirosearch Consultants, P. O. Box 940, Springhouse, PA 19477 on behalf of Concetta Gorski, 43 Upland Road, Levittown, PA 19056 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF783459.

**King Residence**, 28 Harding Avenue, Morton Borough, **Delaware County**. Peter Kuyk, Peak Environmental, 74 Main Street, 2nd Floor, Woodbridge, PA 19382, Chris Boycek Meehan Oil, 113 Main Street, Kellytown, PA 19007 on behalf of Connie King, 28 Harding Avenue, Morton, PA 19070 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF773396.

**144 Lancaster Avenue**, 144 Lancaster Avenue, Easttown Township, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Eli Kahn, 144 Lancaster Avenue Associates, LLP, 55 County Club Drive, Downingtown, PA 19335 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Site Specific Standard. PF781305.

**McLean Packaging**, 3450 Salmon Street, City of Philadelphia, **Philadelphia County**. Michael Christie, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19426, Joe Fenkel, McLean Packaging Corporation, 1504 Glen Avenue, Moorestown, NJ 08057 on behalf of Tyler Hays, Salmon Limited Partnership, 3450 Salmon Street Site, Philadelphia, PA 19134 has submitted a Remedial Investigation and Final Report concerning



remediation of site soil and groundwater contaminated with vocs, svocs and metals. The report is intended to document remediation of the site to meet the Site Specific standard. PF699968.

**Widener University**, 1516 Providence Avenue, Chester City, **Delaware County**. Joseph Diamadi, Jr, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Jerry Pasquariello, Widener University, 1 University Place, Chester, PA 19013 has submitted a Final Report concerning remediation of site soil contaminated with used motor oil/unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF779408.

**Chestnut Street Property**, 1112-1128 Chestnut Street, City of Philadelphia, **Philadelphia County**. Scott Bisbort, Ranson Environmental, 2127 Hamilton Avenue, Hamilton, PA 08619 on behalf of Greg Heflin, BJP Chestnut Owner LLC, 701 Market Street, Philadelphia, PA 19106 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with other organics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF773958.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential

public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**H. Lyle Landon Pad A**, 91 Campbell Road, Cogan House Township, **Lycoming County**. GES, 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Lake Robbins Drive, the Woodlands, Texas 77380 submitted a Final Report concerning the remediation of site soils contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Vanadium, Zinc, and Selenium. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 27, 2015.

**Lower Market Street Holding LP Property**, 230 Lower Market Street, Milton Borough, **Northumberland County**, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Lower Market Street Holdings, LP, 201 Hepburn Street, Williamsport, PA 17701 submitted a Remedial Investigation Report (RIR) concerning the remediation of site soils contaminated with heavy metals and VOCs. The RIR was deficient and was disapproved by the Department on September 10, 2014.

**Steven Jones**, 1295 Buffalo Road, Buffalo Township, **Union County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Steven Jones, 1295 Buffalo Road, Lewisburg, PA 17837 has submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Timethylbenzene, Methyl Tertiary Butyl Ether, and Xylenes, Total. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 27, 2015.

**Ingersoll Rand Industrial Technologies**, 101 North Main Street, Athens, PA 18180, Athens Township, **Bradford County**. ARCADIS, 465 New Karner Road, Albany, NY 12205 on behalf of Ingersoll Rand Company, P. O. Box 389, Center Conway, NH 03613 submitted a Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with volatile organic compounds at the plant. The Risk Assessment Report was submitted as demonstrated as a Site-Specific Standard on July 10, 2014.

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

**Stroup/Gehres Property**, 599 Cleveland Street, City of Hazleton, **Luzerne County**, James P. Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407, has submitted a Notice of Intent to Remediate on



behalf of his clients (Dale Stroup and Kathryn Gehres), concerning the remediation of fuel oil #2 found to be present in soil at the property location cited above as a result of a release due to the legs of the storage tank failing. The applicant proposed to remediate the site to meet the Residential Statewide Health Standard for soils. The intended future use of the site is residential. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on January 8, 2015.

**Ed Pollack Property**, 97 North Valley Street, Blythe Township, **Schuylkill County**. Environmental Maintenance, 1420 E Mermaid Lane, Glenside, PA 19038, on behalf of Mr. Ed Pollack, 77 Back Street, Mary-D, PA 17952, submitted a Final Report concerning the remediation of site soils contaminated with heating oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 28, 2015.

**Bucher Property**, 1143 B Evergreen Drive, Fell Township, **Lackawanna County**, Martin Gilgallon, PA Tectonics, Inc., has submitted a Final Report on behalf of his clients, Mr. & Mrs Bucher, 321 Rowland Road, Greely, PA 18425, concerning the remediation of soil due to a release of 75–100 gallons of kerosene from an above-ground storage tank located on the property used for heating a mobile home. The applicant proposes to remediate the site to meet the residential Statewide Health Standards for soil. The intended future use of the site is residential. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on November 25, 2014.

**752-778 Union Boulevard Property**, 752-778 Union Boulevard, City of Allentown, **Lehigh County**, Jamie Kleinle, Barry Isett & Associates Inc., 85 South Route 100, Allentown, PA 18106, has submitted a Final Report on behalf of his client, Timothy Cole, MantaCole LLC, 500 Office Center Drive, Suite 440, Fort Washington, PA 19034, concerning the remediation of soil contaminated with various chemicals related to, gasoline, high octane gasoline, diesel fuel and kerosene, due to historical operations at the site. The applicant proposes to remediate the site to meet the Statewide Health Standards for soil. The intended use of the site will be for non-residential purposes. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on January 27, 2015.

**Bilukbash Estate**, 4 Village Edge Drive, Chestnuthill Township, **Monroe County**, Richard D. Trimpi, Trimpi Associates Inc., has submitted an NIR and Final Report, on behalf of his client, Aysha Hoxha, PO Box 176, Sciota, PA 18354, concerning the remediation of soil from heating oil due to a release during the replacement of a furnace. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended use of the site is residential. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on December 3, 2014.

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

**Leech Tool**, 13144 Dickson Road, West Mead Township, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Leech Tool, 13144 Dickson Road, Meadville, PA 16335, submitted a Final Report concerning the remediation of site groundwater contaminated with Tetra-

chloroethene, Trichloroethene, cis 1,2 Dichloro-ethene, trans 1,2 Dichloroethene, 1,1 Dichloroethene, and Vinyl Chloride. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 28, 2015.

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

**XTO Energy—Robert George #3 Well Site**, Laurel Road, Armstrong Township, **Indiana County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Twp., PA 16066 on behalf of XTO Energy Inc., 395 Airport Road, Indiana, PA 15701 submitted a Remedial Investigation/Final Report concerning site soils contaminated with aluminum, antimony, arsenic, barium, beryllium boron, cadmium chromium, cobalt, copper, iron, lead, manganese, mercury, nickel, selenium, silver, thallium, vanadium, zinc and chloride from a release of brine. The RIR/Final Report demonstrated attainment of the site specific standards for chlorides, a residential statewide health standard for all other constituents sampled for in soils, and was approved by the Department on May 1, 2015.

**Bakery Square 2.0** (former Reizenstein Middle School), 129 Denniston Avenue, City of Pittsburgh, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Walnut Capital Management, Inc., 5500 Walnut Street, Ste 300, Pittsburgh, PA 15232 submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with arsenic, and groundwater contaminated with tetrachlorethene and trichlorethene. The RIR was approved by the Department on May 5, 2015.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**Prall Residence**, 9 Valley Court, Newtown Township, **Bucks County**. Thomas Hippensteal, P.G. Envirosearch Consultants, Inc. P. O. Box 940, Springhouse, PA 19477 on behalf of Charles and Deborah Prall, 9 Valley Court, Newtown, PA 18940 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 15, 2015. PF784174.

**Sipple Residence**, 5918 Ditman Street, City of Philadelphia, **Philadelphia County**. Ednell Elimanoc, Insurance Restoration Specialist, 30 Abeel Road, Monroe, NJ 08831 on behalf of Frank Sipple, 5918 Ditman Street, Philadelphia, PA 19135 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 13, 2015. PF778107.

**Ursinus College**, 601 East Main Street, Collegeville Borough, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Sue 500, Bala Cynwyd, PA 19004, Gilbert Marshall, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Andrew Feick, Ursinus College, 601 Main Street, Collegeville, PA 19426 has submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The Cleanup Plan was disapproved by the Department on February 20, 2015. PF648108.

**Rite Aid Store No. 3637**, City of Philadelphia, **Philadelphia County**. Bradley Wolf, BL Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101 on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011, Khary Lane, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on March 4, 2015. PF683659.

**Edmund Optical MFG**, 601 Montgomery Avenue, Upper Hanover Township, **Montgomery County**. Chad Moose, Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Jay Budd, Edmund Optics, Inc., 101 East Gloucester Pike, Barrington, NJ 08007 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site soil contaminated with no. 2 fuel oil. The Remedial Investigation and Cleanup Plan were disapproved by the Department on March 13, 2015. PF618779.

**Hindlinter Residence**, 128 Valley Lane, Lower Providence Township, **Montgomery County**. Jeremy W. Boly, Environmental Maintenance, 1429 East Mermaid Lane, Glenside, PA 19038, Robert Hindlinter, 128 Valley Lane, Norristown, PA 19403 on behalf of Linda Hampton, Valley Forge Group, LP, 1311 Catfish Lane, Norristown, PA 19403 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 17, 2015. PF782973.

**Erlen Theater Site**, 1814 West Cheltenham Avenue, City of Philadelphia, **Philadelphia County**. Jeffery T. Bauer, P.G., Whitestone Associates, Inc., 1600 Manor Drive, Suite 200, Chalfont, AP 18914, Brett Milker, Boos Development Group, Inc., 2651 McCormick Drive Clearwater, FL 33759 on behalf of Hao Change, HC Holdings, LLC, 1001 East Baltimore Avenue Clifton, Heights, PA 19018 has submitted a Final Report concerning the remediation of site soil contaminated with benzo. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 27, 2015. PF784348.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

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

**PAD049791098. Philadelphia Energy Solutions Refining and Marketing LLC**, 3144 Passyunk Avenue, Philadelphia, PA 19145. This is a Class I Permit Modification requesting to reflect the transfer of the RCRA Part B Permit No. PAD049791098 from Sunoco, Inc. (R&M) to Philadelphia Energy Solutions Refining and Marketing, LLC ("PES"). The permit transfer was requested to reflect an asset purchase on the part of PES to acquire land, buildings, and facilities existing at the Philadelphia Refinery site located at 3144 Passyunk Avenue in the **City and County of Philadelphia**. The permit was issued by the Southeast Regional Office on April 28, 2015.

**Permit(s) issued, under the Solid Waste Management Act and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**Permit ID. No. PAD981736143: Safety-Kleen Systems, Inc.**, Johnstown Service Center, 150 Allenbill Drive, Johnstown, PA 15904. Operation of a hazardous waste storage facility located in Richland Township, **Cambria County**. The permit renewal was issued by the Regional Office on April 29, 2015.

**Draft permit issued under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

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

**PAR000537548. Waste Management of Fairless, LLC**, 1000 New Ford Mill Road, Morrisville, PA 19067. Draft post-closure permit prepared for the 10-year renewal of the RCRA Post-Closure Permit for Borrow Pit-20 (BP-20), a closed hazardous waste land unit that was originally permitted by United States Steel Corporation (USS) under ID No. PAD02375376. BP-20 is part of the 252 acre Fairless Landfill parcel owned by Waste Management of Fairless, LLC, and located in the USS properties in Falls Township, **Bucks County**. Public comment period ends 45 days after date of this publication. Draft permit and fact sheet available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on April 14, 2015.

#### RESIDUAL WASTE GENERAL PERMITS

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

*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. WMGR147. GMA Garnet Corporation**, 1800 Hughes Landing, Suite 350, The Woodlands, TX 77380; Site: Fairless Hills Recycling Facility, 25 Sorrells Boulevard, Fairless Hills, PA 19030, **Bucks County**. This general permit authorizes the processing and beneficial use of garnet used in waterjet cutting and abrasive blasting. The processing includes sizing, separation, extraction, and drying. The reprocessed garnet will be beneficially used for its original purpose. The permit was issued on April 28, 2015.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.



## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 101389 Lancaster County Solid Waste Management Authority (LCSWMA) 1299 Harrisburg Pike Lancaster, PA 17604-4425**

LCSWMA is proposing a vertical expansion to Frey Farm Landfill over approximately 66.8 acres of existing landfill and an additional approximately 32.0 acres of new permit area, of which approximately 9.0 acres are for disposal. The vertical expansion will increase the elevation of the landfill by about 50 feet. In addition, Frey Farm is requesting an increase in the average daily volume of waste received for disposal from 1,500 tons/day to 2,500 tons/day, and an increase in the maximum daily volume from 2,000 tons/day to 3,000 tons/day. The application was deemed administratively complete by the Southcentral Regional Office on April 30, 2015. The Department has negotiated with LCSWMA, Manor Township, and Lancaster County Planning Commission 493 business days (720 calendar days) to complete the review of the application.

The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the time that the Department is reviewing the permit application.

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

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP9-09-0062, Mobile Aggregate Recycling Services Inc.** (108 Switzgabel Drive, Brodheadsville, PA 18322) On April 30, 2015 was authorized to install and operate two diesel-fired internal combustion engines under GP9-09-0062 for Mobile Aggregate Recycling Services Inc. in Wrightstown Township, **Bucks County**.

**GP3-09-0131, Mobile Aggregate Recycling Services Inc.** (108 Switzgabel Drive, Brodheadsville, PA 18322) On April 30, 2015 was authorized to install and operate the portable nonmetallic mineral processing plant under GP3-09-0131 for Mobile Aggregate Recycling Services Inc. in Wrightstown Township, **Bucks County**.

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

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

**GP3-08-337H: Glenn O Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on April 21, 2015, to authorize relocation and operation of a portable nonmetallic mineral processing plant pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Greens Landing facility in Athens Township, **Bradford County**.

**GP11-08-337H: Glenn O Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on April 21, 2015, to authorize relocation and operation of one (1) 300 bhp CAT model C9-DITA diesel-fired engine pursuant to the General Plan Approval and General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at the Greens Landing facility in Athens Township, **Bradford County**.

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

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

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

**46-0289: Scott Contractors, Inc.** (2939 Felton Road, Norristown, PA 19401) On April 30, 2015, for installation of a new portable non-metallic processing plant located in East Norriton Township, **Montgomery County**. Fugitive particulate matter emissions are controlled by a wet suppression system. The potential to emit all criteria pollutants, including Volatile Organic Compound (VOC), Nitrogen Oxide (NO<sub>x</sub>), Carbon Monoxide (CO), Particulate Matter (PM), and Hazardous Air Pollutant (HAP) emissions is less than major source thresholds; the facility is classified as a Natural Minor Facility. The requirements of 40 CFR Part 60 Subpart OOO (NSPS) apply to the new unit. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility 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, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**67-05005I: PPL Brunner Island, LLC** (2 North Ninth Street, Allentown, PA 18101) on April 27, 2015, for the installation of a mercury dry sorbent injection (MDSI) system to control mercury emissions from the three existing coal-fired utility boilers at the Brunner Island Steam Electric Station located in East Manchester Township, **York County**. The MDSI system will consist of fully enclosed material transfer equipment and two mercury dry sorbent storage silos whose particulate matter (PM) emissions will be controlled by a dedicated bin vent collector during storage silo loading.

**01-05003B: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314) on April 28, 2015, for the modification of the Source ID 036 combustion turbine's annual PM<sub>10</sub> and PM<sub>2.5</sub> emission

limits of 1.4 TPY each that were established in Plan Approval No. 01-05003A to 5.2 TPY each at the Gettysburg Compressor Station located in Straban Township, **Adams County**.

**28-05003B: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314) on April 28, 2015, for the modification of the Source ID 036 combustion turbine's annual PM<sub>10</sub> and PM<sub>2.5</sub> emission limits of 1.4 TPY each that were established in Plan Approval No. 28-05003A to 4.5 TPY each at the Greencastle Compressor Station located in Montgomery Township, **Franklin County**.

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

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

**41-00087B: Knight Confer Funeral Home, Inc.** (1914 Memorial Avenue, Williamsport, PA 17701) on April 29, 2015 for the construction of a natural gas fired human crematorium at their facility located in Williamsport, **Lycoming County**.

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

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

**56-00319A: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) Plan Approval PA-56-00319A issued on April 29, 2015, for construction and temporary operation of air contamination sources and controls associated with a coal preparation plant at its Stoneycreek Mine in Quemahoning Township, **Somerset County**.

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

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

**42-004J: American Refining Group** (77 North Kendall Avenue, Bradford, PA 16701), on April 27, 2015 issued a plan approval for the construction of a new multi-fuel-fired boiler which will replace an existing coal-fired boiler in Bradford City, **McKean County**. This is a Title V facility.

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

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

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

**23-00106: BPG Real Estate Investors—Straw Party I, LP** (3815 West Chester Pike, Newtown Square, PA 19073) for operation of three (3) boilers, one emergency generator and one fire pump at the Ellis Preserve at Newtown Square in Newtown Township, **Delaware County**. The operating permit was revoked because of the permanent shutdown of significant sources, including three (3) boilers and two (2) engines, at the facility.

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

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

**17-00063A: Pennsylvania Grain Processing, LLC** (250 Technology Drive, Clearfield, PA 16830) on April 29, 2015, to extend the authorization an additional 180 days from May 6, 2015 to November 3, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

**17-00063B: Pennsylvania Grain Processing, LLC** (250 Technology Drive, Clearfield, PA 16830) on April 29, 2015, to extend the authorization an additional 180 days from May 6, 2015 to November 3, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

**41-00078C: PVR NEPA Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) on May 1, 2015, to extend the authorization for the construction of four natural-gas fired compressor engines (Source IDs P107-P110) each equipped with oxidation catalysts (C107-C110). The plan approval also incorporates two existing natural-gas fired compressor engines (Source IDs P105 and P106), each equipped with oxidation catalysts (C105 and C106), two existing glycol dehydrators (Source IDs P201 and P202) and three existing natural-gas fired compressor engines (Source IDs P101-P103) each equipped with oxidation catalysts (C101-C103) at the Barto Compressor Station located in Penn Township, **Lycoming County** to October 28, 2015. The plan approval has been extended.

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

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

**26-00588A: Laurel Mountain Midstream, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective May 3, 2015, to extend the period of temporary operation of the new dehydrator and emergency generator, and grant additional time for installation of the new turbine authorized under PA-26-00588A until November 3, 2015, at Shamrock Compressor Station located in German Township, **Fayette County**. One Solar Titan 130 turbine rated at 19,553 HPs and originally authorized to be installed at this facility under PA-26-00588A is no longer authorized as the 18-month period to commence construction specified under 25 Pa. Code § 127.13(b) has passed.

**63-00969A: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) Extension effective May 2, 2015, to extend the period of temporary operation of new rich burn natural gas-fired compressor engines rated at 1,980 bhps each and controlled by three-way catalysts authorized under PA-63-00969A until November 2, 2015, at the Three Brothers Compressor Station located in Smith Township, **Washington County**.

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

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

**37-331A: RWE Holding Company, West Pittsburgh Plant** (535 Rundle Road, New Castle, PA 16101) on May



4, 2015, effective May 31, 2015, has issued a plan approval extension for post-construction of a slag handling, anti-skid mining, coke screening, bulk carbon loading and graphite drying operation. This facility is located in Taylor Township, **Lawrence County**.

**43-196C: General Electric Transportation—Grove City Plant** (1503 West Main Street Extension, Grove City, PA 16127-2513) on April 29, 2015, effective April 30, 2015, has issued a plan approval extension for the construction of a new test cell (test cell #6) and the modification of existing test cell #5 to facilitate testing of the newer, higher tier engines in Grove City Borough, **Mercer County**. This is a Title V facility.

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**Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.**

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

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

**23-00106: BPG Real Estate Investors—Straw Party I, LP** (3815 West Chester Pike, Newtown Square, PA 19073) for operation of three (3) boilers, one emergency generator and one fire pump at the Ellis Preserve at Newtown Square in Newtown Township, **Delaware County**. The operating permit was revoked because of the permanent shutdown of significant sources, including three (3) boilers and two (2) engines, at the facility.

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

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

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

**07-05004B: Altoona Terminals, DE LLC** (PO Box 2621, Harrisburg, PA 17105) on April 28, 2015, for the petroleum products distribution terminal in Allegheny Township, **Blair County**.

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

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

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

**09-00156: Oldcastle Lawn and Garden, Inc.**, (500 East Pumping Station Road, Quakertown, Pennsylvania 18951) On April 30, 2015 for operation of six diesel engines and wood processing equipment located in Richland Township, **Bucks County**. This action is a renewal of a non-Title V (State-only) Operating Permit and incorporation of diesel engines installed under the General Plan Approval/General Operating Permit (GP11-09-0019) and RFD Nos. 1525 and 3457. The facility is a synthetic minor for NO<sub>x</sub> and PM emissions. The renewal will include monitoring, recordkeeping, reporting, and

work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

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

**48-00073: The H & K Group, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) The Department issued a renewal State Only operating permit on May 5, 2015, for the Stockertown Materials Plant in the Borough of Stockertown, **Northampton County**.

**54-00043: Ashland Foundry and Machine Works, Inc.** (500 East Centre Street, Ashland, PA 17921) The Department issued a renewal State Only operating permit on April 30, 2015, for a casting/machining facility located in Ashland Borough, **Schuylkill County**.

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

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

**36-05137: B & S Woodcrafts, Inc.** (722 Truce Road, Quarryville, PA 17566-9733) on April 28, 2015, for the wood furniture manufacturing facility in Providence Township, **Lancaster County**. The State-only permit was renewed.

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

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

**19-00014: Hanson Aggregates Pennsylvania, LLC** (7660 Imperial Way, Allentown, PA 18195-1040) on April 29, 2015, was issued a renewal state only operating permit for their Bloomsburg Quarry located in Hemlock Township, **Columbia County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**19-00028: White Pines Corporation** (2650 Audubon Road, Audubon, PA 19403-2406) on April 30, 2015, was issued a renewal state only operating permit for their landfill located in Pine Township, **Columbia County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**08-00008: Guthrie Robert Packer Hospital** (1 Guthrie Square, Sayre, PA 18440) on April 30, 2015, was issued a renewal state only operating permit for their facility located in Sayre Borough, **Bradford County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**65-00857: Saint-Gobain Corporation/Ceramics Plant** (4702 Route 982 Latrobe, PA 15650) on April 29, 2015, the Department issued a State Only Operating Permit for the manufacturing of advanced ceramic materials for wear and corrosion resistant application located in Derry Township, **Westmoreland County**. Saint-Gobain operates four natural gas and one electric drying

kilns, mixing, and machining operations. Emissions are controlled through the use dry filter units and two afterburners/high temperature retention systems.

**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*

**09-00010: G&W Laboratories LLC** (650 Cathill Rd, Sellersville, PA 18960) On April 30, 2015 was amended for change of ownership. The amended operating permit will contain monitoring, recordkeeping and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements in West Rockhill Township, **Bucks County**.

**46-00093: Bryn Mawr Hospital** (130 S. Bryn Mawr Ave., Bryn Mawr, PA 19010) On April 30, 2015 located in Lower Merion Township, **Montgomery County**. Operating Permit Minor Modification issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462. Modification is to modify the liquid backup fuel fired in boilers from #6 fuel to #2 fuel oil without changing any emissions. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

**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. 56090109 and NPDES No. PA0262838. Wilson Creek Energy, LLC**, 140 West Union Street, Somerset, PA 15501, permit renewal for reclamation only of a bituminous surface and auger mine in Lincoln Township, **Somerset County** affecting 30.4 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: February 6, 2015. Permit issued: April 21, 2015.

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

**04090101. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) Renewal of an existing bituminous surface and auger mine in Shippingport Borough, **Beaver County**, affecting 99.8 acres. Receiving streams: Unnamed tributaries to Peggs Run and Peggs Run. This renewal is for reclamation only. Application received: March 11, 2015. Permit Issued: April 29, 2015.

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

**41080101 and NPDES PA0256714. Fisher Mining Company, Inc.** (40 Choate Circle Montoursville, PA 17754). Permit renewal of a bituminous surface mine located in Pine Township, **Lycoming County** affecting 254.0 acres. Receiving streams: Buckeye Run and Right Fork Otter Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 15, 2014. Permit issued: April 28, 2015.

**17030102 and NPDES PA0243426. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for continued operation and restoration of a bituminous surface mine located in Decatur Township, **Clearfield County** affecting 104.0 acres. Receiving stream(s): Little Laurel Run and Unnamed Tributaries to Little Laurel Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 30, 2014. Permit issued: April 29, 2015.

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

**03130101 and NPDES Permit No. PA0252409. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and restoration of a bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 186 acres. Receiving streams: unnamed tributaries to Mahoning Creek. Application received: March 10, 2014. Permit issued: May 1, 2015.

*Noncoal Permits Issued*

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

**37990302. Cemex Construction Materials Atlantic, LLC** (2001 Portland Park, Wampum, PA 16157) Renewal of existing NPDES permit No. PA0241547 in Shenango & Wayne Townships, **Lawrence County**. Receiving streams: Unnamed tributary to Snake Run and unnamed tributary to the Beaver River. Application received: January 16, 2015. Permit Issued: April 29, 2015.

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

**Permit No. 40890302T. Barletta Materials & Construction, Inc.**, (PO Box 550, Tamaqua, PA 18252), transfer and correction of an existing quarry operation in Nescopeck Township, **Luzerne County** affecting 10.8 acres, receiving stream: unnamed tributary to Susquehanna River. Application received: December 12, 2013. Transfer issued: May 1, 2015.

**Permit No. 40890302GP104. Barletta Materials & Construction, Inc.**, (PO Box 550, Tamaqua, PA 18252), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40890302 in Nescopeck Township, **Luzerne County**, receiving stream: unnamed tributary



to Susquehanna River. Application received: December 12, 2013. Permit issued: May 1, 2015.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

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

**14154002. Zion Associates** (P. O. Box 292, Camp Hill, PA 17001). Blasting for construction project named Zion Associates 8A #2 located in Walker Township, **Centre County** with an expiration date of July 1, 2015. Permit issued: April 28, 2015.

**14154102. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866). Blasting for commercial development located in College Township, **Centre County** with an expiration date of December 30, 2015. Permit issued: April 30, 2015.

**14154103. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866). Blasting for commercial development located in College Township, **Centre County** with an expiration date of December 30, 2015. Permit issued: April 30, 2015.

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

**Permit No. 38154001. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Zeigler Distributors Warehouse Addition in South Lebanon Township, **Lebanon County** with an expiration date of August 30, 2015. Permit issued: April 30, 2015.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511*

**E13-181. Reading Blue Mountain and Northern Railroad**, 1 Railroad Boulevard, P. O. Box 215, Port Clinton, PA 19549. Jim Thorpe Borough and Nesquehoning Borough, **Carbon County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 28-foot wide, three span steel I-beam railroad bridge across the Lehigh River (HQ-CWF) having spans of 120 feet, 150 feet, and 150 feet, and an underclearance of approximately 40 feet. This project was previously authorized by Permit No. E13-156, which expired prior to commencement of construction. The project is located within the Lehigh Gorge State Park, approximately 1.5 miles upstream of the SR 0903 bridge over the Lehigh River (Nesquehoning, PA Quadrangle Latitude: 40° 52' 28"; Longitude: -75° 45' 28") in Jim Thorpe and Nesquehoning Boroughs, Carbon County. Sub basin: 2B

**E39-533. Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106. Washington Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain 125-foot wide three-span steel plate girder bridge across Trout Creek (CWF, MF) having a 533-foot combined span and an 88-foot approximate underclearance; to construct and maintain three outfalls in the floodway of an Unnamed Tributary to Trout Creek (CWF, MF) each consisting of an 18-inch diameter corrugated metal pipe, endwall and riprap apron; and to construct and maintain two outfalls in the floodway of Trout Creek (CWF, MF) each consisting of an 18-inch diameter thermo-plastic pipe, endwall and riprap apron. The project is located on the PA Turnpike Northeast Extension (I-476) at MP 68.53 (Leighton Quadrangle Latitude: 40°44'33.7"; Longitude: -75°37'48.2"). Sub basin: 2C

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

**E18-491. PPL Electric Utilities**, 2 North Ninth Street, Mail Stop: GENN3, Allentown, PA 18101-1139. Lycoming-Lock Haven #1 and #2 Rebuild Project, in Castanea Borough Porter/Pine Creek/Wayne Townships, **Clinton & Lycoming County**, ACOE Baltimore District (Mill Hall, Lock Haven, Jersey Shore and Loganton, PA Quadrangles, with a western terminus of N: 41.123782°; W: -77.434584°.)

To: 1) demolition and removal of 276 existing electrical structures (wood monopoles, steel monopoles and steel lattice structures), 2) the construction and maintenance of 206 wood and steel monopoles and the associated aerial power lines in/over the 100-year floodway, wetlands and 20 water bodies: two unnamed tributaries to the West Branch Susquehanna River, McElhattan Creek, two unnamed tributaries to McElhattan Creek, Bald Eagle Creek and seven unnamed tributaries to Bald Eagle Creek, 3) temporary placement of wooden mats for workspace and access drives covering 8,839 acres in the floodway of the above mentioned waterways, 4) temporary placement of wooden mats for workspace and access drives covering 0.566 acre in wetlands, 5) removal of power lines over Harvey's Run, 6) replace an existing culvert with a 20-foot long by 24-inch diameter HDPE culvert in an unnamed tributary to Pine Creek. This permit also includes 401 Water Quality Certification.

**E41-663. Jersey Shore Steel Company**, PO Box 5055, Jersey Shore, PA 17740-5055. Jersey Shore Steel Metal Fabrication Plant in Loyalsock Township, **Lycoming County**, ACOE Baltimore District (Montoursville South, PA Quadrangle Lat: 41° 14' 40"; Long: -76° 56' 46").

To construct and maintain a railroad spur located along an existing railroad by Jersey Shore Metal Fabrication Plant in Loyalsock Township. The railroad spur will be approximately 500 feet in length—Lycoming County, which is located within the floodway/floodplain of West Branch Susquehanna River.

The proposed improvements will be constructed at or below existing grades as any at-grade features would be compensated for by reducing the current elevation of the existing stone parking lot on which the rail spur would be built. The project will have a no net fill with approximately 2,372 cubic yards of cut and 103 cubic yards of fill. Approximately 2,269 cubic yards of material will be removed from the site. Excavated material from construction operations will be disposed of off-site. The proposed project and calculations show an excess in cut (excavation/removal) to achieve proposed grades and to minimize loss of flood storage capacity. The proposed calculations show approximately 2,372 cubic yards of net gained storage capacity.

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

**E19-308. SEDA-COG Joint Rail Authority**, 201 Furnace Road, Lewisburg, PA 17837. Unnamed Tributary to Susquehanna River Stabilization/Restoration/Bridge Replacement, in Montour Township, **Columbia County**, ACOE Baltimore District (Catawissa, PA Quadrangle Latitude: 40-57-8.; Longitude: 76-29-1.0).

The proposed project intends to stabilize the existing stream banks and restore a more natural pattern, profile and dimension to the Unnamed Tributary to the Susquehanna River which carries a water quality designation of Cold Water Fishery with Migratory Fishes. The restorative efforts will begin at the outlet of the SR 4002 (Legion Road) culvert outlet and extend 175 linear feet downstream to the proposed single span steel thru-girder bridge structure. To correct a severe scour and steep slope directly below the outlet of the culvert the design utilizes four rock vein weirs spaced 25 feet apart for 100 linear feet. Each structure will not exceed a 1 foot 3 inch plunge on the downstream end to enable aquatic passage. The remaining 75 linear feet will establish a slight meander bend in the stream channel to mimic a more natural stream pattern. This meander will increase the length of stream in this reach than the existing conditions allowing the slope to be reduced slightly. Toe rock protection will be included along both sides of the stream to assist in stability. The bridge structure will increase the hydraulic opening from 17.57 sf to 44.64 sf, increase the clear span from 5.16 ft. upstream/6.5 ft. downstream to 15.08 ft. Since this structure has a U-shaped substructure it is treated as a box culvert and has incorporated baffles to offset flow through the structure along with retention of natural stream bed material. Beyond the crossing the existing alignment remains. The design calls for 150 line feet of natural material rock ban revetment along the outside or left bank. The natural material rock bank revetment incorporates footer logs, root wads, rock riprap, and live stakes. Upon completion of the construction work the project shall be planted with a number of shrub and tree species for shading and bank stability. This project is located 0.6 mile west along SR 4002 (Legion Road) from the intersection with SR 0042, Montour Township, Columbia County.

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

**E03-462. Pennsylvania Department of Transportation—District 10-0**, 2550 Oakland Avenue, Indiana, PA 15701; Wayne Township, **Armstrong County**; ACOE Pittsburgh District.

Has been given consent to remove the existing SR 1037 single lane, 12 foot wide by 39 foot long single span bridge having a minimum underclearance of 12 feet; construct and maintain adjacent to and downstream a replacement two lane 16 foot wide, 75 foot long single span bridge having a minimum underclearance of 12 feet in South Fork of Pine Creek (HQ-CWF) with a drainage area of 18.6 square miles;

In addition install and maintain road associated stormwater outfalls; install and maintain a total of 10 feet of extensions of two 24 inch pipes carrying a UNT to South Fork of Pine Creek (HQ-CWF) with a drainage area less than 100 acres; fill and maintain a de minimis 0.016 acre of PEM wetland; install and remove 309 feet of temporary stream encroachments associated with construction; and install and remove temporary floodplain encroachments associated with construction.

This project is associated with the SR 1037, relocation and improvement project with these encroachments located 4.3 miles north of Rural Valley in Wayne Township, Armstrong County (Rural Valley PA Quadrangle, North 17.75 inches and West 10.9 inches; Latitude 40° 50' 58" and Longitude -79° 19' 44").



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

**E10-486, Gigliotti Holdings, LP**, 11279 Perry Highway Suite 509, Wexford, PA 15090 in Middlesex Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 40°, 41', 35"; W: -79°, 57', 45"):

To conduct the following activities associated with the development of a 98 lot Planned Residential Development located approximately 1,000 feet southeast of the State Route 228 and Three Degree Road intersection in Middlesex Township, Butler County (Valencia, PA Quadrangle N: 40°, 41', 35"; W: -79°, 57', 45"):

1. To construct and maintain a 93-foot long, 5-foot diameter corrugated metal culvert crossing of an unnamed tributary to Glade Run and adjacent wetlands and to install and maintain eight (8) utility line crossings in the fill material placed above this culvert;

2. To construct and maintain a 120-foot long, 10 foot-11 inch wide by 7 foot-1 inch high corrugated metal pipe arch Stream Enclosure of an unnamed tributary to Glade Run and adjacent wetlands and to install and maintain seven (7) utility line crossings in the fill material placed above this enclosure;

3. To install and maintain six (6) sanitary sewer line crossings of three (3) unnamed tributaries to Glade Run and adjacent wetlands;

4. To install and maintain a water line crossing of an unnamed tributary to Glade Run and adjacent wetlands;

5. To install and maintain a manhole structure and a 13.35-foot long HDPE pipe extension onto the downstream end of an existing 90.21-foot long, 2-foot diameter concrete culvert crossing of an unnamed tributary to Glade Run and adjacent wetlands;

6. To place fill occupying approximately 5,768 square feet within the floodway of an unnamed tributary to Glade Run.

As mitigation for the water resource impacts, the Permittee will create 1.08 acre of onsite wetlands.

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

**E4129-086 Inflection Energy PA LLC**, 1200 17th Street, Suite 1350, Denver, CO 80202-5835, Upper Fairfield Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a surface water withdrawal impacting 3,250 square feet of Loyalsock Creek (EV) (Montoursville North, PA Quadrangle 41°18'34"N 76°55'04"W). The proposed withdrawal will include a 4-foot square intake screen buried flush with the stream bed.

The project will result in 65 linear feet of stream impact all for the purpose of obtaining water for use to develop multiple Marcellus Shale wells.

**E5829-092: UGI Energy Services, Inc.**, 1 Meridian Blvd., Suite 2C01, Wyomissing, PA 19610, Auburn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate and maintain the Auburn Line Loop Project, which consists of one 24-inch natural gas pipeline, with the following impacts:

1. 742 square feet of permanent conversion impacts to Palustrine Scrub Shrub (PSS) Wetlands, 21,125 square

feet of temporary impacts to Palustrine Emergent (PEM) Wetlands, and 5,370 square feet of temporary impacts Palustrine Scrub Shrub (PSS) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'39.49", Longitude: W76°02'10.02");

2. 6,991 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'45.84", Longitude: W76°02'17.43");

3. 65.0 linear feet of a UNT to Little Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'47.39", Longitude: W76°02'19.23");

4. 2,933 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands and 22,093 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'48.62", Longitude: W76°02'20.85");

5. 8,806 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'54.63", Longitude: W76°02'25.73");

6. 51.0 linear feet of a UNT to Little Meshoppen Creek (CWF, MF) and 128 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°39'36.57", Longitude: W76°02'19.02");

7. 1,102 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°39'36.77", Longitude: W76°02'12.70");

8. 8,564 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°39'36.84", Longitude: W76°02'09.24");

9. 15,777 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°40'14.96", Longitude: W76°02'11.55");

10. 2,389 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°40'18.94", Longitude: W76°02'11.72");

11. 17,465 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°40'24.76", Longitude: W76°02'13.14");

12. 19,830 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°40'30.75", Longitude: W76°02'10.56");

13. 8,877 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°40'52.45", Longitude: W76°02'26.93");

14. 7,890 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°40'55.02", Longitude: W76°02'27.56");

15. 7,584 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°41'13.98", Longitude: W76°02'33.48");

16. 6,894 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°42'01.25", Longitude: W76°02'13.05");

17. 40,818 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°42'05.28", Longitude: W76°02'11.86"); and

18. 422.0 linear feet of a UNT to Nick Creek (CWF, MF) via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°42'06.84", Longitude: W76°02'11.38").

The project will result in 538.0 linear feet of temporary stream impacts, 189,342 square feet (4.35 acres) of temporary PEM wetland impacts, 5,370 square feet (0.12 acre) of temporary PSS wetland impacts, 742 square feet (0.02 acre) of permanent PSS wetland impact, and 9,942 square feet (0.23 acre) of permanent PFO wetland impacts, all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

**E6629-023: UGI Energy Services, Inc.**, 1 Meridian Blvd., Suite 2C01, Wyomissing, PA 19610, Washington Township Meshoppen Township, and Meshoppen Borough, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain the Auburn Line Loop Project, which consists of one 24-inch natural gas pipeline, with the following impacts:

1. 67.0 linear feet of a UNT to Susquehanna River (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°34'50.96", Longitude: W76°02'29.56");

2. 54.0 linear feet of a UNT to Susquehanna River (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°34'51.07", Longitude: W76°02'30.46");

3. 98.0 linear feet of a UNT to Susquehanna River (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'01.98", Longitude: W76°02'33.35");

4. 1,012 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'06.10", Longitude: W76°02'32.31");

5. 4,527 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'27.94", Longitude: W76°02'31.97");

6. 1,244 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'30.68", Longitude: W76°02'32.72");

7. 2,638 square feet of permanent impacts to Palustrine Forested (PFO) Wetlands, 874 square feet of permanent impacts to Palustrine Scrub Shrub (PSS) Wetlands, 10,258 square feet of temporary impacts to Palustrine Scrub Shrub (PSS) Wetlands, and 17,116 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'35.10", Longitude: W76°02'33.72");

8. 274 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'40.47", Longitude: W76°02'32.15");

9. 7,759 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°35'53.43", Longitude: W76°02'30.18");

10. 907 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°36'03.25", Longitude: W76°02'28.89");

11. 59.0 linear feet of a UNT to Susquehanna River (CWF, MF) and 7,404 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°36'14.60", Longitude: W76°02'25.92");

12. 81.0 linear feet of Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°36'56.44", Longitude: W76°02'16.71");

13. 104.0 linear feet of a UNT to Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°37'01.54", Longitude: W76°02'15.82");

14. 583 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°37'07.83", Longitude: W76°02'14.78");

15. 60.0 linear feet of a UNT to Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°37'10.15", Longitude: W76°02'14.47");

16. 154.0 linear feet of a UNT to Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°37'18.97", Longitude: W76°02'08.51");

17. 194.0 linear feet of a UNT to Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°37'23.90", Longitude: W76°02'05.36");

18. 187.0 linear feet of a UNT to Meshoppen Creek (CWF, MF) via open cut trenching and a temporary road crossing (Meshoppen, PA Quadrangle, Latitude: N41°37'29.79", Longitude: W76°02'06.66");

19. 1,233 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°37'38.97", Longitude: W76°02'04.32");

20. 1,441 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'35.94", Longitude: W76°02'06.17"); and

21. 1,430 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Auburn Center, PA Quadrangle, Latitude: N41°38'38.21", Longitude: W76°02'08.84").

The project will result in 1,058.0 linear feet of temporary stream impacts, 2,638 square feet (0.06 acre) of permanent impacts to PFO wetlands, 874 square feet (0.02 acre) of permanent impacts to PSS wetlands, 10,258 square feet (0.24 acre) of temporary impacts to PSS wetlands, and 44,930 square feet (1.03 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESG15-019-0009-McCall to Waltman Gas Pipeline  
Applicant Mountain Gathering LLC  
Contact Mr. Dewey Chalos  
Address 810 Houston Street  
City Forth Worth State TX Zip Code 76102  
County Butler Township(s) Donegal(s)  
Receiving Stream(s) and Classification(s)  
Secondary Receiving Water Buffalo Creek, Allegheny River

ESCGP-2 #ESG14-065-0002A—K16-A Pipeline—Major Modification  
Applicant Seneca Midstream Owls Nest, LLC  
Contact Duane Wassum  
Address 6363 Main Street  
City Williamsville State NY Zip Code 14221  
County Jefferson Township(s) Pine Creek & Warsaw(s)  
Receiving Stream(s) and Classification(s) Trib 48591 to Mill Creek, CWF; UNT to Trib to 48591 to Mill Creek,

CWF; UNT to Trib to 48592 to Mill Creek, CWF. Watershed: Mill Creek (CWF) and Laurel Run (HQ-CWF)

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

ESCGP-2 # ESX09-015-0074 (01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Standing Stone  
Receiving Stream(s) and Classification(s) UNT Rummerfield Ck (WWF, MF)  
Secondary—Rummerfield Ck (WWF, MF)

ESCGP-2 # ESG29-117-15-0008  
Applicant Name SWN Production Co LLC  
Contact Person Jeff Whitehair  
Address 917 SR 92 N  
City, State, Zip Tunkhannock, PA 18657  
County Tioga  
Township(s) Liberty  
Receiving Stream(s) and Classification(s) Blacks Creek (CWF/MF, NRT)  
Secondary—Blockhouse Creek (CWF/MF, EV, NRT)

ESCGP-2 # ESX29-115-14-0067(01)  
Applicant Name Southwestern Energy Production Co  
Contact Person Jeff Whitehair  
Address 917 SR 92 N  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna  
Township(s) Oakland  
Receiving Stream(s) and Classification(s) Hilborn Creek (CWF, MF)  
UNT Susquehanna River (CWF, MF)  
Secondary—Susquehanna River (WWF, MF)

ESCGP-2 # ESG29-117-15-0009  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Dr, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Clymer  
Receiving Stream(s) and Classification(s) UNT to Baker Branch (EV)  
UNT to Mill Creek (TSF)  
Secondary—Pine Creek/Cowanesque River

*Southwest Region: Oil & Gas Program Mgr., 400 Waterfront Dr., Pittsburgh, PA*

ESCGP-2 No: ESX14-125-0101  
Applicant Name: CONE Gathering LLC  
Contact Person Carol Phillips  
Address: 200 Evergreene Drive  
City: Waynesburg State: PA Zip Code: 15370  
County: Washington Township: West Finley  
Receiving Stream(s) and Classifications: 3 UNTs to Enlow Fork, 1 UNT to Robinson Fork, and Robinson Fork; Other Warm Water Fishes (WWF); Siltation-Impaired

ESCGP-2 No.: ESG14-059-0053  
Applicant Name: Vista Gathering LLC  
Contact Person: Mike Hopkins  
Address: 480 Johnson Road Suite 100  
City: Washington State: PA Zip Code: 15301  
County: Greene Township(s): Center  
Receiving Stream(s) and Classifications: Rush Run, 3 UNTs to Rush Run, 1 UNT to South Fork Tenmile Creek, and South Fork Tenmile Creek/Monongahela; HQ; Other Warm Water Fishes



ESCGP-2 No.: ESX14-125-0084  
 Applicant Name: Rice Poseidon Midstream LLC  
 Contact Person: Kyle Shirey  
 Address: 400 Woodcliff Drive  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Somerset/Fallowfield  
 Receiving Stream(s) and Classifications: UNTs Pigeon  
 Ck/N Branch Pigeon Ck/Center Branch Pigeon CK  
 (Middle Monongahela River Watershed); Other WWF;  
 Siltation-Impaired

ESCGP-2 No.: ESG14-125-0032  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Renee Thomas  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Washington Township(s): East Finley Twp  
 Receiving Stream(s) and Classifications: 5 UNTs to Buf-  
 falo Creek/Allegheny River Buffalo Creek/Allegheny  
 River; HQ; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX14-059-0035 Major Revision  
 Applicant Name: EQT Production Company  
 Contact Person: Todd Klaner  
 Address: 2400 Zenith Ridge Road Suite 200  
 City: Canonsburg State: PA Zip Code: 15317  
 County Greene Township(s): Morgan  
 Receiving Stream(s) and Classifications: Poverty Run,  
 UNT to Poverty Run, UNT to Ruff Creek/Ruff Creek  
 Watershed; Other WWF

ESCGP-2 No.: ESG14-005-0019  
 Applicant Name: Mountain Gathering  
 Contact Person: Dewey Chalos  
 Address: 810 Houston Street  
 City: Fort Worth State: TX Zip Code: 76102  
 County: Armstrong Township(s): South Buffalo  
 Receiving Stream(s) and Classifications: Buffalo Creek  
 HQ-TSF and UNT to Buffalo Creek HQ-TSF/Buffalo  
 Creek; HQ; Other HQ-TSF; Siltation-Impaired

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**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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15-39-012	Allentown Terminals Corporation P. O. Box 2621 Harrisburg, PA 17105-2621 Attn: Stephen J. Carten	Lehigh	City of Allentown	1 AST storing petroleum products	3,290,000 gallons

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**SPECIAL NOTICES**

**Requests Proposals for Municipal Solid Waste Disposal and/or Processing Capacity; Armstrong County Board of Commissioners, Kittanning, PA**

In accordance with 25 Pa. Code § 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000), the Board of Commissioners of Armstrong County has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next ten years. The Armstrong County Department of Planning and Development on behalf of the Armstrong County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Armstrong County, PA with contract approval and execution anticipated by September 2015.

The Request for Proposals (RFP) will be available from the Armstrong County Department of Planning and Development on or after Monday, May 4, 2015. There is a \$50 fee for printed copies. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Armstrong County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

The Armstrong County Department of Planning and Development will receive sealed proposals until 3:00 p.m., Prevailing Time on Tuesday, June 9, 2015. The Proposer is required to submit two (2) hard copies, each executed in blue ink and labeled "original," and two (2) separate electronic media, (CD-ROMs or Flash Drives) each with a copy of the proposal in MS Word or pdf format. The proposals must be packaged, sealed, and clearly labeled to show the statement "Proposal Disposal Capacity" and the name and address of the Proposer.

Proposals should be submitted and be addressed to Sally Conklin, Planning Division Director, Armstrong County Department of Planning and Development, 402 East Market Street, Kittanning, PA 16201.



### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of April 2015 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 2 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>
Brock Baugher	1055 Stine Hill Rd. Red Lion, PA 17356	Testing
Matthew Beinhaur Harris Environmental, Inc.	600 Stone House Rd. Clarion, PA 16214	Mitigation
Scott Bobowicz Historic Home Inspections, LP	2865 S. Eagle Rd., #334 Newtown, PA 18940	Testing
Robert Bolus	8 Red Bud Dr. Bloomsburg, PA 17815	Testing
Jason Boni	8470 Ridgemont Rd. Pittsburgh, PA 15237	Testing
Terry Campbell	6192 Boxer Dr. Bethel Park, PA 15102	Testing
Michael Chace	1438 Memory Ln. Chambersburg, PA 17201	Testing
Peter Ciliberto	675 Featherbed Ln. Garnet Valley, PA 19060	Testing
James Cortez	134 Gary Dr. Sewickley, PA 15143	Testing
George Curry	505 Philmar Ct., "B" Springfield, PA 19064	Testing
Bill Ditchey	401 S. Pine St. Mount Carmel, PA 17851	Testing
Kim Fella	PO Box 543 Fleetwood, PA 19522	Testing
Michael Fella	PO Box 543 Fleetwood, PA 19522	Testing
Guardian Home Inspection, LLC	8470 Ridgement Rd. Pittsburgh, PA 15237	Testing
Timothy Gentry	PO Box 1956 Horsham, PA 19044	Mitigation
Jeffery Jackson	2502 Brooksboro Dr. Erie, PA 16510	Testing & Mitigation
Frank Klopp, Jr.	230 S. Brobst St. Shillington, PA 19607	Testing
Marc Marino Radon-Rid, LLC	PO Box 1143 Oaks, PA 19456	Testing & Mitigation
Karl May, Jr.	82 Walnut St. Wellsboro, PA 16901	Mitigation
Joseph Mihalik	8020 Mine St. Fogelsville, PA 18051	Mitigation
Donald Minehart	2400 Oxford Dr., #412 Bethel Park, PA 15102	Testing
Neil Minnucci	955 Allentown Rd. Lansdale, PA 19446	Testing
Brian Mischler	212 W. Grant St. Latrobe, PA 15650	Testing
Philip Parke, Sr.	PO Box 30308 Wilmington, DE 19805	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Robert Pecca	404 Richmond Rd. Bangor, PA 18013	Testing
Harvey Ricci SPY Inspection Services, Inc.	101 S. Broad St., Ste. 100 Lansdale, PA 19446	Testing
Laird Ritter	717 Oak Hall St. Boalsburg, PA 16827	Testing
Ronald Rusnock	PO Box 2245 Hazleton, PA 18201	Testing
Mike Sheely	1000 Wolfe Rd. Enola, PA 17025	Mitigation
Mike Supik	2876 Meadow St. Natrona Heights, PA 15065	Testing
SWAT Environmental of Pittsburgh	201 Penn Center Blvd., Ste. 400 Pittsburgh, PA 15235	Testing
Peter Weber	6 Boor Cove Ln. West Grove, PA 19390	Testing
Peter Weber Atlantic Radon Systems, Inc.	6 Boor Cove Ln. West Grove, PA 19390	Mitigation
William Weitzel	142 S. West St. Carlisle, PA 17013	Testing

**Public Meeting and Hearing on the Pennsylvania General Energy Company Application to Reclassify the Marjorie C. Yanity #1025 Well (API #063-31807); Grant Township, Indiana County**

The Department of Environmental Protection (DEP) will hold a public meeting and public hearing on Monday, June 1, 2015, at 6:00 p.m. in the East Run Sportsman's Association facility located at 1668 Sebring Road, Marion Center, PA 15759.

The purpose of the meeting and hearing is to provide information and take testimony concerning Pennsylvania General Energy Company's (PGE) application to reclassify the Marjorie C. Yanity #1025 well (API #063-31807), located in Grant Township, Indiana County, from a production well to a disposal well. The U.S. Environmental Protection Agency issued an Underground Injection Control Permit (PAS2D013BIND) on March 19, 2014, to authorize the operation of the Class II-D Injection Well.

DEP will accept and record testimony concerning PGE's application to reclassify the well. Those wishing to present testimony during the hearing should contact DEP Community Relations Coordinator, John Poister, at (412) 442-4203, before noon June 1, 2015, to reserve time to present testimony. Individuals who do not register may also present testimony the day of the hearing by registering at the door before the meeting begins. Witnesses are requested to submit three written copies of their verbal testimony to the hearing chairperson at the hearing. Testimony is limited to five minutes for each witness. Witnesses will be called to testify in the order they registered. If time permits at the hearing, those who did not register in advance will be given the opportunity to testify. Organizations are limited to designating one witness to present testimony on behalf of the organization.

Persons unable to attend the public hearing can submit a written statement to the PADEP within 5 days thereafter. Written statements should be sent to the Pennsylvania Department of Environmental Protection, Southwest

Oil & Gas Operations District Office, 400 Waterfront Drive, Pittsburgh, PA 15222 via the U.S. Postal Service, by email to [tdonohue@pa.gov](mailto:tdonohue@pa.gov), or by fax to 412-442-4328. Each written statement must contain the name, address and telephone number of the person submitting the comments, identification of the permit application (Marjorie C. Yanity #1025 well (API #063-31807)) and a concise statement of the objections to the permit application and the relevant facts upon which the objections are based.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact John Poister at (717) 442-4203, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate your needs.

[Pa.B. Doc. No. 15-915. Filed for public inspection May 15, 2015, 9:00 a.m.]

**Listing of the Northern Long-eared Bat and Permit Reviews**

Permit reviews may now be impacted by the United States Fish and Wildlife Service's listing of the Northern Long-eared Bat (bat) (*Myotis septentrionalis*) as a Federally threatened species under the Endangered Species Act of 1973 (16 U.S.C.A. §§ 1531—1544). The threatened status for the bat was effective on May 4, 2015.

The Department of Environmental Protection (Department) requires applicants for certain permits and authorizations to conduct a Pennsylvania Natural Diversity Inventory (PNDI) search using the PNDI Environmental Review Tool for potential impacts to Federal and State threatened and endangered species, special concern species and special concern resources. As of May 4, 2015, the PNDI search tool reflects the addition of the bat.

With the addition of this bat to the list of threatened species, all PNDI searches in this Commonwealth now

have the potential to identify this bat as potential concern in specific areas. Therefore, any search that was done before May 4, 2015, did not encompass the Federally-listed bat and will need to be rerun for this threatened species.

For more information on how the listing of this species will impact current permit holders, current applicants and potential permit applicants, visit the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: Northern Long-eared Bat).

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-916. Filed for public inspection May 15, 2015, 9:00 a.m.]

### **Pennsylvania's 2015-2016 Annual Ambient Air Monitoring Network Plan; Available for Public Comment**

On October 17, 2006, the United States Environmental Protection Agency (EPA) promulgated final amendments to the National ambient air monitoring requirements for criteria pollutants in 40 CFR Parts 53 and 58 (relating to ambient air monitoring reference and equivalent methods; and ambient air quality surveillance). See 71 FR 61236 (October 17, 2006). The EPA's final rule requires state and local agencies to enhance air monitoring to "improve public health protection and better inform the public about air quality in their communities." Under 40 CFR 58.10 (relating to annual monitoring network plan and periodic network assessment), air quality state and local monitoring agencies must adopt an annual air-monitoring network plan and make the plan available for public inspection for at least 30 days prior to final submission to the EPA Regional Administrator. The plan, which is due July 1, 2015, must include a statement of purpose for each monitor and evidence that siting and operation of each monitor meets Federal requirements. The EPA may also provide an opportunity for review and comment prior to approving or disapproving a state's Monitoring Network Plan.

On May 16, 2015, the 2015-2016 Annual Ambient Air Monitoring Network Plan (Plan) will be made available for public comment on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us/dep/deputate/airwaste/aq/default.htm](http://www.dep.state.pa.us/dep/deputate/airwaste/aq/default.htm). The Plan has been updated to address changes that have been made in the Commonwealth's ambient air monitoring network and to identify changes that are anticipated to occur in the remainder of 2015 and in 2016.

The public is invited to submit comments on the Plan. Comments must be received by the Department on or before June 16, 2015. Written comments should be sent to the attention of Nicholas Lazor, Chief, Division of Air Quality Monitoring, Bureau of Air Quality, P.O. Box 8468, Harrisburg, PA 17105-8468, RA-epair@pa.gov. Use "Annual Monitoring Network Plan" as the subject line.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-917. Filed for public inspection May 15, 2015, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Act 2010-110 Photo Identification Badges**

The Department of Health (Department) provides notice that the following provisions of section 809.2 of the Health Care Facilities Act (35 P.S. § 448.809b), enacted by the act of November 23, 2010 (P.L. 1099, No. 110), will become effective June 1, 2015.

The following individuals must wear photo identification badges:

- All employees and physicians working at health care facilities licensed by the Department who provide direct care to patients or consumers
- All employees and physicians working at the private practice of physicians who provide direct care to patients or consumers
- All employees and physicians working at an employment agency who provide direct care to patients and consumers

The badge must include the following:

- A recent photograph of the employee
- The employee's name
- The employee's title
- The name of the employee's health care facility or employment agency

The title of the employee shall be as large as possible in block type and shall occupy a 1/2-inch tall strip as close as practicable to the bottom edge of the badge. The following titles must be used when applicable:

- A Medical Doctor shall have the title "Physician"
- A Doctor of Osteopathy shall have the title "Physician"
- A Registered Nurse shall have the title "Registered Nurse"
- A Licensed Practical Nurse shall have the title "Licensed Practical Nurse"

Abbreviated titles may be used when the title indicates licensure or certification by a Commonwealth agency.

An employee is not required to wear an identification badge while delivering direct care to a consumer if it is not clinically feasible.

The last name of the employee may be omitted or concealed when delivering direct care to a consumer who exhibits symptoms of irrationality or violence.

Further information regarding the implementation of these requirements will be available at <https://app2.health.state.pa.us/CommonPOC/Login/Login.aspx>.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape or Braille) should contact Susan Coble, Director, Bureau of Community Program and Licensure, Room 132, Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-3188 or for speech and/or hearing impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-918. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Application of Associates in Urology for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Associates in Urology has requested an exception to the requirements of 28 Pa. Code § 569.2 (relating to fire safety standards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
Acting Secretary

[Pa.B. Doc. No. 15-919. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Application of Ephrata Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ephrata Community Hospital has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders), regarding radiology services.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
Acting Secretary

[Pa.B. Doc. No. 15-920. Filed for public inspection May 15, 2015, 9:00 a.m.]

## Decisions on Requests for Exception to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b) for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from January 1, 2015, through March 31, 2015. Publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelder, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120.

### Hospitals

Facility Name	28 Pa. Code Regulation	Relating to	Published	Request Decision
Fulton County Medical Center	§ 103.31	The chief executive officer	03/14/15	granted
J C Blair Memorial Hospital	§ 103.31	The chief executive officer	03/07/15	granted
Fulton County Medical Center	§ 103.33(b)(1)	Responsibilities	03/14/15	granted
J C Blair Memorial Hospital	§ 103.33(b)(1)	Responsibilities	03/07/15	granted
St. Luke's Hospital—Bethlehem	§ 105.1	Principle	01/10/15	denied
St. Luke's University—Anderson	§ 105.1	Principle	02/14/15	denied
Schuylkill Medical Center East Norwegian Street	§ 107.1	Principle	03/07/15	granted
Schuylkill Medical Center South Jackson Street	§ 107.1	Principle	03/07/15	granted



<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Published</i>	<i>Request Decision</i>
Nason Hospital	§ 107.26(b)	Additional committees	03/07/15	granted
Canonsburg Hospital	§ 107.26(b)(1)	Additional committees	01/10/15	granted
Nason Hospital	§ 107.32	Meetings and attendance	03/07/15	granted
Lock Haven Hospital	§ 107.61	Written orders	09/27/14	denied
New LifeCare Hospitals of Chester County	§ 107.62(a)	Oral orders	03/14/15	denied
New LifeCare Hospitals of Chester County	§ 107.62(b)	Medical staff membership	03/14/15	denied
York Hospital	§ 117.30(1)	Emergency paramedic services	02/21/15	granted
Select Specialty Hospital Laurel Highlands	§ 117.31	Principle	02/28/15	denied
Select Specialty Hospital Laurel Highlands	§ 117.32	Location	02/28/15	denied
Select Specialty Hospital Laurel Highlands	§ 117.33	Instruments and supplies	02/28/15	denied
Penn Highlands DuBois (DuBois Regional Medical Center), 100 Hospital Avenue DuBois	§ 123.25(2)	Control of anesthetic explosion hazards	12/13/14	withdrawn
Robert Packer Hospital	§ 127.1	Radiology services—principle	02/21/15	granted
St. Christopher's Hospital for Children	§ 127.1	Principle	03/07/15	withdrawn
Carlisle Regional Medical Center	§ 127.32	Written orders	03/07/15	granted
Nason Hospital	§ 127.32	Written orders (radiology)	03/14/15	granted
Nason Hospital	§ 137.21(b)(5)	Policies and procedures	03/07/15	granted
Bryn Mawr Hospital	§ 153.1	2.2-3.1.2.2(2) Entrances	02/07/15	granted
Butler Memorial Hospital	§ 153.1	4-7.5.2(a) Bronchoscopy	02/14/15	granted
Children's Hospital of Philadelphia	§ 153.1	2.6-2.2.2.2(1) Area	02/14/15	granted
Children's Hospital of Philadelphia	§ 153.1	2.6-2.2.2.2(2)(b) Clearances	02/14/15	granted
Geisinger Lewistown Hospital	§ 153.1	2.2-3.1.3.7 Patient toilet room	03/14/15	granted
Geisinger Medical Center	§ 153.1	3.1-3.6.10 Soiled holding rooms	03/28/15	granted
Geisinger-Bloomsburg Hospital	§ 153.1	2.2-3.8.6.9 Clean supply rooms	02/14/15	granted
Geisinger-Bloomsburg Hospital	§ 153.1	2.2-3.8.6.10 Soiled holding rooms	02/14/15	granted
Geisinger-Bloomsburg Hospital	§ 153.1	2.2-3.8.6.12 Environmental services rooms	02/14/15	granted
Gettysburg Hospital	§ 153.1	3.6-3.6.10 Soiled workrooms	02/07/15	granted
Gettysburg Hospital	§ 153.1	3.6-3.6.10.1 Hand-washing stations	02/07/15	granted
Gettysburg Hospital	§ 153.1	3.6-3.6.10.2 Flushing rim clinical sinks with bedpan washers	02/07/15	granted
Gettysburg Hospital	§ 153.1	3.6-3.6.10.3 Work counters	02/07/15	granted
Lancaster General Women and Babies Hospital	§ 153.1	2.2-3.4.5.4(1) Patient toilet room	01/10/15	granted
Lancaster General Women and Babies Hospital	§ 153.1	2.2-3.4.5.2 Space requirements	01/10/15	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Published</i>	<i>Request Decision</i>
Lehigh Valley Hospital	§ 153.1	3.1-8.7.2.3 Dimensions	02/28/15	withdrawn
Meadville Medical Center	§ 153.1	3.1-7.2.2.1 Corridor width	01/03/15	granted
Penn Highlands Clearfield	§ 153.1	2.1-2.2.5.3 Renovations	03/14/15	granted
Penn Highlands Clearfield	§ 153.1	Table 2.1-4 Station outlets for hospitals (2.2-2.2.2)	03/21/15	granted
Penn Highlands Elk	§ 153.1	3.1-7.2.2.1 Corridor width	01/03/15	granted
Penn Highlands Elk	§ 153.1	3.1-6.2.4.1 Public toilet(s)	01/03/15	granted
Penn Highlands Elk	§ 153.1	3.2-6.4.1 Lounge and toilet facilities	01/03/15	granted
Penn Highlands Elk	§ 153.1	Table 2.1-4 Station outlets in hospitals (2.2-3.1.3.6)	02/28/15	granted
Riddle Memorial Hospital	§ 153.1	3.1-6.2.4.1 Patient toilet rooms	02/14/15	granted
Riddle Memorial Hospital	§ 153.1	3.1-3.2.2.2(1) Area	02/14/15	granted
Riddle Memorial Hospital	§ 153.1	3.1-3.2.2.2(2)(b) Clearances	02/14/15	granted
Riddle Memorial Hospital	§ 153.1	3.1-3.2.2.3 Hand-washing stations	02/14/15	granted
Somerset Hospital	§ 153.1	2.1-7.2.2.2(1) Ceiling height	02/21/15	granted
Somerset Hospital	§ 153.1	2.2-3.1.4.4(2) Secure holding rooms	02/21/15	granted
UPMC Passavant Hospital	§ 153.1	2.6-2.2.2.7 Patient bathing facilities	02/07/15	granted
UPMC Presbyterian Shadyside	§ 153.1	3.1-3.2.2.2(1) Area	02/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	3.1-3.2.2.3 Hand-washing stations	02/14/15	denied
UPMC Presbyterian Shadyside	§ 153.1	2.1-3.2.2.1(1) Area	03/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	2.1-3.2.2.2(1) Lights	03/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	2.1-3.2.2.2(2) Supply storage	03/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	2.1-3.2.2.2(3) Documentation	03/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	2.1-7.2.2.2(3) Ceiling heights	03/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	2.2-3.1.4.3(2) Wall lengths	03/14/15	granted
UPMC Presbyterian Shadyside	§ 153.1	2.2-3.1.4.3(3)(c) Wall protrusions	03/14/15	denied
UPMC Presbyterian Shadyside	§ 153.1	2.2-3.1.4.3(3)(d) Patient doors	03/14/15	granted
UPMC St. Margaret (UPMC Natrona Heights Outpatient Center)	§ 153.1	2.2-3.4.5.2(1) Area	02/14/15	granted
UPMC Passavant Hospital	§ 153.1	2.1-7.2.2.3(2) Door openings	01/10/15	granted
Western Psychiatric Institute & Clinic	§ 153.1	2.1-2.4.3.5(4) Seclusion treatment room	03/07/15	granted
Westmoreland Hospital	§ 153.1	2.2-3.3.4.4(1)(b)(ii) Phase II recovery room(s) or area	02/07/15	granted
Windber Medical Center	§ 153.1	2.1-8.5.3.2 Size (TDRs)	01/10/15	granted
York Hospital	§ 153.1	2.2-3.1.3.6 Examination/treatment rooms	01/10/15	granted
York Hospital	§ 153.1	2.1-2.2.5.3 Renovations	02/07/15	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Published</i>	<i>Request Decision</i>
Pinnacle Health System— West Shore Pain Center	§ 551.3(ii)	Class B, Definitions (PS III patients)	02/07/15	granted
<b>Ambulatory Surgical Facilities</b>				
The Eye Surgery Center	§ 123.25(2)	Control of anesthetic explosion hazards	03/14/15	granted
Eastern PA Nephrology Associates	§ 153.1	3.7-3.6.1 Nurse or control station	01/10/15	granted
Eastern PA Nephrology Associates	§ 153.1	3.7-3.6.11.3(1) Storage space for stretchers	01/10/15	granted
Allegheny Health Network Monroeville Surgery Center	§ 551.21	Criteria for ambulatory surgery	03/28/15	denied
Eastern PA Nephrology Associates	§ 551.21(d)	Criteria for ambulatory surgery	01/10/15	granted
Premier Ophthalmology Surgical Center	§ 551.21(d)	Criteria for ambulatory surgery	01/03/15	granted
Wexford Surgery Center	§ 551.21(d)	Criteria for ambulatory surgery	01/03/15	denied
Wexford Surgery Center	§ 551.21(d)	Criteria for ambulatory surgery	01/03/15	denied
Wexford Surgery Center	§ 551.21(d)	Criteria for ambulatory surgery	01/03/15	denied
North East Surgery Center	§ 551.21(d)(1)—(3)	Criteria for ambulatory surgery	02/07/15	granted
Surgery Center at Penn Medicine University City	§ 551.21(d)(1) and (3)	Criteria for ambulatory surgery	03/14/15	granted in part, denied in part
Valley Ambulatory Surgery Center	§ 551.21(d)(2)	Criteria for ambulatory surgery	11/01/14	denied
Eastern PA Nephrology Associates	§ 551.3	Definitions	01/10/15	granted
AFP Surgery Center, Inc.	§ 551.3(ii)	Class B, Definitions (PS III Patients)	03/14/15	granted
Jefferson Pain & Rehab Center	§ 551.3(ii)	Class B, Definitions (PS III Patients)	03/14/15	denied
Oxford Valley Pain and Surgical Center	§ 551.3(ii)	Class B, Definitions (PS III Patients)	03/14/15	granted
Pain Center of Wyoming Valley	§ 551.3(ii)	Class B, Definitions (PS III Patients)	03/14/15	denied
Peripheral Vascular Institute of Philadelphia, LLC	§ 551.3(ii)	Class B, Definitions (PS III Patients)	02/28/15	denied
The Skin Center (Center for Cosmetic Surgery, PC)	§ 551.3(ii)	Class B, Definitions (PS III Patients)	02/28/15	withdrawn
AFP Surgery Center, Inc.	§ 551.31(a)	Principle (anesthesia services—Propofol)	03/14/15	granted
AFP Surgery Center, Inc.	§ 553.31(a)	Administrative responsibilities	03/14/15	granted
AFP Surgery Center, Inc.	§ 555.31	Principle (anesthesia services)	03/14/15	granted
Dermatologic SurgiCenter Center City	§ 569.35(7)	General safety precautions	02/28/15	denied
Dermatologic SurgiCenter Drexel Hill	§ 569.35(7)	General safety precautions	02/28/15	denied
Elite Surgery Center	§ 569.35(7)	General safety precautions (flammable agents in ASF)	12/13/14	granted
The Center for Spine Care at Lancaster NeuroScience	§ 569.35(7)	General safety precautions	02/14/15	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Published</i>	<i>Request Decision</i>
The Eye Surgery Center	§ 569.35(f)	General safety precautions (flammable agents in ASF)	02/21/15	granted
Pain Center of Wyoming Valley	§ 571.1	3.7-7.2.2.1(1) Corridor widths	02/14/15	granted
Peripheral Vascular Institute of Philadelphia, LLC	§ 571.1	Table 3.1-3 Station outlets in outpatient facilities (3.1-8.4.4)	02/21/15	denied
<b>Nursing Care Facilities</b>				
Concordia at the Cedars	§ 201.18(e)	Management	02/07/15	granted
Butler Valley Manor Health and Rehabilitation Center	§ 205.20(d) and (f)	Resident bedrooms	03/21/15	granted
Henry Clay Villa, LP	§ 201.3	Definitions	03/07/15	granted
Forbes Center for Rehabilitation and Healthcare	§ 205.24(a)	Dining room	01/24/15	granted
Harmony Physical Rehabilitation	§ 205.25(a)	Kitchens	02/21/15	granted
Hearthside Rehabilitation and Nursing Center	§ 205.27	Lounge and recreation rooms	03/21/15	granted
The Quadrangle	§ 205.28(b)	Nurse's station	01/24/15	granted
The Quadrangle	§ 205.33(a)	Utility room	01/24/15	granted
The Quadrangle	§ 205.36(h)	Bathing facilities	01/24/15	granted
Baldwin Health Center	§ 205.6(a)	Function of building	02/07/15	granted
Maple Winds Care Center	§ 205.6(a)	Function of building	03/14/15	granted
Oakwood Heights	§ 205.6(a)	Function of building	02/07/15	granted
Paramount Nursing and Rehabilitation at Peters Township, LLC	§ 205.6(a)	Location	02/14/15	granted
Paramount Nursing and Rehabilitation at Peters Township, LLC	§ 205.6(a)	Function of building	02/14/15	granted
Wesbury United Methodist Community	§ 205.6(a)	Function of building	02/07/15	granted
Zerbe Sisters Nursing Center, Inc.	§ 205.6(a)	Function of building	03/28/15	granted
Immaculate Mary Center for Rehabilitation & Healthcare	§ 205.67(j) and (k)	Electric requirements for existing and new construction	03/28/15	granted
WillowBrooke Court at Southampton Estates	§ 205.67(j) and (k)	Electric requirements for existing and new construction	01/31/15	granted
WillowBrooke Court of Spring House Estates	§ 205.67(j) and (k)	Electric requirements for existing and new construction	03/28/15	granted
Passavant Retirement and Health Center	§ 207.2(b)	Administrator's responsibility	03/14/15	granted
Abington Crest Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	03/07/15	granted
Angela Jane Pavilion	§ 211.9(g)	Pharmacy services	01/24/15	granted
Barbara J. Egan Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	01/17/15	granted
Bryn Mawr Extended Care Center	§ 211.9(g)	Pharmacy services	03/07/15	granted
Cathedral Village	§ 211.9(g)	Pharmacy services	02/07/15	granted
Deer Meadows Rehabilitation Center	§ 211.9(g)	Pharmacy services	03/14/15	granted



<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Published</i>	<i>Request Decision</i>
Delaware Valley Veterans' Home	§ 211.9(g)	Pharmacy services	02/21/15	granted
Emmanuel Center for Nursing and Rehabilitation at Maria Joseph Manor	§ 211.9(g)	Pharmacy services	03/14/15	granted
Evangelical Manor	§ 211.9(g)	Pharmacy services	02/07/15	granted
Gettysburg Lutheran Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	01/24/15	granted
Green Ridge Care Center	§ 211.9(g)	Pharmacy services	03/21/15	granted
Hickory House Nursing Home	§ 211.9(g)	Pharmacy services	03/07/15	granted
Highland Manor Rehabilitation and Nursing Center	§ 211.9(g)	Pharmacy services	01/03/15	granted
Immaculate Mary Center for Rehabilitation & Healthcare	§ 211.9(g)	Pharmacy services	02/21/15	granted
Julia Ribaldo Extended Care Center	§ 211.9(g)	Pharmacy services	03/21/15	granted
Lutheran Nursing and Rehabilitation Center at Sprenkle Drive	§ 211.9(g)	Pharmacy services	02/07/15	granted
Majestic Oaks Rehabilitation and Nursing Center	§ 211.9(g)	Pharmacy services	01/10/15	granted
ManorCare Health Services—Wallingford	§ 211.9(g)	Pharmacy services	03/14/15	granted
ManorCare Health Services at Mercy Hospital	§ 211.9(g)	Pharmacy services	01/21/15	granted
Paul's Run	§ 211.9(g)	Pharmacy services	02/07/15	granted
Renaissance Healthcare & Rehabilitation Center	§ 211.9(g)	Pharmacy services	03/28/15	granted
River's Edge Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	01/24/15	granted
Shippensburg Health Care Center	§ 211.9(g)	Pharmacy services	01/10/15	granted
Skilled Care Center at UTZ Terrace	§ 211.9(g)	Pharmacy services	01/17/15	granted
Southeastern Pennsylvania Veteran's Center	§ 211.9(g)	Pharmacy services	03/14/15	granted
Spring Creek Rehabilitation and Health Care Center	§ 211.9(g)	Pharmacy services	01/31/15	granted
St. Francis Center for Rehabilitation & Healthcare	§ 211.9(g)	Pharmacy services	01/24/15	granted
St. John Neumann Center for Rehabilitation & Healthcare	§ 211.9(g)	Pharmacy services	02/07/15	granted
Whitestone Care Center	§ 211.9(g)	Pharmacy services	03/21/15	granted
Wood River Village	§ 211.9(g)	Pharmacy services	01/17/15	granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced addresses or for speech and/or hearing impaired persons, V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-921. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Caring Heart Rehabilitation and Nursing Center  
6445 Germantown Avenue  
Philadelphia, PA 19119  
FAC ID # 191802

Hanover Hall  
267 Frederick Street  
Hanover, PA 17331  
FAC ID # 590102

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(h) (relating to prevention, control and surveillance of tuberculosis (TB)):

SpiriTrust Lutheran The Village at Gettysburg  
1075 Old Harrisburg Road  
Gettysburg, PA 17325  
FAC ID # 124402

SpiriTrust Lutheran The Village at Shrewsbury  
200 Luther Road  
Shrewsbury, PA 17361  
FAC ID # 970902

SpiriTrust Lutheran The Village at Sprenkle Drive  
1801 Folkemer Circle  
York, PA 17404  
FAC ID # 015902

SpiriTrust Lutheran The Village at Utz Terrace  
2100 Utz Terrace  
Hanover, PA 17331  
FAC ID # 17620201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

The Village at Penn State  
160 Lion's Hill Road  
State College, PA 16803  
FAC ID # 15550201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) and (k) (relating to electric requirements for existing and new construction):

Saint Joseph Villa  
110 West Wissahickon Avenue  
Flourtown, PA 19031  
FAC ID # 711102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department

and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-922. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board Meeting

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions (ABC-MAP) Board, established under the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act (35 P. S. §§ 872.1—872.40), will hold a meeting on Wednesday, May 20, 2015, at 9:30 a.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. The purpose of this meeting is for assessing the costs and benefits of the program and deliberating any necessary changes. Items which may be discussed at the meeting are as follows: evaluating and securing a vendor of an electronic prescription monitoring system; appointing an advisory group; creating a written notice to be used by prescribers and dispensers; and developing policies and procedures.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Kimberly Buffington, Department of Health, Health and Welfare Building, Room 129, 625 Forster Street, Harrisburg, PA 17120, (717) 787-9857, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-923. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S. § 5633), will hold a meeting on Wednesday, June 17, 2015, from 9 a.m. to 12 p.m. at the Giant Super Food Store Community Center, Second Floor, 2300 Linglestown Road, Harrisburg, PA 17110. The purpose of the Board meeting and items which may be discussed are as follows: advising the Secretary of Health with respect to cancer control, prevention and research in this Commonwealth; approving each year a program for cancer control, prevention and research, to be known as the "Pennsylvania Cancer Plan"; and recommending to the Secretary of Health the awarding of grants and contracts to qualified associations, nonprofit organizations or governmental agencies to plan, establish or conduct programs in cancer control or prevention, cancer education and training and cancer clinical research. In addition, various Department of Health updates will be presented.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Sharon H. Sowers, Plan and Policy Development Section Chief, Comprehensive Cancer Control Section, Division of Cancer Prevention and Control, Department of Health, Health and Welfare Building, Room 1011, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3249, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-924. Filed for public inspection May 15, 2015, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meetings

The Uniform Construction Code Review and Advisory Council will hold voting sessions on Wednesday, May 20, 2015, at 10 a.m. and on Thursday, May 21, 2015, at 8 a.m. at the Department of Labor and Industry, E-100, 651 Boas Street, Harrisburg, PA 17121. If needed, an additional voting session will be held on Friday, May 22, 2015, at 8 a.m. at the Department of Labor and Industry, E-100, 651 Boas Street, Harrisburg, PA 17121.

Additional information concerning these meetings may be found on the Department of Labor and Industry web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Scroll down and click on the link for "Uniform Construction Code" then "UCC Review and Advisory Council."

Questions concerning these meetings may be directed to Joseph P. Marchioni, Jr. at (717) 783-6304.

KATHY MANDERINO,  
*Acting Secretary*

[Pa.B. Doc. No. 15-925. Filed for public inspection May 15, 2015, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Super \$500 Frenzy Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super \$500 Frenzy.

2. *Price:* The price of a Pennsylvania Super \$500 Frenzy instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Super \$500 Frenzy instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 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), SUPER (SUPER) symbol and a \$500 Burst (WIN500) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$5,000 (FIV 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, \$5,000 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 Super \$500 Frenzy 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 \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(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 SUPER (SUPER) symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that SUPER (SUPER) 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 Burst (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 SUPER (SUPER) symbol and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that SUPER (SUPER) 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 \$50.00 (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 SUPER (SUPER) symbol and a prize symbol of \$50.00 (FIFTY) appears in the “Prize” area under that SUPER (SUPER) 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 \$40.00 (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 SUPER (SUPER) symbol and a prize symbol of \$40.00 (FORTY) appears in the “Prize” area under that SUPER (SUPER) 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 \$20.00 (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 SUPER (SUPER)

symbol and a prize symbol of \$20.00 (TWENTY) appears in the “Prize” area under that SUPER (SUPER) 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 \$15.00 (FIFTEEN) 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 SUPER (SUPER) symbol and a prize symbol of \$15.00 (FIFTEEN) appears in the “Prize” area under that SUPER (SUPER) 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 \$10.00 (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 SUPER (SUPER) symbol and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area under that SUPER (SUPER) 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 \$5.00 (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 SUPER (SUPER) symbol and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area under that SUPER (SUPER) 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/ SUPER	\$5	15	880,000
\$5	\$5	20	660,000
\$10 w/ SUPER	\$10	30	440,000
\$10	\$10	60	220,000
\$5 × 3	\$15	200	66,000
\$15 w/ SUPER	\$15	150	88,000
\$15	\$15	200	66,000
\$5 × 4	\$20	600	22,000
(\$10 w/ SUPER) × 2	\$20	300	44,000
\$20 w/ SUPER	\$20	200	66,000
\$20	\$20	600	22,000
\$5 × 8	\$40	600	22,000
(\$10 w/ SUPER) × 4	\$40	600	22,000
\$40 w/ SUPER	\$40	600	22,000
\$40	\$40	600	22,000
\$10 × 5	\$50	600	22,000
(\$20 × 2) + \$10	\$50	600	22,000
\$50 w/ SUPER	\$50	600	22,000
\$50	\$50	600	22,000



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:
\$10 × 10	\$100	6,000	2,200
\$20 × 5	\$100	12,000	1,100
(\$10 × 8) + (\$5 × 4)	\$100	6,000	2,200
(\$10 w/ SUPER) × 10	\$100	6,000	2,200
\$100 w/ SUPER	\$100	6,000	2,200
\$100	\$100	12,000	1,100
\$100 × 5	\$500	4,800	2,750
(\$50 × 2) + (\$40 × 10)	\$500	4,286	3,080
\$500 w/ \$500 BURST	\$500	685.71	19,250
\$500 w/ SUPER	\$500	4,000	3,300
\$500	\$500	3,000	4,400
(\$500 w/ \$500 BURST) × 10	\$5,000	1,320,000	10
\$5,000	\$5,000	1,320,000	10
\$100,000	\$100,000	1,320,000	10

Reveal a "SUPER" (SUPER) symbol, win prize shown under that symbol automatically.  
Reveal a "\$500 BURST" (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 Super \$500 Frenzy instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super \$500 Frenzy, prize money from winning Pennsylvania Super \$500 Frenzy instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super \$500 Frenzy instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Super \$500 Frenzy or through normal communications methods.

EILEEN H. McNULTY,  
Acting Secretary

[Pa.B. Doc. No. 15-926. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Pennsylvania Super \$1,000 Frenzy Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super \$1,000 Frenzy.

2. *Price:* The price of a Pennsylvania Super \$1,000 Frenzy instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Super \$1,000 Frenzy instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 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), SUPER (SUPER) symbol, \$1,000 Burst (WIN1000) symbol and a FRENZY (FRENZY) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$25,000 (TWYFIVTHO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$200, \$400, \$1,000, \$2,500, \$25,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Super \$1,000 Frenzy 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 \$300,000 (THRHUNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(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 \$25,000 (TWYFIVTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(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 \$2,500 (TWYFIVHUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a FRENZY (FRENZY) symbol, and a prize symbol of \$200 (TWO HUN) appears in ten of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$2,500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$1,000 Burst (WIN1000) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a FRENZY (FRENZY) symbol, and a prize symbol of \$100 (ONE HUN) appears in four of the "Prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "Prize" areas, and a prize symbol of \$200 (TWO HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(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 \$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.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a FRENZY (FRENZY) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the "Prize" areas, and a prize symbol of \$20<sup>00</sup> (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 \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a SUPER (SUPER) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that SUPER (SUPER) symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a FRENZY (FRENZY) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a FRENZY (FRENZY) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "Prize" areas, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a SUPER (SUPER) symbol, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “Prize” area under that SUPER (SUPER) symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$15.<sup>00</sup> (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.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a SUPER (SUPER) symbol, and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the “Prize” area under that SUPER (SUPER) symbol, on a single ticket, shall be entitled to a prize of \$15.

(t) 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 \$10.<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a SUPER (SUPER) symbol, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “Prize” area under that SUPER (SUPER) symbol, on a single ticket, shall be entitled to a prize of \$10.

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 9,600,000 Tickets:</i>
\$10 w/ SUPER	\$10	12.77	752,000
\$10	\$10	12.5	768,000
\$15 w/ SUPER	\$15	60	160,000
\$15	\$15	30	320,000
\$10 × 2	\$20	75	128,000
\$20 w/ SUPER	\$20	150	64,000
\$20	\$20	75	128,000
(\$15 × 2) + \$20	\$50	600	16,000
(((\$20 w/ SUPER) × 2) + \$10	\$50	200	48,000
\$50	\$50	300	32,000
FRENZY w/ ((\$10 × 5) + (\$5 × 10))	\$100	200	48,000
\$10 × 10	\$100	600	16,000
\$100	\$100	600	16,000
FRENZY w/ ((\$20 × 5) + (\$10 × 10))	\$200	2,400	4,000
\$20 × 10	\$200	6,000	1,600
\$50 × 4	\$200	6,000	1,600
\$200 w/ SUPER	\$200	6,000	1,600
\$200	\$200	8,000	1,200
FRENZY w/ ((\$40 × 5) + (\$20 × 10))	\$400	4,000	2,400
\$40 × 10	\$400	8,000	1,200
\$200 × 2	\$400	8,000	1,200
\$400	\$400	8,000	1,200
FRENZY w/ ((\$100 × 4) + (\$40 × 10) + \$200))	\$1,000	2,105	4,560
\$200 × 5	\$1,000	2,400	4,000
\$1,000 w/ \$1,000 BURST	\$1,000	800	12,000
\$1,000	\$1,000	12,000	800
FRENZY w/ ((\$200 × 10) + (\$100 × 5))	\$2,500	120,000	80
\$2,500	\$2,500	120,000	80
\$2,500 × 10	\$25,000	1,200,000	8
\$25,000	\$25,000	1,200,000	8
\$300,000	\$300,000	1,200,000	8

Reveal a “SUPER” (SUPER) symbol, win prize shown under that symbol automatically.  
 Reveal a “\$1,000 BURST” (WIN1000) symbol, win \$1,000 instantly.  
 Reveal a “FRENZY” (FRENZY) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Super \$1,000 Frenzy instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000.



Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania Super \$1,000 Frenzy, prize money from winning Pennsylvania Super \$1,000 Frenzy instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super \$1,000 Frenzy instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Super \$1,000 Frenzy or through normal communications methods.

EILEEN H. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-927. Filed for public inspection May 15, 2015, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been made to the Department of Transportation by George L. Wilson and Company, Inc., 220 East General Robinson Street, Pittsburgh, PA 15212 seeking to lease highway right-of-way located beneath Ramp A, west of Anderson Street, in the Twenty-Second Ward, City of Pittsburgh, Allegheny County containing 9,512 ± square feet, adjacent to SR 0279 (L.R. 1021, Section 01B) for purposes of storing noncombustible materials.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, PE, District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

LESLIE S. RICHARDS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-928. Filed for public inspection May 15, 2015, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Emerald Coal Resources, LP v. DEP; EHB Doc. No. 2013-101-M Consolidated with EHB Doc. No. 2013-182-M

The Department of Environmental Protection (Department) and Emerald Coal Resources, LP (Emerald) have agreed to a settlement of the previously referenced matter.

The parties have agreed to a settlement, the major provisions of which provide for the stay and revision of certain terms and conditions of renewed National Pollution Discharge Elimination System (NPDES) Permits and Coal Mining Activity Permits (CMAP) for two Emerald facilities. In the settlement, Emerald retains the right to appeal the issuance of any future revisions or modifications to the permits.

Emerald owns and operates a coal refuse disposal area known as the Emerald Mine No. 1 Coal Refuse Disposal Facility No. 1, located in Franklin Township, Greene County (Emerald Mine No. 1 CRDA No. 1). On June 13, 2013, the Department renewed the facility's CMAP No. 30753712 and NPDES Permit No. PA0215724 (collectively, the Emerald Mine No. 1 CRDA No. 1 Permit).

Emerald also owns and operates a bituminous underground coal mine known as the Emerald Mine No. 1, located in Franklin Township, Greene County (Emerald Mine No. 1). On September 16, 2013, the Department renewed the facility's CMAP No. 30841307 and NPDES Permit No. PA0213438 (collectively, the Emerald Mine No. 1 Permit).

Emerald filed timely Notices of Appeal challenging the renewed Emerald Mine No. 1 CRDA No. 1 Permit (docketed at EHB Doc. No. 2013-101-M), and the renewed Emerald Mine No. 1 Permit (docketed at EHB Doc. No. 2013-182-M). The Environmental Hearing Board (Board) consolidated the two appeals at EHB Doc. No. 2013-101-M. On April 25, 2014, the Board approved a Consent Supersedeas regarding certain provisions of the Emerald Mine No. 1 CRDA No. 1 Permit and the Emerald Mine No. 1 Permit.

The settlement provides that terms and conditions of the April 25, 2014, Consent Supersedeas pertaining to the Emerald Mine No. 1 CRDA No. 1 Permit and the Emerald Mine No. 1 Permit will remain in effect until the reissuance of revised permits by the Department. Accordingly, maximum daily limitations for flow at 11 outfalls at the Emerald Mine No. 1 will be stayed until the reissuance of the revised Emerald Mine No. 1 Permit, and



certain flow limitations at Outfall 001 and monitoring requirements in the Emerald Mine No. 1 CRDA No. 1 Permit will be revised until the reissuance of the revised Emerald Mine No. 1 CRDA No. 1 Permit.

Copies of the full agreement are in the hands of Michael J. Heilman, Esquire, Assistant Regional Counsel, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4262 and Donald C. Bluedorn, II, Esquire, Sean M. McGovern, Esquire, Babst, Calland, Clements and Zomnir, PC, Two Gateway Center, 603 Stanwix Street, Pittsburgh, PA 15222, (412) 394-5400.

Copies are also available at the offices of the Board and may be reviewed by any interested person on request during normal business hours. Copies of the Consent Adjudication are also available at the Board's web site at <http://ehb.courtapps.com>. Using the Docket Search page, enter case number 2013101 to view the docket sheet for this case.

Any person interested in providing comment to the Board on the proposed Consent Adjudication must do so within 30 days of the date this notice is published in the *Pennsylvania Bulletin*. Copies of all comments shall also be submitted to the attorney for each party listed previously.

Any person believing to be aggrieved by the previous settlement has a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed within 30 days of this publication.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Board is empowered to approve this settlement if no objection is timely filed with the Board.

RICHARD P. MATHER, Sr.,  
*Judge*

[Pa.B. Doc. No. 15-929. Filed for public inspection May 15, 2015, 9:00 a.m.]

### **Titan International, Inc. v. DEP; EHB Doc. No. 2015-059-C**

Titan International, Inc. has appealed the issuance by the Department of Environmental Protection of a PAG-03 General NPDES permit to Titan International, Inc. for a facility in Pottstown Borough, Montgomery 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. 15-930. Filed for public inspection May 15, 2015, 9:00 a.m.]

## **INSURANCE DEPARTMENT**

### **Alleged Violation of Insurance Laws; Karen Ann Kletch; Doc. No. SC15-04-022**

Notice is hereby given of the Order to Show Cause issued on April 30, 2015, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(2), (17) and (20) and 612-A(a) of the Insurance Department Act of 1921 (40 P. S. §§ 310.11(2), (17) and (20) and 310.12(a)) and sections 4 and 5(a)(12) of the Unfair Insurance Practices Act (40 P. S. §§ 1171.4 and 1171.5(a)(12)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-931. Filed for public inspection May 15, 2015, 9:00 a.m.]

### **Pennsylvania Professional Liability Joint Underwriting Association; Rate and Rule Notice**

On April 30, 2015, the Insurance Department (Department) received notice from the Pennsylvania Professional Liability Joint Underwriting Association that it does not intend to make any revisions to its rates and rules for health care providers.

A copy of the notice and the actuarial documentation which accompanied the notice are available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@pa.gov](mailto:gzhou@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-932. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of David Bonanni; file no. 15-115-182699; Erie Insurance Exchange; Doc. No. P15-04-025; June 11, 2015, 9:30 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 the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-933. Filed for public inspection May 15, 2015, 9:00 a.m.]

### United American Insurance Company; Proposed Rate Increase for Several LTC Forms

United American Insurance Company is requesting approval to increase the premium 18.4% on 203 policyholders of the following individual LTC forms: NH1 (Rev. 4/87), NH2, NH2FL, NH3, NH3FL, LTC, LTC2, LTC2H and LTC2HR95.

Unless formal administrative action is taken prior to July 30, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-934. Filed for public inspection May 15, 2015, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Administrative Circular No. 15-05—Closing Instruction No. 2, Fiscal Year 2014-15; Pre-closing at May 11, 2015, Dated April 13, 2015.

Administrative Circular No. 15-06—Closing Instruction No. 3, Fiscal Year 2014-15; Prior Fiscal Year Appropriations Subject to Act 146 Waivers and Encumbrances Carried Forward From Prior Fiscal Years (Including Contracted Repairs), Dated April 13, 2015.

Administrative Circular No. 15-07—Approval of 2015-16 Advancement Accounts and Completion of Form STD-133, Request for Approval of Advancement Account, Dated April 20, 2015.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 15-935. Filed for public inspection May 15, 2015, 9:00 a.m.]

# PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

## Board Meeting

The Pennsylvania Energy Development Authority Board will meet on Monday, May 18, 2015, at 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this meeting can be directed to Hayley Book at (717) 783-8727 or hbook@pa.gov. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (Select "Public Participation Center," then "DEP Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Hayley Book at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 15-936. Filed for public inspection May 15, 2015, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Petition of Waiver for Tariff Regulations

The Pennsylvania Public Utility Commission (Commission) invites comment on the following limousine carrier's petition for a waiver of the Commission's tariff regulations:

Petition of Gegen, LLC for Waiver of Commission's Limousine Tariff Regulations at 52 Pa. Code Section 29.334; Doc. No. P-2015-2474633.

Gegen, LLC was granted a certificate of public convenience at A-2012-2339043 on November 15, 2013, authorizing the transportation of persons in limousine service from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return. If granted, the waiver would permit Gegen, LLC to establish rates for its limousine services arranged through the internet and mobile application developed by Uber Technologies, Inc.

Interested parties are invited to file comments at the relevant docket numbers within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petitions at the Commission web site <http://www.puc.pa.gov>. Hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is John Herzog, Assistant Counsel, Law Bureau, (717) 783-3714.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-937. Filed for public inspection May 15, 2015, 9:00 a.m.]

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 1, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2015-2477253. Rainmans UMBERELLA, Inc.** (2312 McCleary Drive, Chambersburg, PA 17201) for the right, to transport by motor vehicle, persons, upon call or demand, in the City of Chambersburg, Franklin County.

**A-2015-2477360. Solutions Luxury Limo, LLC** (2500 Knights Road, Apartment 59-01, Bensalem, PA 19020) to transport as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2015-2477401. Michael Richards, t/a Take Me to the King** (84 North 18th Street, Harrisburg, Dauphin County, PA 17103) persons in paratransit service, from points in the Counties of Dauphin, Cumberland and York, to points in Pennsylvania, and return.

**A-2015-2478178. Charles Judex** (311 Hyland Drive, East Stroudsburg, Monroe County, PA 18301) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Monroe County.

**A-2015-2478612. Dana N. Dang, t/a Allentown Bethlehem Easton Taxi** (1187 Winter Lane, Easton, Northampton County, PA 18040) in call or demand service, in the City of Allentown, Northampton County; the City of Bethlehem, Northampton County; the City of Easton, Northampton County; the Borough of Nazareth, Northampton County; the Borough of Bangor, Northampton County; the Borough of Bath, Northampton County; the Borough of Hellertown, Northampton County; Tatamy Borough, Northampton County; the Borough of Wind Gap, Northampton County; the Township of Mount Bethel, Northampton County; the Township of Martins Creek, Northampton County; the Township of Belfast, Northampton County; Whitehall Township, Lehigh County; and the Borough of Catasauqua, Lehigh County.



**A-2015-2478642. Burgit's Electric City Taxi, Inc.** (340 East Locust Street, Scranton, Lackawanna County, PA 18505) persons in call or demand service, in the City of Scranton, Lackawanna County and within 15 air miles from the limits thereof. *Attorney:* James J. Haggerty, 840 West Market Street, Kingston, PA 18704.

**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 conveyance as described under each application.**

**A-2015-2478721. David R. Zembrzuski** (220 Altermoor Drive, Natrona Heights, PA 15065) for the discontinuance of service and cancellation of the certificate, as a common carrier, by motor vehicle, at A-6413426, authorizing the transportation of persons in limousine service, from points in the Counties of Allegheny, Westmoreland, Armstrong and Butler, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2015-2479019. Henry S. Mann, t/a Mann Funeral Home** (219 West Tabor Road, Philadelphia, PA 19120) discontinuance of service and cancellation of the certificate—persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-938. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Service Price Index to Offset Tax Rate Charges

**P-2015-2480769. Bentleyville Telephone Company d/b/a FairPoint Communications.** Petition of Bentleyville Telephone Company d/b/a FairPoint Communications to seek confirmation that they may use the service price index component of the price cap formula in its Amended Streamlined Form of Regulation and Network Modernization Plan (Chapter 30 Plan) to offset charges in the tax rates as tracked by the State Tax Adjustment Surcharge.

Answers and petitions to intervene must be filed on or before Friday, June 5, 2015. In accordance with 52 Pa. Code §§ 5.61 and 5.74 (relating to answers to complaints, petitions, motions and preliminary objections; and filing of petitions to intervene), filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served to the petitioner. The documents filed in support of the petition are available for inspection and copying at the Pennsylvania Public Utility Commission's (Commission) Secretary's Bureau between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the petitioner's business address.

*Petitioner:* Bentleyville Telephone Company d/b/a FairPoint Communications

*Through and By Counsel:* Charles E. Thomas III, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, P. O. Box 9500, Harrisburg, PA 17108-9500

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-939. Filed for public inspection May 15, 2015, 9:00 a.m.]

### Service Price Index to Offset Tax Rate Charges

**P-2015-2480771. Marianna & Scenery Hill Telephone Company d/b/a FairPoint Communications.** Petition of Marianna & Scenery Hill Telephone Company d/b/a FairPoint Communications to seek confirmation that they may use the service price index component of the price cap formula in its Amended Streamlined Form of Regulation and Network Modernization Plan (Chapter 30 Plan) to offset charges in the tax rates as tracked by the State Tax Adjustment Surcharge.

Answers and petitions to intervene must be filed on or before Friday, June 5, 2015. In accordance with 52 Pa. Code §§ 5.61 and 5.74 (relating to answers to complaints, petitions, motions and preliminary objections; and filing of petitions to intervene), filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served to the petitioner. The documents filed in support of the petition are available for inspection and copying at the Pennsylvania Public Utility Commission's (Commission) Secretary's Bureau between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the petitioner's business address.

*Petitioner:* Marianna & Scenery Hill Telephone Company d/b/a FairPoint Communications

*Through and By Counsel:* Charles E. Thomas III, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, P. O. Box 9500, Harrisburg, PA 17108-9500

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-940. Filed for public inspection May 15, 2015, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on June 4, 2015, at 9 a.m. at the City Crescent Building, 4th Floor, EEOC Conference Room, 10 South Howard Street, Baltimore, MD 21201. (The recommended parking option is to park at the Arena Garage, 99 South Howard Street, Baltimore, MD—for all available parking options, see <http://bit.ly/1F1wjWz>.) Details concerning the matters to be addressed at the business meeting are in the Supplementary Information section of this notice.

For further information contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

#### *Supplementary Information*

The business meeting will include actions or presentations on the following items: (1) informational presentation of interest to the Lower Susquehanna Subbasin area; (2) election of officers for Fiscal Year (FY) 2016; (3) the proposed Water Resources Program for FYs 2016 and 2017; (4) FY 2016 Regulatory Program Fee Schedule; (5) adoption of an FY 2017 budget; (6) regulatory compliance matter for Wyoming Valley Country Club; (7) Augusta



Water, Inc. request for waiver of application required by 18 CFR 806.6(d)(1) (relating to transfer of approvals) and transfer of Doc. No. 20021014; (8) Shrewsbury Borough Council (York County, PA) request for waiver of applications required by 18 CFR 806.4(a)(2)(ii) (relating to projects requiring review and approval); (9) notice for Four Seasons Golf Course project sponsor to appear and show cause before the Commission; and (10) Regulatory Program projects.

Projects, the fee schedule and requests for waiver listed for Commission action are those that were the subject of a public hearing conducted by the Commission on April 30, 2015, and identified in the notice for the hearing, which was published at 80 FR 18276 (April 3, 2015).

*Opportunity to Appear and Comment*

Interested parties are invited to attend the business meeting and encouraged to review the Commission's Public Meeting Rules of Conduct, which are posted on the Commission's web site at [www.srbc.net](http://www.srbc.net). As identified in the public hearing notices previously referenced, written

comments on the Regulatory Program projects, the fee schedule and requests for waiver that were the subject of a public hearing, and are listed for action at the business meeting, are subject to a comment deadline of May 11, 2015. Written comments pertaining to any other matters listed for action at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788 or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before May 29, 2015, to be considered.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* May 4, 2015.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 15-941. Filed for public inspection May 15, 2015, 9:00 a.m.]

