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# PENNSYLVANIA BULLETIN

Volume 45

Number 17

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Pages 2033—2132

**Agencies in this issue**

The Courts

Department of Banking and Securities

Department of Environmental Protection

Department of Health

Department of Revenue

Department of Transportation

Fish and Boat Commission

Insurance Department

Legislative Reference Bureau

Local Government Commission

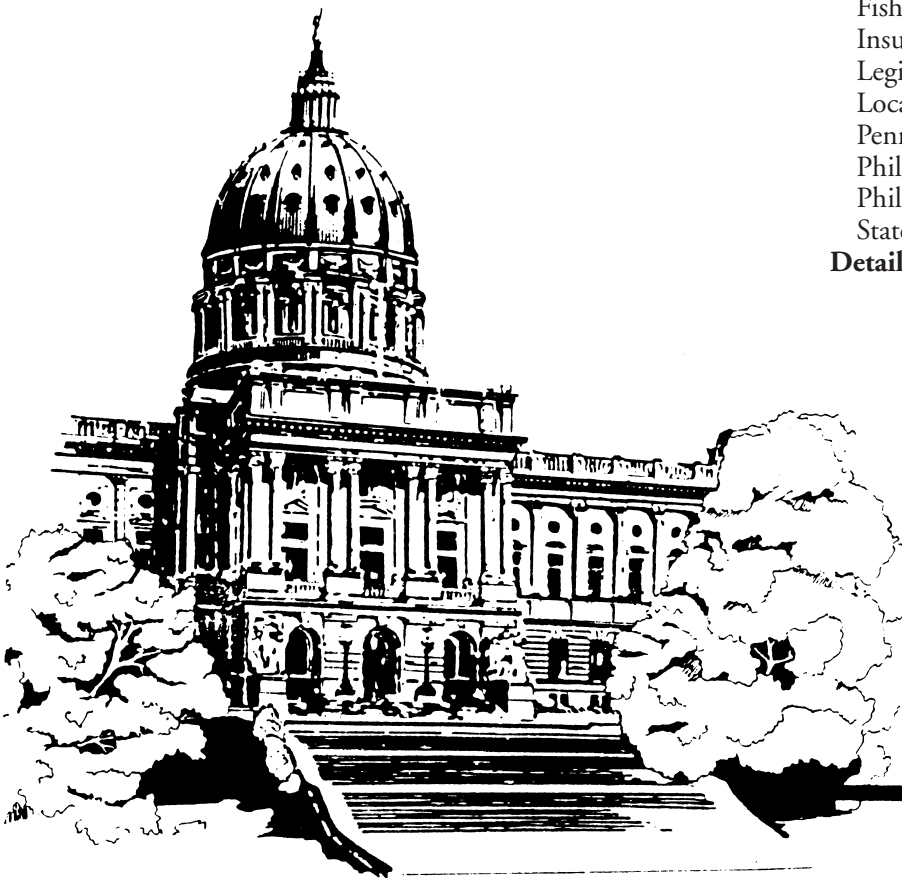
Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Philadelphia Regional Port Authority

State Conservation Commission

**Detailed list of contents appears inside.**



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

**No. 485, April 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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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

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

### 4 Pa. Code (Administration)

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### 25 Pa. Code (Environmental Protection)

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### 40 Pa. Code (Liquor)

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### 52 Pa. Code (Public Utilities)

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### 55 Pa. Code (Public Welfare)

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### 58 Pa. Code (Recreation)

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 1847, 1848, 1943, 1947, 1950, 2047



# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 19 ]

**Amendment of Rule 1921 of the Rules of Judicial Administration; No. 445 Judicial Administration Doc.**

### Order

*Per Curiam*

*And Now*, this 7th day of April, 2015, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1921 of the Rules of Judicial Administration is amended in the following form.

To the extent that notice of proposed rulemaking would otherwise be required by Pa.R.J.A. No. 103, the immediate promulgation of the amendment is found to be in the interests of justice and efficient administration.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b) and shall be effective immediately.

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

##### CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

##### CRIMINAL AND DISCIPLINARY MATTERS AGAINST JUDGES

Rule 1921. Notice to the Chief Justice **and to the Judicial Conduct Board.**

Whenever a judge receives notice that he or she is the subject of any federal or state criminal investigation or prosecution through a target letter, a subject letter, a presentment, an indictment, an arrest, a summons, a complaint, or by any other legal process, the judge must report the receipt of such notice in writing to the Chief Justice **and to the Judicial Conduct Board** within five (5) days.

[Pa.B. Doc. No. 15-764. Filed for public inspection April 24, 2015, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 4 AND 10 ]

**Order Amending Rules 431, 441, 452, 456, 461 and 1033 of the Rules of Criminal Procedure; No. 462 Criminal Procedural Rules Doc.**

### Order

*Per Curiam*

*And Now*, this 10th day of April, 2015, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 44 Pa.B. 577 (February 1, 2014), and in the

*Atlantic Reporter* (Third Series Advance Sheets, Vol. 81), and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the amendments to Pennsylvania Rules of Criminal Procedure 431, 441, 452, 456, 461, and 1033 are adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective July 10, 2015.

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 4. PROCEDURES IN SUMMARY CASES

##### PART D. Arrest Procedures in Summary Cases

##### PART D(1). Arrests With a Warrant

**Rule 431. Procedure When Defendant Arrested With Warrant.**

\* \* \* \* \*

(B) *Arrest Warrants Initiating Proceedings*

\* \* \* \* \*

(3) When the defendant is taken before the issuing authority under paragraph (B)(1)(c),

(a) the defendant shall enter a plea; and

(b) if the defendant pleads guilty, the issuing authority shall impose sentence. If the defendant pleads not guilty, the defendant shall be given an immediate trial unless:

(i) the Commonwealth is not ready to proceed, or the defendant requests a postponement or is not capable of proceeding, and in any of these circumstances, **[ the defendant shall be given the opportunity to deposit collateral for appearance ] the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial; or**

(ii) the defendant's criminal record must be ascertained prior to trial as specifically required by statute for purposes of grading the offense charged, in which event **[ the defendant shall be given the opportunity to deposit collateral for ] the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial, which shall be after the issuing authority's receipt of the required information[ ; ].**

(iii) **In determining whether it is necessary to set collateral and what amount of collateral should be set, the issuing authority shall consider the factors listed in Rule 523. The amount of collateral shall not exceed the full amount of the fine and costs.**

(iv) **If collateral has been set, the issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has**

been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(v) If collateral is set and the defendant does not post collateral, the defendant shall not be detained without a trial longer than 72 hours or the close of the next business day if the 72 hours expires on a non-business day.

(c) If the defendant is under 18 years of age and cannot be given an immediate trial, the issuing authority promptly shall notify the defendant and defendant's parents, guardian, or other custodian of the date set for the summary trial, and shall release the defendant on his or her own recognizance.

\* \* \* \* \*

Comment

\* \* \* \* \*

Section 8953 of the Judicial Code, 42 Pa.C.S. § 8953, provides for the execution of warrants of arrest beyond the territorial limits of the police officer's primary jurisdiction. See also Commonwealth v. Mason, [ 507 Pa. 396, ] 490 A.2d 421 (Pa. 1985).

\* \* \* \* \*

When the police must detain a defendant pursuant to this rule, 61 P.S. § [ 798 ] 1154 provides that the defendant may be housed for a period not to exceed 48 hours in "the borough and township lockups and [ city or county prisons ] county correctional institutions."

\* \* \* \* \*

Concerning the [ defendant's right to counsel and ] appearance or waiver of counsel, see Rules 121 and 122.

For the procedures in summary cases within the jurisdiction of the Philadelphia Municipal Court and the Philadelphia Municipal Court Traffic Division, see Chapter 10.

Official Note: Rule 76 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; Comment revised January 31, 1991, effective July 1, 1991; amended August 9, 1994, effective January 1, 1995; amended October 1, 1997, effective October 1, 1998; amended July 2, 1999, effective August 1, 1999; renumbered Rule 431 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; Comment revised April 1, 2005, effective October 1, 2005; amended June 30, 2005, effective August 1, 2006; Comment revised March 9, 2006, effective August 1, 2006; Comment revised May 7, 2014, effective immediately; amended April 10, 2015, effective July 10, 2015.

Committee Explanatory Reports:

\* \* \* \* \*

Final Report explaining the April 10, 2015 amendment concerning the setting of collateral pending summary trial published with the Court's Order at 45 Pa.B. 2045 (April 25, 2015).

PART D(2). Arrests Without a Warrant

Rule 441. Procedure Following Arrest Without Warrant.

\* \* \* \* \*

(C) When the defendant has not been released from custody under paragraph (B),

(1) the defendant shall be taken without unnecessary delay before the issuing authority when available pursuant to Rule 117 where a citation shall be filed against the defendant, and

(a) the defendant shall enter a plea.

(b) If the defendant pleads guilty, the issuing authority shall impose sentence. If the defendant pleads not guilty, the defendant shall be given an immediate trial unless:

(i) the Commonwealth is not ready to proceed, or the defendant requests a postponement or is not capable of proceeding, and in any of these circumstances, [ the defendant shall be given the opportunity to deposit collateral for ] the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial; or

(ii) the defendant's criminal record must be ascertained before trial as specifically required by statute for purposes of grading the offense charged, in which event [ the defendant shall be given the opportunity to deposit collateral for ] the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial, which shall be after the issuing authority's receipt of the required information.

(iii) In determining whether it is necessary to set collateral and what amount of collateral should be set, the issuing authority shall consider the factors listed in Rule 523. The amount of collateral shall not exceed the full amount of the fine and costs.

(iv) If collateral has been set, the issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(v) If collateral is set and the defendant does not post collateral, the defendant shall not be detained without a trial longer than 72 hours or the close of the next business day if the 72 hours expires on a non-business day.

(2) If the defendant is under 18 years of age and cannot be given an immediate trial, the issuing authority promptly shall notify the defendant and defendant's parents, guardian, or other custodian of the date set for the summary trial, and shall release the defendant on his or her own recognizance.

Comment

\* \* \* \* \*

On the [ defendant's right to counsel and ] appearance or waiver of counsel, see Rules 121 and 122.

With regard to the "proper" issuing authority as used in these rules, see Rule 130.

For the procedure in court cases initiated by arrest without warrant, see Rule [ 518 ] 519.

For the procedures in summary cases within the jurisdiction of the Philadelphia Municipal Court and the Philadelphia Municipal Court Traffic Division, see Chapter 10.

Concerning an issuing authority’s availability, see Rule 117 (Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail).

When the police must detain a defendant pursuant to this rule, 61 P.S. § [ 798 ] 1154 provides that the defendant may be housed for a period not to exceed 48 hours in “the borough and township lockups and [ city or county prisons ] county correctional institutions.”

**Official Note:** Rule 71 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; amended August 9, 1994, effective January 1, 1995; amended May 14, 1999, effective July 1, 1999; renumbered Rule 441 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; amended June 30, 2005, effective August 1, 2006; Comment revised May 7, 2014, effective immediately; amended April 10, 2015, effective July 10, 2015.

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the April 10, 2015 amendment concerning the setting of collateral pending summary trial published with the Court’s Order at 45 Pa.B. 2045 (April 25, 2015).**

**PART E. General Procedures in Summary Cases**

**Rule 452. Collateral.**

[ (A) The issuing authority shall fix the amount of collateral, if any, to be deposited to insure a defendant’s appearance at the summary trial, which amount shall not exceed the full amount of the fine and costs. ]

(A) The issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear.

(B) If the issuing authority has reasonable grounds to believe that the defendant will not appear, the issuing authority may fix the amount of collateral to be deposited to ensure a defendant’s appearance at the summary trial, which amount shall not exceed the full amount of the fine and costs.

(C) In determining whether it is necessary to set collateral and what amount of collateral should be set, the issuing authority shall consider the factors listed in Rule 523.

(D) If collateral is set, the issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(E) To be released on recognizance or to request a lower amount of collateral, the defendant must

**appear personally before the issuing authority to enter a plea, as provided in Rules 408, 413, and 423.**

[ (B) ] (F) The collateral deposited shall be in United States currency or a cash equivalent.

[ (C) ] (G) The collateral deposited may be forfeited after conviction at the summary trial and applied to payment of the fine and costs.

**Comment**

The term “collateral” is intended to convey the dual purpose of the amount of money that is deposited. First, the amount deposited is used as bail to secure the defendant’s appearance at the summary trial. Second, the amount deposited is used as security, and may be forfeited in the event of a conviction to satisfy any fine and costs.

A defendant may not be penalized or denied a hearing because he or she cannot pay the full amount of the fine and costs as collateral.

**[ Although this rule permits an issuing authority to fix collateral in an amount up to the full amount of fine and costs the issuing authority is not required to fix collateral or any particular amount of collateral, and may set an amount less than the fine and costs. The issuing authority may also release the defendant on recognizance when the issuing authority has reasonable grounds to believe that the defendant will appear or the defendant is without adequate resources to deposit collateral. To request a lower amount of collateral or to be released on recognizance, the defendant must appear personally before the issuing authority to enter a plea, as provided in Rules 408, 413, and 423. ]**

For the purpose of paragraph [ (B) ] (F), any guaranteed arrest bond certificate issued by an automobile club or association pursuant to 40 P.S. § 837 (1959) would constitute a “cash equivalent.”

**Official Note:** Rule 81 adopted July 12, 1985, effective January 1, 1986; effective date extended to July 1, 1986; Comment revised February 1, 1989, effective July 1, 1989; Comment revised May 14, 1999, effective July 1, 1999; renumbered Rule 452 and Comment revised March 1, 2000, effective April 1, 2001; amended April 10, 2015, effective July 10, 2015.

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the April 10, 2015 amendment concerning the setting of collateral published with the Court’s Order at 45 Pa.B. 2045 (April 25, 2015).**

**Rule 456. Default Procedures: Restitution, Fines, and Costs.**

\* \* \* \* \*

(C) If the defendant appears pursuant to the 10-day notice in paragraph (B) or following an arrest for failing to respond to the 10-day notice in paragraph (B), the issuing authority shall conduct a hearing **immediately** to determine whether the defendant is financially able to pay as ordered.

(1) **If the hearing cannot be held immediately, the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will**



not appear, in which case, the issuing authority may set collateral as provided in Rule 523.

(2) If collateral is set, the issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(3) If collateral is set and the defendant does not post collateral, the defendant shall not be detained without a hearing longer than 72 hours or the close of the next business day if the 72 hours expires on a non-business day.

(D) When a defendant appears pursuant to the notice in paragraph (B) or pursuant to an arrest warrant issued for failure to respond to the notice as provided in paragraph (C):

(1) [ Upon ] upon a determination that the defendant is financially able to pay as ordered, the issuing authority may impose any sanction provided by law.

(2) Upon a determination that the defendant is financially unable to pay as ordered, the issuing authority may order a schedule or reschedule for installment payments, or alter or amend the order as otherwise provided by law.

(3) At the conclusion of the hearing, the issuing authority shall:

(a) if the issuing authority has ordered a schedule of installment payments or a new schedule of installment payments, state the date on which each installment payment is due;

(b) advise the defendant of the right to appeal within 30 days for a hearing *de novo* in the court of common pleas, and that if an appeal is filed:

(i) the execution of the order will be stayed and the issuing authority may set bail or collateral; and

(ii) the defendant must appear for the hearing *de novo* in the court of common pleas or the appeal may be dismissed;

(c) if a sentence of imprisonment has been imposed, direct the defendant to appear for the execution of sentence on a date certain unless the defendant files a notice of appeal within the 30-day period; and

(d) issue a written order imposing sentence, signed by the issuing authority. The order shall include the information specified in paragraphs [ (C)(3)(a) through (C)(3)(c) ] (D)(3)(a) through (D)(3)(c), and a copy of the order shall be given to the defendant.

[ (D) ] (E) A defendant may appeal an issuing authority's determination pursuant to this rule by filing a notice of appeal within 30 days of the issuing authority's order. The appeal shall proceed as provided in Rules 460, 461, and 462.

#### Comment

\* \* \* \* \*

Pursuant to paragraph (C), the issuing authority must conduct a default hearing when a defendant responds to the 10-day notice as provided in paragraph (B), or when the defendant is arrested for failing to respond to the 10-day notice. If the default hearing cannot be held immediately, the issuing authority may set [ bail ] collateral as provided in [ Chapter 5 Part C ] Rule 523. However, the issuing authority should only set

monetary collateral when he or she has determined that less restrictive conditions of release will not be effective in ensuring the defendant's appearance.

Under paragraph [ (C)(1) ] (D)(1), when the issuing authority determines that a defendant is able to pay as ordered, the issuing authority may, as provided by law, impose imprisonment or other sanctions. In addition, delinquent restitution, fines, or court costs may be turned over to a private collection agency. See 42 Pa.C.S. §§ 9730(b)(2) and 9730.1(a).

When a defendant is in default of an installment payment, the issuing authority on his or her own motion or at the request of the defendant or the attorney for the Commonwealth must schedule a rehearing to determine the cause of the default. Before an issuing authority may impose a sentence of imprisonment as provided by law for nonpayment of restitution, fines, or costs, a hearing or rehearing must be held whenever a defendant alleges that his or her ability to pay has been diminished. See 42 Pa.C.S. § 9730(b). **No defendant may be sentenced to imprisonment or probation if the right to counsel was not afforded at trial. See *Alabama v. Shelton*, 535 U.S. 654 (2002) and *Scott v. Illinois*, 440 U.S. 367 (1979). See also *Commonwealth v. Farmer*, 466 A.2d 677 (Pa. Super. 1983) (Whenever there is a likelihood in a proceeding that imprisonment will be imposed, counsel must be assigned) and (*Commonwealth v. Spontarelli*, 791 A.2d 1254 (Pa. Cmmw. 2002) (defendant is entitled to appointed counsel when tried for violation of municipal ordinance that permits imprisonment upon default of payment of the fine). See also Rules 121 and 122 (dealing with [ the right to ] appearance or waiver of counsel).**

When a rehearing is held on a payment schedule for fines or costs, the issuing authority may extend or accelerate the payment schedule, leave it unaltered, or sentence the defendant to a period of community service, as the issuing authority finds to be just and practicable under the circumstances. See 42 Pa.C.S. § 9730(b)(3).

This rule contemplates that when there has been an appeal pursuant to paragraph [ (D) ] (E), the case would return to the issuing authority who presided at the default hearing for completion of the collection process.

Nothing in this rule is intended to preclude an issuing authority from imposing punishment for indirect criminal contempt when a defendant fails to pay fines and costs in accordance with an installment payment order, 42 Pa.C.S. §§ 4137(a)(4), 4138(a)(3), and 4139(a)(3), or fails to pay restitution, 42 Pa.C.S. § 4137(a)(3). Separate Rules of Criminal Procedure govern contempt adjudications. See Chapter 1 Part D.

**Official Note:** Adopted July 12, 1985, effective January 1, 1986; amended September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; Comment revised February 1, 1989, effective July 1, 1989; rescinded October 1, 1997, effective October 1, 1998. New Rule 85 adopted October 1, 1997, effective October 1, 1998; amended July 2, 1999, effective August 1, 1999; renumbered Rule 456 and amended March 1, 2000, effective April 1, 2001; Comment revised August 7, 2003, effective July 1, 2004; amended March 3, 2004, effective July 1, 2004; Comment revised April 1, 2005, effective October 1, 2005; Comment revised September 21, 2012, effective November 1, 2012; Comment revised January 17, 2013, effective May 1, 2013; amended April 10, 2015, effective July 10, 2015.

Committee Explanatory Reports:

\* \* \* \* \*

Final Report explaining the April 10, 2015 amendments concerning the setting of collateral published with the Court's Order at 45 Pa.B. 2045 (April 25, 2015).

PART F. Procedures in Summary Cases for Appealing to Court of Common Pleas for Trial De Novo

Rule 461. Stays.

\* \* \* \* \*

(D) Whenever the execution of sentence is stayed pursuant to this rule, the issuing authority [ may set collateral ] shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may set collateral as provided in Rule 523.

(1) In determining whether it is necessary to set collateral and what amount of collateral should be set, the issuing authority shall consider the factors listed in Rule 523 and the length of sentence in relation to the length of the stay.

(2) The issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(3) If the defendant is incarcerated during the period of a stay for failure to post collateral, in no event shall the defendant be incarcerated for a period greater than the period of imprisonment awarded in the original sentence.

(E) During the 30-day appeal period, failure to pay [ fines ] fine and costs, or restitution, shall not be grounds for imprisonment, and shall not be grounds to preclude the taking of an appeal.

Comment

\* \* \* \* \*

Under paragraph (B), the stay applies to all "sentences" imposed after conviction, including sentences of imprisonment, fines and costs, or restitution, and sentences of imprisonment for defaults in payment pursuant to Rule 456.

Paragraph (D) permits an issuing authority to require the defendant to post collateral during the stay pending appeal. However, given the potentially short sentences in such cases, imprisoning a defendant during the stay period for failure to post collateral is contrary to the intent of the stay provision of this rule.

Official Note: Formerly Rule 86(B) and (C), adopted October 1, 1997, effective October 1, 1998; rescinded March 1, 2000, effective April 1, 2001, and paragraphs (B) and (C) replaced by Rule 461. New Rule 461 adopted March 1, 2000, effective April 1, 2001; amended February 28, 2003, effective July 1, 2003; amended April 10, 2015, effective July 10, 2015.

Committee Explanatory Reports:

\* \* \* \* \*

NEW RULE 461:

\* \* \* \* \*

Final Report explaining the April 10, 2015 amendment concerning the setting of collateral published with the Court's Order at 45 Pa.B. 2045 (April 25, 2015).

CHAPTER 10. RULES OF CRIMINAL PROCEDURE FOR THE PHILADELPHIA MUNICIPAL COURT AND THE PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION

PART B. Philadelphia Municipal Court Traffic Division Procedures

Rule 1033. Procedures When Defendant Arrested with Warrant.

\* \* \* \* \*

(D) When the defendant appears before a Traffic Division judge or hearing officer,

(1) if the matter is not ready to proceed, the Traffic Division judge or hearing officer shall schedule the next court proceeding and give the defendant a scheduling order, [ set collateral as provided in Rule 1034 and local rule, and release the defendant, or if the defendant is unable to ] and shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral, as provided in Rules 452, 1034, and local rule, to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial, and if the defendant does not post the collateral, commit the defendant.

(a) In determining whether it is necessary to set collateral and what amount of collateral should be set, the Traffic Division judge or hearing officer shall consider the factors listed in Rule 523. The amount of collateral shall not exceed the full amount of the fine and costs.

(b) If collateral has been set, the Traffic Division judge or hearing officer shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(c) If collateral is set and the defendant does not post collateral, the defendant shall not be detained without a trial longer than 72 hours or the close of the next business day if the 72 hours expires on a non-business day.

(2) If the matter is ready to proceed,

\* \* \* \* \*

Official Note: Adopted September 9, 2005, effective February 1, 2006; amended May 7, 2014, effective immediately; amended April 10, 2015, effective July 10, 2015.

Committee Explanatory Reports:

\* \* \* \* \*

Final Report explaining the April 10, 2015 amendment concerning the setting of collateral pending summary trial published with the Court's Order at 45 Pa.B. 2045 (April 25, 2015).

**FINAL REPORT<sup>1</sup>*****Amendments to Pa.Rs.Crim.P. 431, 441, 452, 456, 461, and 1033*****Incarceration for Failure to Post Summary Case Collateral**

On April 10, 2015, effective July 10, 2015, upon the recommendation of the Criminal Procedural Rules Committee, the Court amended Rules 431 (Procedures When Defendant Arrested with Warrant), 441 (Procedures When Defendant Arrested without Warrant), 452 (Collateral), 456 (Default Procedures: Restitution, Fines, and Costs), 461 (Stays), and 1033 (Procedures When Defendant Arrested with Warrant) to provide guidance for the setting of collateral in summary cases.

*Background*

The Committee had received a number of reports from various sources, including the Court Administrator of Pennsylvania, several magisterial district judges, and press reports, raising concerns regarding the practice of issuing authorities incarcerating summary case defendants for failure to post collateral. The two areas where these problems arose most frequently were while a defendant is awaiting summary trial or while a defendant is awaiting a payment determination hearing. Additionally, there were reported problems with incarceration resulting from collateral set during the stay period pending appeal under Rule 461. The reports suggest that this practice is increasing and has resulted in hardship for defendants in relatively minor cases, such as parking violation cases.

The Committee recognized that the increased use of incarceration for failure to post collateral results from the frustration of the courts with scofflaw defendants, both for failing to appear for summary trials and for failing to pay appropriately awarded fines and costs. Nonetheless, the Rules of Criminal Procedure have always reflected the view that summary cases, because of their relatively minor nature, are not deserving of extended imprisonment, especially when the incarceration is the result of financial obligations that the defendant may not have the financial ability to pay.

The Committee concluded that the rules should be amended to more equitably balance the interests of the courts in ensuring that a defendant meets his or her obligations with the need to avoid unduly harsh methods of enforcement. Proposed amendments to address these concerns were published for comment on January 21, 2014. *See* 44 Pa.B. 577 (February 1, 2014).

*Collateral in Pre-Disposition Summary Cases*

While the rules generally permit an issuing authority to set collateral in a summary case to the full amount of fines and costs to ensure a defendant's appearance at summary trial, the preference under the rules always has been that less restrictive alternatives, such as release on recognizance (ROR), are preferable. As the original Comment to Rule 452 (Collateral) noted, ROR release is appropriate when the issuing authority has reasonable grounds to believe that the defendant will appear for trial.

The Rule 452 Comment language expressing this policy has been moved into the rule itself to give it greater weight. Based upon publication comments, the Committee concluded that the defendant should be released on recognizance and that collateral be set only if the issuing

authority has reasonable grounds to believe that the defendant would not appear. This concept has been incorporated into new paragraph (A). The language of original paragraph (A) is now contained in paragraph (B) and provides that, where there are reasonable grounds to believe the defendant will not appear, collateral may be set.

The Committee initially considered adding language stating that the issuing authority should release the defendant if he or she is without adequate resources to deposit collateral. However, the Committee believes that this restriction should not be absolute. Instead, the Committee considered adding to the Rule 452 Comment a cross-reference to Rule 523 for the factors that the issuing authority should consider in making the determination as to whether to set collateral and, if so, what amount the collateral should be. Since these factors include "the defendant's employment status and history, and financial condition," as provided in Rule 523(A)(2), the Committee believed that this would address the defendant's ability to deposit the collateral. Based on publication responses, the Committee determined that this provision should be strengthened by making the reliance on the Rule 523 factors a mandatory provision in the rule rather than merely a cross-reference in the Comment. This provision is contained in new paragraph (C).

The Committee also concluded that the rule should include a requirement that the issuing authority state in writing their reasons why collateral has been set. This provides for a more thoughtful consideration for setting collateral. New paragraph (D) sets forth this requirement. New paragraph (E) contains the remainder of the substance of the original third paragraph of the Comment, relating to requests to modify collateral.

Similar language also has been added to Rules 431(B)(3)(b), 441(C)(1)(b) and 1033(D)(1). These rules provide the procedures when a defendant is arrested in summary cases. A defendant who has been arrested is most likely to have collateral set while awaiting trial. The three rules have been amended to provide that the defendant must be released on recognizance unless there are reasonable grounds to believe the defendant will not appear and that, if collateral is set, the issuing authority must consider the Rule 523 factors and state the reasons for setting collateral in writing.

In addition, the Committee determined that there should be a limitation placed on the length of time that a defendant can be incarcerated for failure to post collateral while awaiting summary trial. This was similar to the time limitation, described below, that has been added for the payment determination hearing. The Committee concluded that protection against excessive incarceration is even more compelling in the pre-trial situation since the defendant, unlike in the payment determination hearing situation, has not yet been convicted. As with the time limitation for payment determination hearings, the defendant shall not be incarcerated for more than 72 hours from the time the defendant was brought before the issuing authority without the summary trial being held. The amendment also provides that if the 72 hours expires on a non-business day, the trial must be held by the close of next business day, a provision based on the procedures for bench warrant hearings under Rule 150. The consequence of failing to hold the summary trial in the time-period would be that the defendant be released ROR pending trial.

<sup>1</sup> The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.



*Collateral in Payment Determination Hearing Cases*

Another problem the Committee considered was the lengthy periods of time that it takes in some cases for a payment determination hearing to be held, during which a defendant who fails to post collateral is incarcerated. The original Rule 456 Comment requires that a payment determination hearing be held "immediately." When first adopted, the Committee's assumption was that there should not be a significant delay between the defendant's arrest and the default hearing. The Committee did not place a specific time limit on when the hearing must be held because of the concern that the time limit would become the normal period for the holding of such hearings and the Committee did not want to preclude earlier hearings.

Since the reports suggest that there are often lengthy periods of delay in holding the payment determination hearing, the Committee concluded that the rule should be amended to provide more detailed requirements for the timing of the hearing. Therefore, the "held immediately" language has been moved from the Comment into the rule text. Additionally, the rule has been amended to state that, when the hearing cannot be held immediately, ROR is the preferred form of release unless there are reasonable grounds to believe the defendant will not appear. Further, the rule has been amended to place a specific outer time limit of 72 hours for when this hearing must be held. A 72-hour time limit would be consistent with the time limit for a bench warrant hearing under Rule 150.

As published, the proposal added the 72-hour time limitation for when a payment determination hearing must be held in all cases. However, one of the publication responses suggested that the issuing authority should have more flexibility in scheduling the hearing when the defendant is not incarcerated since often the issuing authority will work with the defendant in dealing with default in payments. Therefore, the rule has been amended to apply the time limitations only to the situation where the defendant was incarcerated and the only consequence for failing to meet the limitation is release of the defendant ROR.

A requirement to consider the Rule 523 factors in setting collateral also has been added to Rule 456 similar to those added to Rules 431, 441, 452, and 1033. Rule 456 also has been amended to include the requirement that the issuing authority state in writing why collateral other than ROR has been set. This requirement is intended to encourage the issuing authority to engage in a more thoughtful analysis of the form of release.

Finally, the Committee concluded that current Rule 456 did not make it clear that the same procedures related to collateral that are followed after the issuance of a notice of payment hearing should be followed when a warrant is issued. Therefore, the rule has been amended to include a new paragraph (D) clarifying that the procedures apply both "when a defendant appears pursuant to the notice in paragraph (B) or pursuant to an arrest warrant issued for failure to respond to the notice as provided in paragraph (C)."

The Committee also considered whether the rules should address the issue of the right to counsel for payment determination hearings. Initially, the Committee believed that this question was more amenable to definition by case law. However, following publication, the Committee reconsidered this question. The Committee concluded that counsel should be afforded to a defendant

at a payment determination hearing when there was a likelihood of incarceration. The Committee agreed that the rules should provide some guidance on this question. Therefore, a cross-reference to the general case law concerning the right to counsel cases has been added to the Rule 456 Comment. In addition to the seminal right to counsel cases of *Alabama v. Shelton*, 535 U.S. 654 (2002) and *Scott v. Illinois*, 440 U.S. 367 (1979), the Comment includes cross-reference to two additional cases. The first case is *Commonwealth v. Farmer*, 466 A.2d 677 (Pa. Super. 1983), that held that a defendant was improperly incarcerated because she was not afforded counsel at an "informal" proceeding following her arrest for failing to respond to traffic citations at which she indicated she would not be able to pay any money towards the fines. The other case is *Commonwealth v. Spontarelli*, 791 A.2d 1254 (Pa.Cmmw. 2002) that held that the defendant had the right to counsel in a summary trial for violation of a municipal ordinance where the default on payment of a fine could result in incarceration. While neither of these cases is directly on point, the Committee believes they are sufficiently analogous to the situation of a defendant facing incarceration for failure to pay a summary fine to be instructional.

Additionally, the original Rule 456 Comment contained the language, "See also Rules 121 and 122 (dealing with the right to counsel)." The Committee concluded that this was a misleading statement since neither of those rules deal with the right to counsel but rather provide for the appointment and waiver of counsel. The Comment language has been revised to provide a correct description. Similar corrections have been made to the Rule 431 and 441 Comments.

*Incarceration during the Stay Period Pending Appeal*

The Committee also considered the situation when the defendant has been sentenced to imprisonment and then is ordered to post bail/collateral during the automatic stay period for the appeal pursuant to Rule 461. Although the report that prompted the Committee's consideration of this issue concerned appeals from a sentence of imprisonment following a payment determination hearing, it is also a concern in cases involving the automatic stay provisions following summary trial.

In some cases, when the defendant is unable to post this collateral, he or she is incarcerated for the entire period of the stay. As a result, it appears that the defendants in some cases are being incarcerated for periods longer than the period for which they have been sentenced. The Committee concluded that there is no reason why a defendant should be held for a longer period than the original sentence pending the appeal. Even with that correction however, this process renders the right to appeal and its associated stay moot. The defendant may win the appeal, by, for example, being found to have not been able to pay, but has still served the period of incarceration.

The Committee also noted that similar concerns apply when a defendant is sentenced to pay fines and costs. During the 30-day time period the defendant has to take an appeal, the rule permits the magisterial district judge to collect the fines and costs. If the defendant files an appeal, the stay provisions apply and the rule provides for collateral to be imposed. The Committee concluded that the same principles for setting collateral should be applied to these situations as well.

Furthermore, when the stay provisions of Rule 461 were adopted, the Committee did not consider that it



would be a regular practice to incarcerate a defendant pending such an appeal and the stay provision contemplates that the defendant would remain at liberty pending the appeal. However, the Committee recognized that there may be the occasional case in which assurances of the defendant's presence would be necessary. Therefore, the amendments do not contain a complete prohibition of setting collateral at this stage. However, to ensure that there is a demonstrated rationale for setting collateral in these situations, the Rule 461(D) provision that permits the setting of collateral has been amended to require the issuing authority to state in writing why collateral other than ROR has been set. As with the other proposed amendments, a requirement to consider the factors in Rule 523 for setting bail must be used as a model in determining whether and what amount of collateral should be set. Additionally, the factors to be considered also include the length of the potential sentence. Finally, an explicit statement has been added to the rule that a period of incarceration due to a failure to post collateral shall not exceed the original sentence of imprisonment.

[Pa.B. Doc. No. 15-765. Filed for public inspection April 24, 2015, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### FAYETTE COUNTY

#### Local Rule 1915.2 and Local Rule 1915.3; No. 632 of 2015 GD

##### Order

*And Now*, this 2nd day of April, 2015, pursuant to Rule 239 of the Pennsylvania Rules of Civil Procedure, it is hereby ordered that Local Rules 1915.2 and 1915.3 are amended as set forth in the following.

The Prothonotary is directed as follows:

- (1) One certified copy of the Local Rule shall be filed with the Administrative Office of Pennsylvania Courts.
- (2) Two certified copies and diskette of the Local Rule shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- (3) One certified copy of the Local Rule shall be sent to the State Domestic Relations Procedural Rules Committee.
- (4) One certified copy shall be sent to the Fayette County Law Library.
- (5) One certified copy shall be sent to the Editor of the *Fayette Legal Journal*.

This Local Rule shall be continuously available for public inspection and copying in the Office of the Prothonotary. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule.

This Local Rule shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

JOHN F. WAGNER, Jr.,  
*President Judge*

#### Rule 1915.2. Procedure.

a. A party who is requesting a child custody mediation conference must file, after filing an appropriate complaint/petition, with the Prothonotary a "Request to Schedule Child Custody Mediation" form, along with the \$100.00 filing fee, in accordance with F.C.R. 1915.3. The requesting party must also serve on the Administrative Office of Fayette County Courts a copy of the Request for Child Custody Mediation Conference, along with a copy of the receipt for the filing fee. The Administrative Office of Fayette County Courts shall refer the request form to Child Custody Services and a mediation conference shall be scheduled. All parties must attend this child custody mediation conference unless excused by the child custody mediator/hearing officer. Children shall not attend the conference, unless directed by the Court or directed by the Child Custody Mediator/Hearing Officer.

b. The child custody mediator/hearing officer shall conduct the conference as an informational and conciliatory proceeding. Upon the filing of any complaint, petition, or motion, relating to child custody, partial custody or visitation, the parties are required to attend at least one session of a child custody education program, the cost of which may be assessed against a party or parties, unless the court waives the requirement upon petition filed for good cause shown. A defaulting party may be subject to sanctions by the Court. The child custody mediator/hearing officer may require the parties to attend additional sessions of a child custody program and shall monitor attendance.

c. Attorneys and pro se litigants shall adhere to the custody instructions and shall specifically use the forms which accompany those instructions that are available in the Fayette County Law Library or on the website at [www.co.fayette.pa.us/ChildCustody](http://www.co.fayette.pa.us/ChildCustody).

#### Rule 1915.3. Fees and Costs.

Upon the filing of any complaint, petition, or motion relating to child custody, partial custody, visitation, or contempt, where there is at the time of filing no agreed-upon Order disposing of the issues, the moving party shall file and serve a Request to Schedule Child Custody Mediation and pay to the Prothonotary (in addition to any other required fees), a non-refundable conciliation fee in the amount of One Hundred (\$100.00) Dollars, or shall file to proceed in forma pauperis with Court approval in accordance with Pa.R.C.P. No. 240. Attorneys and pro se litigants shall adhere to the instructions and shall specifically use the form which accompanies the instructions to proceed in forma pauperis that are available in the Fayette County Law Library or on the website at [www.co.fayette.pa.us/CourtAdmin](http://www.co.fayette.pa.us/CourtAdmin).

[Pa.B. Doc. No. 15-766. Filed for public inspection April 24, 2015, 9:00 a.m.]

### YORK COUNTY

#### Local Rule of Judicial Administration 4009; AD 18 2015; 6715-0601; 2015-MI-000056-55

#### Administrative Order Adopting York County Local Rule of Judicial Administration 4009

*And Now*, this 1st day of April, 2015, it is *Ordered* that the following York County Local Rule of Judicial Administration 4009 is hereby adopted in the Court of Common Pleas of York County, Pennsylvania, effective June 1, 2015.

Any part of any Administrative Order which is in conflict with any portion of this Rule is vacated and repealed.

The District Court Administrator shall distribute and 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) Judges of this Court;

(c) York County Bar Association for publication in the *York Legal Record*;

(d) York County Department of Human Resources and York County Controller;

(e) Chief Court Reporter and Teamsters Union Steward for the Court Reporters' collective bargaining unit.

*By the Court*

STEPHEN P. LINEBAUGH,  
*President Judge*

**YCJA 4009. Fees Payable to the Court Reporter or Transcriptionist.**

The Court shall, by separate administrative order, periodically establish a schedule of fees to be paid to court reporters and transcriptionists as required by Pa.R.J.A. No. 4009.

[Pa.B. Doc. No. 15-767. Filed for public inspection April 24, 2015, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated March 10, 2015, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective April 9, 2015 for Compliance Group 2.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

BELL, HARRIET I.  
Houston, TX

BOUNDAS, JOHN THEODORE  
Houston, TX

BROWN, MARIANNE REBEL  
Glassboro, NJ

COSTELLO, CHRISTOPHER F.  
Burlington, NJ

DEMERS, DAVID JAMES  
New Albany, OH

DOCKEN, ANDREW WILLIAM  
Attleboro, MA

DUGAN, MICHAEL J.  
Simsbury, CT

FANTT, MICHELE AVIS  
Washington, DC

FORNIAS, III, EDWARD J.  
Wilmington, DE

FUHRER, ROBERT ANDREW  
Herndon, VA

GUY, SHALONDA LAKAY  
Tucson, AZ

HUGHES, JR., WILLIAM JOHN  
Atlantic City, NJ

JACKSON-WOODS, CATHERINE  
Collingswood, NJ

KARSON, III, MILES K.  
Washington, DC

KELLY, III, THOMAS PATRICK  
Westampton, NJ

KERN, CHRISTOPHER JOSEPH  
Cherry Hill, NJ

MASCIO, DAVID ANTHONY  
Weirton, WV

McGEE, KEVIN LEO  
Moorestown, NJ

MORE, JOSEPH M.  
Kissimmee, FL

MURDACO, JAMES RICHARD  
Runnemede, NJ

OMOLOYIN, ESTHER FOLAKE  
Ewing, NJ

POE, DAVE LOUIS  
Frisco, TX

PRIDGEN, LAKEMA N.  
Alexandria, VA

QUINSEY, CARMEN DENISE  
Carolina, Puerto Rico

ROAZEN, MATTHEW DANIEL  
New York, NY

ROSENBERG, KENNETH W.  
Arlington, VA

SCHMID, KRISTA AYN  
Medford, NJ

STEVENS, WALTER S.  
Vista, CA

SWITZER, LINDSAY SCARBOROUGH  
Atlantic City, NJ

WENGER, III, DAVID EARL  
Boardman, OH

YAN, DAVID  
New York, NY

SUZANNE E. PRICE,  
*Attorney Registrar*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-768. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Notice of Disbarment**

Notice is hereby given that Gilbert Baber having been disbarred from the practice of law in the District of Columbia by Opinion and Order of the District of Columbia Court of Appeals dated January 15, 2015, the Supreme Court of Pennsylvania issued an Order on April 14, 2015, disbaring Gilbert Baber from the Bar of this Commonwealth, effective May 14, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary of the Board  
 The Disciplinary Board of the  
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-769. Filed for public inspection April 24, 2015, 9:00 a.m.]

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**Notice of Disbarment**

Notice is hereby given that Alan Scott Gregory (# 46214), having been disbarred from the practice of law in the District of Columbia by Order of the District of Columbia Court of Appeals filed January 8, 2015, the Supreme Court of Pennsylvania issued an Order on April 6, 2015, disbaring Alan Scott Gregory from the Bar of this Commonwealth, effective May 6, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted

attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary of the Board  
 The Disciplinary Board of the  
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-770. Filed for public inspection April 24, 2015, 9:00 a.m.]

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**Notice of Disbarment**

Notice is hereby given that Gregory Scott Weisman (# 78068), having been disbarred by Order of the Supreme Court of New York, Appellate Division, First Judicial Department, filed November 20, 2014, the Supreme Court of Pennsylvania issued an Order on April 7, 2015, disbaring Gregory Scott Weisman from the Bar of this Commonwealth, effective May 7, 2015. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary of the Board  
 The Disciplinary Board of the  
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 15-771. Filed for public inspection April 24, 2015, 9:00 a.m.]

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# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CH. 65 ]

### Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) previously approved the publication of a proposed rulemaking containing proposed amendments to § 65.6 (relating to delayed harvest artificial lures only areas). The proposed rulemaking seeking public comments for 60 days was published at 45 Pa.B. 1257 (March 14, 2015). The Commission has withdrawn this proposed rulemaking and has ended the public comment period, effective immediately.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 15-772. Filed for public inspection April 24, 2015, 9:00 a.m.]

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# STATEMENTS OF POLICY

## Title 101—GENERAL ASSEMBLY

### LEGISLATIVE REFERENCE BUREAU [ 101 PA. CODE CH. 31 ] Right-to-Know Law; Amendments

The Legislative Reference Bureau (Bureau) amends § 31.2 (relating to open-records officers) to read as set forth in Annex A. The purpose of the statement of policy is to update the e-mail contact information for written document requests to the Local Government Commission.

*Effective Date*

This statement of policy is effective upon publication.  
VINCENT C. DeLIBERATO, Jr.,  
*Director*

*(Editor's Note:* Title 101 of the *Pennsylvania Code* is amended by amending the statements of policy in § 31.2 to read as set forth in Annex A, with ellipses referring to the existing text.)

*(Editor's Note:* See 45 Pa.B. 2051 (April 25, 2015) for a statement of policy from the Local Government Commission amending 101 Pa. Code §§ 303.2 and 303.14.)

**Annex A**

**TITLE 101. GENERAL ASSEMBLY**  
**PART I. LEGISLATIVE REFERENCE BUREAU**  
**Subpart E. STATEMENTS OF POLICY**  
**CHAPTER 31. RIGHT-TO-KNOW LAW**  
**Subchapter A. PRELIMINARY PROVISIONS**

**§ 31.2. Open-records officers.**

(a) *Designation.*

\* \* \* \* \*

(2) The designations under paragraph (1) are as follows:

\* \* \* \* \*

(ix) The Local Government Commission:

Open-Records Officer  
Local Government Commission  
Senate Box 203078  
Harrisburg, PA 17120-3078  
Fax: (717) 772-4524  
E-mail: LGCopenrecords@palegislature.us

\* \* \* \* \*

[Pa.B. Doc. No. 15-773. Filed for public inspection April 24, 2015, 9:00 a.m.]

**LOCAL GOVERNMENT COMMISSION**  
**[ 101 PA. CODE CH. 303 ]**  
**Right-to-Know Law; Amendments**

The Local Government Commission (Commission) amends §§ 303.2 and 303.14 (relating to open-records officer; and contact information) to read as set forth in

Annex A. The purpose of the statement of policy is to update appropriate e-mail contact information for written document requests.

*Effective Date*

This statement of policy is effective upon publication.  
MICHAEL P. GASBARRE,  
*Director*

*(Editor's Note:* Title 101 of the *Pennsylvania Code* is amended by amending the statements of policy in §§ 303.2 and 303.14 to read as set forth in Annex A.)

*(Editor's Note:* See 45 Pa.B. 2051 (April 25, 2015) for a statement of policy from the Legislative Reference Bureau amending 101 Pa. Code § 31.2.)

**Annex A**

**TITLE 101. GENERAL ASSEMBLY**  
**PART III. LOCAL GOVERNMENT COMMISSION**  
**CHAPTER 303. RIGHT-TO-KNOW LAW—STATEMENT OF POLICY**

**Subchapter A. PRELIMINARY PROVISIONS**

**§ 303.2. Open-records officer.**

Under section 502(a)(2) of the law (65 P. S. § 67.502(a)(2)), and upon publication in the *Pennsylvania Bulletin* in accordance with 101 Pa. Code § 31.2 (relating to open-records officers), the designation of the open-records officer for the Commission will be as follows:

Open-Records Officer  
Local Government Commission  
Senate Box 203078  
Harrisburg, PA 17120-3078  
Fax: (717) 772-4524  
E-mail: LGCopenrecords@palegislature.us

**Subchapter B. OPEN RECORDS PROCEDURES OF THE COMMISSION**

**§ 303.14. Contact information.**

Right-to-Know requests must be made as follows:

(1) Written requests made by mail:

Open-Records Officer  
Local Government Commission  
Senate Box 203078  
Harrisburg, Pennsylvania 17120-3078

(2) Written requests made by facsimile:

Fax: (717) 772-4524

(3) Written requests made by e-mail:

LGCopenrecords@palegislature.us

(4) Other requests: In person at the Commission offices, Forum Place Building, the corner of 5th and Walnut Streets, 555 Walnut Street, Harrisburg, PA 17101, or by telephone at (717) 787-7680. Verbal requests must be made to the Commission open-records officer or a designee.

[Pa.B. Doc. No. 15-774. Filed for public inspection April 24, 2015, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 14, 2015.

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

### BANKING INSTITUTIONS

#### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-8-2015	Orrstown Bank Shippensburg Cumberland County	2098 Spring Valley Road Lancaster Lancaster County	Filed
4-8-2015	First Resource Bank Exton Chester County	844 Paoli Pike West Chester Chester County	Opened
4-13-2015	PeoplesBank, A Codorus Valley Company York York County	425 Westminster Avenue Hanover York County	Filed

### CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-775. Filed for public inspection April 24, 2015, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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### 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**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970*

<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>
PA0056758 (Sewage)	Tradesville Wastewater Treatment Plant 3430 Pickertown Road Warrington, PA 18976	Bucks County Warrington Township	Mill Creek (2-F)	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>
PA0261483— SEW	Broad Top Township—Morrow Res 187 Municipal Road PO Box 57 Defiance, PA 16633-0057	Bedford County/ Broad Top Township	UNT Six Mile Run/11-D	Y
PA0261475— SEW	Broad Top Township—College Res 187 Municipal Road PO Box 57 Defiance, PA 16633-0057	Bedford County/ Broad Top Township	UNT Six Mile Run/11-D	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>
PA0219215 (Sewage)	Donegal Township STP 50 Depot Street West Alexander, PA 15376	Washington County West Alexander Borough	Little Wheeling Creek (20-E)	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>
PA0223026 (Industrial Waste)	St Petersburg Borough WTP Waterworks Road St Petersburg, PA 16054-0235	Clarion County Richland Township	Unnamed Tributary of Clarion River (17-B)	Y
PA0222062 (Sewage)	Springfield Grille 1226 Perry Highway Mercer, PA 16137	Mercer County Springfield Township	Unnamed Tributary to Neshannock Creek (20-A)	Y
PA0104299 (Sewage)	Camp Lutherlyn 500 Lutherlyn Lane Prospect, PA 16052-0355	Butler County Connoquenessing Township	Semiconon Run (20-C)	Y
PA0263656 (Sewage)	Daniel H Preston SFTF 100 3rd Lane Kane, PA 16735	McKean County Sergeant Township	Sevenmile Run (17-A)	Y

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

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

**PA0055913**, Industrial Waste, SIC Code 2819, **Corco Chemicals Corp**, Tyburn Road & Cedar Lane, Fairless Hills, PA 19030. Facility Name: Corco Chemicals Corp. IWTP. This existing facility is located in Falls Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated groundwater and non-contact cooling water.

The receiving stream(s), Martins Creek, is located in State Water Plan watershed 2-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0072 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>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Ethylbenzene	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	0.001	0.002	0.0025
Total BTEX	XXX	XXX	XXX	0.1	0.2	0.25
Chloroform	XXX	XXX	XXX	0.006	0.12	0.015
1,1-Dichloroethylene	XXX	XXX	XXX	Report	Report	XXX
trans-1,2-Dichloroethylene	XXX	XXX	XXX	0.2	0.4	0.5
Tetrachloroethylene	XXX	XXX	XXX	0.005	0.01	0.012
Toluene	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	0.005	0.01	0.01
Total Xylenes	XXX	XXX	XXX	Report	Report	XXX
Vinyl Chloride	XXX	XXX	XXX	0.002	0.004	0.005

The proposed effluent limits for Outfall 002 are based on a design flow of 0.115 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>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	Report	Report	XXX

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

- Remedial Measures
- Change of Ownership
- Groundwater Remediation
- Approved Test Methods

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.

**PA0054402**, Industrial Waste, SIC Code 3824, **Emerson Electric Co.**, 8000 West Florissant Avenue, St Louis, MO 63136. Facility Name: Brooks Instrument GWCU. This existing facility is located in Hatfield Borough, **Montgomery County**.

Description of Existing Activity: Renewal of an NPDES permit to discharge treated groundwater from an air stripper treatment unit located at Brooks Instrument, 407 West Vine St. This is an existing discharge to West Branch Neshaminy Creek.

The receiving stream(s), Unnamed Tributary to West Branch Neshaminy Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.036 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>Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Tetrachloroethylene	XXX	XXX	XXX	0.005	0.010	0.013
Trichloroethylene	XXX	XXX	XXX	0.005	0.010	0.013

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

- Acquire Necessary Property Rights
- Proper Sludge Disposal
- BAT/BCT Reopener
- Dry Stream Discharge
- Quarterly Groundwater Monitoring
- Annual Groundwater Report
- Stripping Tower Wastewater

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.

**PA0012882**, IW, SIC Code 4925, **Philadelphia Gas Works**, 800 W Montgomery Avenue, Philadelphia, PA 19122-2806. Facility Name: Philadelphia Gas Works Richmond Plant. This existing facility is located in Philadelphia City, **Philadelphia County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of non-contact cooling water from process compressors and heat exchangers.

The receiving stream(s), Delaware River, is located in State Water Plan watershed 3-J and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 004 are based on a design flow of 6.67 MGDs.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)						
Influent	XXX	XXX	XXX	Report	XXX	Report
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

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

I. Other Requirements

- A. Public Nuisance
- B. Change of Ownership
- C. BAT/BCT
- D. Temperature Requirements

E. No Net Pollutant Additions

F. Sludge Removal

G. TMDL/WLA Analysis

II. EPA's 316b Rule Requirement

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

The EPA Waiver is in effect.

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

**PA0081329**, Sewage, SIC Code 4952, **South Londonderry Township Municipal Authority Lebanon County**, 20 West Market Street, Campbelltown, PA 17010. Facility Name: South Londonderry Lawn STP. This existing facility is located in South Londonderry Township, **Lebanon 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), Conewago Creek, is located in State Water Plan watershed 7-G 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 0.0225 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	4.6	7.5	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	5.6	8.4	XXX	30	45	60
		Wkly Avg				
Raw Sewage Influent Fecal Coliform (CFU/100 ml)	Report	Report	XXX	Report	XXX	XXX
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		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.4	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	XXX	137	XXX	XXX	XXX	XXX
		Total Annual				

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

- Solids Management and reporting requirements
- Chlorine minimization
- Restrictions on acceptance of hauled-in waste under certain conditions

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.

**PA0080527**, Sewage, SIC Code 4952, **Olivers Upper Lawn Mobile Home Comm**, 23 Mockingbird Lane, Palmyra, PA 17078-9159. Facility Name: Olivers Upper Lawn MHC. This existing facility is located in South Londonderry Township, **Lebanon 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 Conewago Creek, is located in State Water Plan watershed 7-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.029 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</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
Total Residual Chlorine	XXX	XXX	XXX	0.12	XXX	0.39
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	2,000	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5.0
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs/mo)	Report	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	Total Mo XXX	177	XXX	XXX	XXX	XXX
		Total Annual				

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.

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

**PA0254843**, SIC Code 4941, **West View Borough Municipal Authority Allegheny County**, 210 Perry Highway, Pittsburgh, PA 15229. Facility Name: Beaver County WTP. This proposed facility is located in Baden Borough, **Beaver County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial wastewater (filter backwash water and effluent from sludge thickening tanks).

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.08 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	4.0	XXX	8.0
Total Iron	XXX	XXX	XXX	2.0	XXX	4.0
Total Manganese	XXX	XXX	XXX	1.0	XXX	2.0

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

A. After six (6) months that the proposed water treatment plant and its industrial wastewater treatment system is operational, the Municipal Authority of the Borough of West View shall sample the wastewater stream generated at this water treatment plant for pollutants listed on Modules 4 and 5 of the NPDES permit application (one sampling event from the influent to the wastewater treatment system and three sampling events from the effluent from the water treatment system). The analytical results should be tabulated on the proper application forms and submitted to Department for review. Upon the complete review of the analytical results, the Department may change the effluent limits of your NPDES permit PA0254843 if it becomes necessary.

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 4515401**, Sewerage, **Mount Pocono Municipal Authority**, 1361 Pocono Boulevard, Suite 101, Mount Pocono, PA 18344.

The facility is located in Mount Pocono Borough, **Monroe County**.

Description of Proposed Activity: This application is for proposed upgrades to the Borough's existing wastewater treatment plant and the construction of a new spray irrigation system. The upgrades include: a Rotating Screen to remove non-degradable solids; an Influent Equalization Tank; repairs to the existing Sequencing Batch Reactor (SBR) system including decanter upgrades and a new computer operating system; and new Dissolved Oxygen probes in the SBRs to refine control of the blowers. The spray irrigation system will consist of five areas totaling approximately 84 acres. The combined disposal capacity of all five areas will vary over the spray season from 271,000 gpd during late fall to 589,000 gpd during the summer months. The system will be deactivated and winterized from November 16th through March 14th each year.

**WQM Permit No. 3915201**, Industrial Waste, **Nestle Purina Petcare Company**, 2050 Pope Road, Allentown, PA 18104-9308.

This existing facility is located in South Whitehall Township, **Lehigh County**.

Description of Proposed Action/Activity: The project is for the replacement of a 30,000 gallon flow equalization tank with a new 30,000 gallon tank and associated pumps. An influent screen and pump will be added to the primary treatment process and the existing screen and pump will be relocated. A mixer will be added to the existing underground tank and another added to the existing surge tank. Five 10-hp mixers will be added to the existing aerated lagoon.

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

**WQM Permit No. 5015401**, Sewerage, **Howe Township Municipal Authority**, 319 North 4th Street, Newport, PA 17074.

This proposed facility is located in Howe Township & Newport Borough, **Perry County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Howe Township sanitary sewer collection system with connection to the Newport Borough Municipal Authority sanitary sewer system.

**WQM Permit No. 2208402, Amendment #2**, Sewerage, **Lower Paxton Township**, 425 Prince Street, Suite 139, Harrisburg, PA 17109.

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

Description of Proposed Action/Activity: Seeking permit approval for modifications/upgrades to the existing Beaver Creek Pump Station Pump and Controls Upgrade.

**WQM Permit No. 2196401, Amendment #1**, Sewerage, **Harmony Estates MHP**, 2 Coral Drive, Carlisle, PA 17103.

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

Description of Proposed Action/Activity: Seeking permit approval for modifications to their existing wastewater treatment plant.

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

**WQM Permit No. 3315401**, Sewerage, **Brookville Municipal Authority**, 30 Darrah St, Brookville, PA 15825-2404.

This proposed facility is located in Brookville Borough, **Jefferson County**.

Description of Proposed Action/Activity: Replacement of existing wastewater conveyance system sewers, White Street Lift Station and Industrial Park Lift Station in Brookville Borough and Pine Creek Township.

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### IV. NPDES Applications for Stormwater Discharges from MS4

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

**PAI132221**, MS4, **South Whitehall Township Lehigh County**, 4444 Walbert Avenue, Allentown, PA 18104-1699. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in South Whitehall Township, **Lehigh County**. The receiving streams, Cedar Creek, Jordan Creek, Little Cedar Creek and Haasen Creek, are located in State Water Plan watershed 2-C and is classified for High Quality Waters—Cold Water Fishes, Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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 not in effect.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
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
PAI014615001	Pennsylvania Turnpike Commission P. O. Box 67676 700 S. Eisenhower Boulevard Middletown, PA 17057	Montgomery	Franconia Township	Unnamed Tributary to Skippack Creek TSF

*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 Rd, Allentown, PA 18104*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914030	The Fields at Indian Creek, LLC Richard Koze 5930 Hamilton Blvd Wescosville, PA 18106	Lehigh	Upper Millford Township Emmaus Borough Lower Macungie Township	Leibert Creek (HQ-CW, 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>
PAI032814005	Fayetteville Contractors, Inc. PO Box 610 Fayetteville, PA 17222	Franklin	Antrim Township	Muddy Run (HQ-CWF, MF)
PAI032915002	Robbie Dickinson 199 West McKinleyville Road Hustontown, PA 17229	Fulton	Taylor Township	UNT to Sidling Hill Creek (HQ/CWF)
PAI033613004(3)	Forino Company, L.P. 555 Mountain Home Drive Sinking Spring, PA 19608	Lancaster	Mount Joy	UNT Donegal Creek (CWF, EV Wetlands)

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

*Snyder County Conservation District: 403 West Market Street, Middleburg, PA 17842, (570) 837-0007, X 5*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045515001	Mike Kurtz 1576 Fultz Rd McClure, PA 17841	Snyder	Spring Township	Ulsh Gap Run, Wetlands HQ-CWF

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

*Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-65001*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061015001	PennDOT Engineering District 10-0 2550 Oakland Avenue Indiana, PA 15701-3388	Butler	Winfield Township	Little Buffalo Creek HQ-TSF

*Elk County Conservation District, Elk County Courthouse Annex, 300 Center St, PO Box 448, Ridgway, PA 15853*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062415001	CJ Merlo Inc Attn: Dave Stover 234 Merlo Road Mineral Point, PA 15942	Elk	Jones Township	East Branch of Clarion River 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.*

**PAG123583**, CAFO, **Pigtale Acres, LLC**, 1030 Girl Scout Road, Stevens, PA 17578.

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

Description of Size and Scope of Proposed Operation/Activity: 561.92 AEUs swine operation.

The receiving stream, Indian Run, is in watershed 7-J, and classified for: TSF.

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

**PAG123690**, CAFO, **Jodie Brubaker**, 1908 Valley Road, Manheim, PA 17545.

This proposed facility is located at 1681 Hossler Road, Manheim, PA 17545 in Rapho Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 451.23 AEUs poultry (broilers) operation.

The receiving stream, Back Run, is in watershed 7-G, and classified for: TSF.

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

**PAG123749**, CAFO, **Kenton Sweigart**, 620 Greider Road, Mount Joy, PA 17552.

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

Description of Size and Scope of Proposed Operation/Activity: 1,348.69 AEUs dairy, swine and poultry (pullets) operation.

The receiving stream, UNT Donegal Creek, is in watershed 7-G, 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.

## STATE CONSERVATION COMMISSION

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

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

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

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

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



**APPLICATIONS  
NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New Application</i>
Kerwin King 375 Forest Manor Rd Cochranville, PA 19330	Chester	218	137.12	Ducks	HQ—E. Branch Big Elk Creek	Renewal (2016-2018)
Walton Farms LLC 42 Walton Drive, Cochranville, PA 19330	Chester	910	1,439.27	Dairy	N/A	New (2016-2018)
Country View Family Farm, Green Valley Farm 2266 Junction Rd. Seven Valleys, PA 17360	York	16.2	1,892.79	Hogs	None	Renewal
Hillandale Gettysburg, LP Bailey Farms, Site 1 & 2 2820 Daron Rd. Spring Grove, PA 17362	York	25.2	9,145.43	Poultry	None	Renewal

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

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<b>Permit No. 1515511</b> , Public Water Supply	
Applicant	<b>Borough of Oxford</b>
Borough	Oxford
County	<b>Chester</b>
Responsible Official	Beatrice Brantner P. O. Box 380 401 Market Street Oxford, PA 19363
Type of Facility	PWS
Consulting Engineer	David M. Bright, P.E. SSM Group, Inc. 1047 North Park Road P. O. Box 6307 Wyomissing, PA 19610
Application Received Date	March 25, 2015
Description of Action	Addition of polyphosphate treatment at Wells No. 3, No. 7 No. 8, No. 9

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

<b>Permit No. 2515502</b> , Public Water Supply	
Applicant	<b>Erie City Water Authority</b>
Township or Borough	Millcreek Township
County	<b>Erie</b>
Responsible Official	Craig Palmer
Type of Facility	Public Water Supply
Consulting Engineer	Edward J. St. John, P.E. CDM Smith 1468 West 9th Street Cleveland, OH 44113
Application Received Date	January 23, 2015
Description of Action	Replacement of existing ultrafiltration membrane modules with newer version membrane modules in existing submerged membrane filtration process.

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**MINOR AMENDMENT**


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


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

**Application No. 0215513MA, Minor Amendment.**

Applicant	<b>Pittsburgh Water &amp; Sewer Authority</b> Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222
[Township or Borough]	City of Pittsburgh
Responsible Official	Robert Christian Director of Engineering and Construction Pittsburgh Water & Sewer Authority Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222
Type of Facility	Water system
Consulting Engineer	
Application Received Date	April 14, 2015
Description of Action	Installation of approximately 1,880 feet of 8-inch diameter waterline and appurtenances (Waterline relay project-Premier and Camelia Street).

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**WATER ALLOCATIONS**


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**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**


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*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200*

**WA 06-643B, Water Allocations. Western Berks Water Authority (PWS ID No. 3060066), Berks County.** Water allocation application for a withdraw of up to 6.0 million gallons per day either from Blue Marsh Lake or Tulpehocken Creek. Applicant Address: Leonard E. Bilger II, Manager, Western Berks Water Authority, 91 Water Road, Sinking Spring, PA 19608. Consulting Engineer: Darryl E. Jenkins SSM Groupm, Inc, PO Box 6307, Reading, PA 19610-0307. Application Received: 3/31/2015.

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**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**


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**UNDER ACT 2, 1995  
PREAMBLE 1**


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


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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment

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

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

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

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

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Coal Township Release Site,** Sunoco 2013 Coal Township Pipeline Release, Coal Township, **Northumberland County.** Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Sunoco Logistics, LP, 4041 Market Street, Aston, PA 19014, submitted a Notice of Intent to Remediate. The primary contaminants of concern are the constituents of unleaded gasoline. The future use of the property is to remain the right-of-way for the pipeline. The Notice of Intent to Remediate was published in *The News Item* on September 29, 2014.

**Gross 2 Tank Battery,** Brace Road, Springfield Township, **Bradford County.** Moody and Associates, Inc., 685

Broad Street Extension, Suite 1, Waverly, NY 14892, on behalf of VAVCO, LLC, 101 Mahood Road Suite 1, Butler, PA 16001, submitted a Notice of Intent to Remediate. The contaminants of concern are inorganics from brine and volatile organics from oil. The intended future use of the property is non-residential. The Notice of Intent to Remediate was published in *Towanda Daily Review* on January 29, 2015.

**Stella Jones, Inc. Dubois Pennsylvania Facility,** 392 Larkeytown Road, DuBois, Clearfield County. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Stella Jones, Inc., 2 Gateway Center, Suite 1000, 603 Stanwix Street, Pittsburgh, PA 15222 submitted a Notice of Intent to Remediate. The incident site was impacted with polycyclic aromatic hydrocarbons (PAHs) and carbazole which have been identified in site groundwater. The intended future use of the property is the continued use as a wood treating facility. The Notice of Intent to Remediate was published in the *Courier Express/Tri-County* on March 12, 2015.

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

**Former Trexler Estate,** 4677 Route 309, Upper Saucon Township, Lehigh County. Pennoni Associates Inc., on behalf of LUP4, LLC, 27 Memorial Drive West, Bethlehem, PA 18015, submitted a Notice of Intent to Remediate. Soil and groundwater have been contaminated by leaded and unleaded gasoline due to historical operations at the site. The intended future use of the site is Residential, and the proposed cleanup standard for the site is Site Specific. The Notice of Intent to Remediate was published in *The Press Group Newspapers* on March 25, 2015.

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

**Former Waynesboro Pipe Manufacturing Facility,** 315-317 Hamilton Avenue, Borough of Waynesboro, Franklin County. CB & I Environmental & Infrastructure, Inc., 2790 Mossie Boulevard, Monroeville, PA 15146, on behalf of Waynesboro Pipe Products, c/o Invensys LLC, 33 Commercial Street, Foxboro, MA 02035, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with Arsenic and PCBs. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is unknown. The Notice of Intent to Remediate was published in the *Record Herald* on March 5, 2015.

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

**Speedway Store #2904,** 105 North Center Avenue, Borough of New Stanton, Westmoreland County. Cardno ATC, 103 North Meadows Drive, Suite 211, Wexford, PA 15090 on behalf of Speedway, LLC., 500 Speedway Drive, Enon, OH 45323 has submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health Standard concerning site soils and groundwater contaminated with semi-volatile organic compounds and volatile organic compounds (SVOC's & VOC's), heavy metals and metals. Future use of the property will be a retail petroleum facility. Notice of the NIR was published in the *Pittsburgh Post-Gazette* on March 25, 2015.

## REGULATED MEDICAL WASTE TRANSPORTER LICENSES

**Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.**

*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

### *New Applications Received*

**Smith Systems Transportation, Inc.,** P. O. Box 2455, Scottsbluff, NE 69361. License No. PA-HC 0262. Received on September 14, 2014.

**Northeast Pennsylvania Cremation Services, Inc.,** 143 Gravity Road, Lake Ariel, PA 18436. License No. PA-HC 0261. Received on November 22, 2014.

**Safeguard Waste Solutions, Inc.,** 6 Brown Road, Albany, NY 12205. License No. PA-HC 0263. Received on January 14, 2015.

### *Renewal Applications Received*

**Stericycle, Inc.,** 1525 Chestnut Hill Road, Morgantown, PA 19543. License No. PA-HC 0196. Received on January 27, 2015.

**Bio-Team Mobile, LLC,** 6 East Kendig Road, Willow Street, PA 17584. License No. PA-HC 0225. Received on February 3, 2015.

**Image First Medical Waste Services,** 900 East Eight Avenue, Suite 300, King Of Prussia, PA 19406. License No. PA-HC 0255. Received on February 18, 2015.

**Daniels SharpSmart, Inc.,** 111 West Jackson Blvd, Suite 720, Chicago, IL 60604. License No. PA-HC 0254. Received on February 24, 2015.

**Secured Med Waste, LLC,** 3113 Lauren Hill Drive, Finksburg, MD 21048. License No. PA-HC 0241. Received on March 2, 2015.

**Alpha Bio/Med Services, LLC,** 3246 Lincoln Highway East, Paradise, PA 17562. License No. PA-HC 0234. Received on April 6, 2015.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) Approved Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate a Solid Waste Processing or Disposal Area or Site.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

**Permit No. 100020. IESI PA Bethlehem Landfill.** 2335 Applebutter Rd, Bethlehem, PA 18015. A permit modification authorizing the increase in daily volume and expansion of this municipal waste landfill located in Lower Saucon Township, Northampton County. This permit was issued on the Regional Office on April 18, 2003 with an expiration date of April 18, 2013.

In accordance with § 271.142 (a)(4), the Department of Environmental Protection (DEP) will publish a notice in the Pennsylvania Bulletin of justification of overriding



county or host municipality recommendations regarding an application for a permit modification under section 504 of the act.

Permit No. 100020. IESI PA Bethlehem Landfill. The following is the DEP's justification of overriding the host municipality's, Lower Saucon Township (LST) recommendations. A more detailed summary of all comments received and how they were considered is included in a Comment Response Document issued concurrent with the Phase IV Expansion Permit.

1. In accordance with new DEP regulations with regard to Stormwater management, it is recommended that, in addition to the standard Developer's Improvements Agreement for initial Stormwater system improvements and security, a separate "Covenant" running with the land, be entered into to identify the long-term maintenance responsibilities the landowner has to maintain storm control basins and Stormwater piping at this property (MS 4—Requiring Best Management Practices and Identification of Maintenance Responsibilities). IESI has an NPDES General Permit, #PAR502205, and is obligated to follow all requirements of that permit. The model ordinance (currently in draft form) is provided to MS-4 communities to aid in the implementation of their Stormwater control programs. The standard Developer's Improvement Agreement referred to is part of that model ordinance. The Department has no authority to enforce the conditions of host agreements or approvals and therefore cannot require a "Covenant". LST may enter into a separate "Covenant" running with the land if they chose to do so.

2. LST believes that two additional groundwater monitoring wells are warranted in the northeast corner of the permit area to define the groundwater contamination in Well CO-1. The need to show locations of the groundwater wells on all plans sheets in order to identify any potential land development conflicts. DEP has reviewed the need for additional monitoring wells in the northeast corner of the site and has concluded that no additional monitoring wells are needed in this area. All groundwater monitoring wells permitted by this action are shown on the applicable plan sheets.

3. Groundwater Assessment North Slope area has never been satisfactorily completed. LST continues to be concerned about the pollution of GW along the north and northeast sides of the Landfill and asks, again, that LST seek the Department's support of GW assessment studies, as recommended in the Neversink Environmental, Inc. letter dated 2/2/03. A groundwater assessment was conducted for the North Slope area by Gannett Flemming in a report dated 1996. The groundwater monitoring plan that has been in effect since 1993 is being modified as part of this permit modification issuance and will continue to be monitored. There is no evidence of contamination in this area that would warrant an additional groundwater assessment.

4. Compliance with Existing DEP Permit # 100020 Conditions (November 9, 1993). LST identified a number of permit conditions listed in IESI's current permit that must be complied with. All permit conditions remain in effect unless specifically modified in the Phase IV permit modification. No outstanding compliance issues exist. The following LST comment warrants further clarification of the permit condition by the DEP.

a. Compliance with permit section IX-2 (page 34 of 68) that requires IESI to conduct periodic training sessions with the local police, emergency squads and the city fire

departments. This permit condition does not impose any requirement that IESI conduct periodic training sessions with the local police, emergency squads and the city fire departments.

5. Conditions Prior to Permit Issuance. LST has requested that the following technical issues should be finalized prior to the issuance of the permit:

a. IESI should provide the consolidated conforming permit application document package as their application (not as a condition of the permit). This consolidation and conforming application package should be distributed by IESI and DEP for formal review in accordance with DEP regulations and Township and IESI agreements. As part of the approval of the Phase IV expansion area, IESI will be required to submit to the Department a complete consolidated permit application package inclusive of all plan and narrative revisions that were submitted throughout the permit application package as a condition of permit issuance. This document does not change what was previously submitted, but consolidates all revisions into one document. It is not necessary to conduct another formal review of this document prior to permit issuance.

b. The draft "permit" should be distributed to IESI and Lower Saucon Township for Final Comments at least sixty (60) days prior to issuance to help preclude the necessity to file an appeal by IESI or the Township on minor wording adjustments that might be agreeable to IESI, the Township, and DEP. The Phase IV expansion is a major permit modification. As such, all conditions of the existing permit remain valid unless specifically modified. Therefore, it is unnecessary for the DEP to distribute the draft approval for this modification prior to issuance.

6. Recommended Final Permit Conditions. LST has requested that the following final permit conditions should be included with the issuance of the permit:

a. The Permittee shall follow all provisions of the Host Community Agreement and any other "conditions" or provisions in the Township approvals or permits. The DEP has no authority to enforce the Host Community Agreement, as this is an agreement between IESI and Lower Saucon Township. This condition is not appropriate.

b. The Permittee shall obtain DEP approval of their radiation protection plan and shall install all associated monitoring and protection equipment and shall train all appropriate personnel for implementation action of this plan prior to accepting any waste in Phase IV. The approval of the Phase IV expansion application includes the approval of the radiation protection plan. The permit gives four months to order and install the radiation monitoring equipment and enact the implementing procedures. The proposed condition is not appropriate.

c. The permittee shall notify LST and the DEP within 24 hours of the discovery of carbonate geology in the uppermost geologic unit, anywhere in the permitted area. The Permittee shall cease work and consult with DEP and the Township if carbonate geology is encountered during the installation of the proposed groundwater monitoring wells or earthmoving activities. This issue was reviewed during the review of the application for the current permit issued on November 9, 1993. It has also been addressed by the applicant in the August 3, 2000, expansion application. The information clearly documents that carbonate geology does not underlie the site. Regardless, it is IESI's responsibility to identify and immediately report any encounters with carbonate geology if any is found. The DEP does not recognize the need to re-iterate

a condition that is at least as stringent as what is stated as a condition in a local approval.

d. The permittee shall notify Lower Saucon Township 48 hours prior to the drilling of any abatement and/or monitoring well and shall allow the Host Municipal Inspection and Township Geologist to be present during the drilling operation. Condition #13 of the IESI permit requires IESI to notify the DEP two weeks prior to any major construction activities. LST is copied on all correspondence between IESI and the DEP per the Host agreement. Therefore, no additional permit condition is necessary.

e. The Permittee shall provide a certification for a Pennsylvania Registered Professional Engineer (P.E.) that the liner "interface friction angle" meets the requirements of the stability analysis, which was submitted as part of the permit application. This certification shall be submitted to DEP and Lower Saucon Township before the Permittee proceeds with liner construction. IESI has indicated that all actual construction materials have been tested and that they meet or exceed the minimum friction angles that have been utilized in the stability analysis. All construction activities are certified by a P.E. via a Construction Certification. LST is copied on all correspondence from IESI to the DEP. Submission of this additional certification is not necessary.

f. The Permittee shall provide documentation that monitoring well CO-1 meets the requirements of the DEP Municipal Waste Regulations § 273.283, Standards for Wells and Casings of wells. If the permittee cannot provide that documentation, a replacement well (meeting that criteria) shall be provided to the acceptance of any waste in Phase IV. The construction log for CO-1 was submitted to the DEP as part of the North Slope Groundwater Assessment Report in 1996. The DEP has determined that the monitoring well was properly reconstructed and included within the groundwater monitoring network. This permit condition is not necessary.

g. The Permittee shall complete the North Slope and northeastern groundwater assessment pursuant to the existing November 9, 1993 permit conditions within 365 days of the issuance of this permit. The DEP has determined that additional groundwater assessment is not necessary for the North Slope area as addressed in #2 and #3 above. This permit condition is not necessary.

h. The Permittee shall not allow any reduction in the extent of the continuous hydraulic barrier currently maintained by the existing thirteen (13) abatement wells. Any abatement wells proposed to be removed (i.e., AB-11 and AB-12) shall be replaced. IESI has indicated and the DEP has concurred that abatement wells AB-11 and AB-12 will continue to be operated during the active disposal activities of cells 4A and 4B. Prior to construction of cell 4C, IESI will submit a report containing an evaluation of all groundwater data up to that point. DEP will then render a decision if abatement wells AB-11 and AB-12 could be decommissioned or if they need to be relocated outside and down gradient of the Phase IV disposal area.

i. The Permittee shall perform quarterly sampling of the former Dalrymple well for all listed DEP parameters. The Dalrymple well is not located within the permit boundary or part of the current or proposed groundwater monitoring system. As such it is unnecessary to require quarterly sampling of this well.

j. The Permittee shall monitor the wells on the properties now or formerly of Bowen, Hahn, Klotz, Gardner, in accordance with the requirements of Act 101 even though

the properties are not adjacent to the Permittee's facility and even though one or more may be owned by the Permittee. IESI has indicated in their February 3, 2003 response that "To the extent the owners of those private wells in the area of the Landfill desire to have IESI continue to undertake Act 101 testing of their private water supplies, IESI has and will continue to perform such testing." The proposed permit condition exceeds the letter and intent of the Act 101 contiguous well testing provisions and is therefore inappropriate.

k. The Permittee shall not conduct any landfill related activities on the properties now or formerly owned by Dalrymple, Mulliken, Fox, or Klotz or other properties the owner may purchase. The Phase IV expansion application does not propose conducting any landfill related activities on these properties, and Phase IV permit approval does not include these properties. Therefore, this permit condition is unnecessary.

l. The Permittee shall implement the "Transportation Compliance Plan" (TCP) and shall provide monthly reports to the DEP and to Lower Saucon Township to document the effectiveness of the "Transportation Compliance Plan." As part of the reporting requirements, all traffic related incidents and the action taken by the Permittee to remedy/correct these incidents should be formally reported. Monthly reporting is not required by regulation or called for in the TCP. The DEP requires IESI to keep this information as part of the landfill's daily operating records. These records are available to DEP upon request, as well as the host municipal inspector. This permit condition is inappropriate.

m. The Permittee shall not accept any waste from a truck driver or waste hauling company that use the Freemansburg Bridge to access or leave the landfill site, except for local municipal solid waste collection trucks. DEP, the Freemansburg Police, the Lower Saucon Township Police, and/or the Host Municipal Inspector shall be permitted to identify whether or not a violation of this restriction has occurred and, if it has on 3 or more times, this condition shall be considered a permit violation under DEP regulations. The amount of any DEP fine that may be paid separately by the Permittee to the DEP, based upon a violation of this nature, shall also be paid separately to the LST and to the Borough of Freemansburg. Each 3 violations shall be considered as a separate permit violation. The TCP has been approved and incorporated into the permit as part of the permit application. The DEP will take enforcement action as appropriate if trucks do not follow the approved haul routes. In regards to monetary payments to Lower Saucon Township and the Borough of Freemansburg for any violations of the DEP permit or regulations, the DEP cannot support such a request.

n. The Permittee shall provide an annual certification provided by a Registered Professional Engineer, based upon noise testing of the landfilling operation for a typical days operation, that the noise leaving the landfill property does not exceed Lower Saucon Township regulatory levels and/or any DEP regulatory levels. This annual certification is not necessary. IESI has demonstrated to the satisfaction of the DEP that noise will not exceed LST regulatory levels. Should noise become a nuisance, the DEP can require IESI to investigate and take corrective action as necessary. The DEP does not have any regulatory requirements for noise and as such, this permit condition is inappropriate.

o. The Permittee shall provide ten (10), \$1,000 Environmental Scholarships per year to the students of three

(3) area schools. IESI has listed these scholarships as a benefit of the approved Phase IV expansion application and is fully expected to offer them. Permit condition #16 requires IESI to give quarterly status reports of the benefits relied upon during the review of this application. DEP believes these factors to be adequate safeguards to insure that the benefit will occur.

p. The Permittee shall provide emergency management capabilities (personnel and equipment) to the Lower Saucon Township in time of need. IESI has listed emergency management capabilities as a benefit of the approved Phase IV expansion application and is fully expected to offer them. Permit condition #16 requires IESI to give quarterly status reports of the benefits relied upon during the review of this application. DEP believes these factors to be adequate safeguards to insure that the benefit will occur.

q. The Permittee shall replace any designated wetland that is damaged or lost by the long-term operation of the landfill on site or off site. If the construction of replacement wetlands are not possible on site, then the Permittee shall financially assist Lower Saucon Township or any other responsible agency approved by Lower Saucon Township for their use in creating, purchasing, or protecting other wetlands within Lower Saucon Township, to a limit of \$10,000 per acre of any such wetland damaged or lost. The plans for the Phase IV expansion do not call for any impacts to wetlands. Therefore this permit condition is unnecessary.

r. The Permittee shall conduct two (2) quarters of prefill monitoring for any new monitoring wells constructed. The existing groundwater monitoring system has already characterized the groundwater aquifer in the Phase IV expansion area. No prefill monitoring of any particular length of time is required.

s. The Permittee shall provide LST with automatic updates of the Permittee's "Compliance History" within thirty (30) days of any update. Updates to the Permittee's Compliance History are routinely distributed in their annual operations report to the DEP, and at times more frequently. LST receives a copy of the annual reports as well as any other correspondence from IESI to the DEP. It is unnecessary to require more frequent updates of the compliance history.

t. The Permittee shall receive all applicable Host Municipal Zoning and Land Development Plan approvals prior to construction and/or use of Phase IV for waste disposal. It is IESI's responsibility to follow all provisions of the Host Community Agreement. The DEP has no authority to enforce the Host Community Agreement, as this is an agreement between IESI and Lower Saucon Township. This condition is inappropriate.

u. The Permittee shall transfer undertake waste characterization of the woodfill area to identify: the areal extent of the waste; depth of the waste; and character, type, and nature of the waste. This shall be completed with a report of the results provided to the DEP and LST prior to placement of any waste in cell 4-B. If the DEP's review of the waste characteristics results in a finding that the waste must be capped and be removed, then IESI shall provide the engineering design, major permit modification and shall undertake that activity on a schedule approved by the DEP. The woodfill area was previously subjected to an extensive investigation that was prepared by Gannett Fleming, Inc. in 1994. The DEP does not believe that sufficient evidence exists to warrant another study of the woodfill area at this time.

7. In a letter received by the DEP on March 31, 2003, LST identified several technical review comments related to the Modification for Radiation Protection that was issued as part of the Phase IV expansion permit. The comments were addressed previously either by IESI with its January 24, 2003 submittal, or by DEP in its December 17, 2002 letter to LST. The Department believes no additional response is necessary.

8. LST requested the following conditions be made part of the Major Modification for Radiation Protection plan in a letter received by the DEP on March 31, 2003. The Modification for Radiation Protection was issued as part of the Phase IV expansion permit:

a. That the forthcoming "implementing procedures" document which IESI and DEP have referred to are provided to the LST for official review, allowing LST to issue comments to the DEP as part of the application review process. That the "implementing procedures" address all previous technical comments made by LST, which to this point have been considered outside of the scope of DEP requirements for the "Plan". The final approved "implementing procedures", having considered all LST comments and concerns should be identified as written "conditions" of the permit modification that would be issued by DEP. Implementing procedures will be developed by IESI after the Radiation Protection system has been installed and calibrated, and is not part of the technical review of this application. These procedures are not necessarily in the form of a written document that can be submitted to the DEP, and this is not going to be required of IESI.

b. That all monitoring equipment be installed, tested fully operations, and in use per the approved "implementing procedures" prior to acceptance of any waste in the Phase IV expansion area (if the expansion is approved). This condition is requested as a written condition on the Phase IV expansion permit modification that would be issued by DEP. This was addressed in 6b above.

c. That LST is notified "at the time of any alarm". This condition is requested as a written condition on the permit modification that would be issued by DEP. IESI must notify the DEP by fax or e-mail at the time of any alarm. As LST is copied on all correspondence to the DEP, it is unnecessary to include this as a permit condition.

d. That IESI notify LST of radiation protection training sessions and allow LST participation (up to two (2) individuals) at the sessions with no charge to LST. This is beyond the scope of what the DEP can require in its permit.

e. Where the DEP may refuse to list the above permit conditions within the permit modification document; LST will then enter into re-negotiations of the Host Agreement to ensure these conditions are met. LST is free to re-negotiate its host agreement as it sees fit. The DEP will not make this a permit condition.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general



public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

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

## PLAN APPROVALS

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

*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*

**11-00356: EQT**, (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15212) Application for Plan Approval PA-11-00356D was received on March 23, 2015 to request authorization to change the allowable hours of operation for the five engines located at the Allegheny Valley Connector—Rager Mountain/Laurel Ridge Station located in Jackson Township, **Cambria County**.

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

*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*

**04-00699:** In accordance with 25 Pa. Code §§ 127.44—127.46, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue an Air Quality Plan Approval PA-04-00699H to NGC Industries, LLC (168 Shippingport Hill Road, Shippingport, PA 15077) to allow an increase in production hours of xP wallboard to 1,500 hours/year and silicon XP wallboard to 2,500 hours/year at their existing wallboard manufacturing plant located in Shippingport Township, **Beaver County**.

Previously installed equipment includes a board dryer kiln consisting of four (4) Lex Ultra low NO<sub>x</sub> emission burners of various capacities. Zone 1 and 2 are rated at 60 MMBtus/hr, zone 3 is rated at 30 MMBtus/hr, and zone 4 is rated at 15 MMBtus/hr. Potential emissions from the project are based on the proposed number of hours of wallboard production.

The project will result in a modification of the existing facility with a net increase of 33.0 tpy of VOC and 6.8 tpy of HAP. Upon authorization of this plan approval the facility will have a potential to emit 38.0 tons of VOC and 8.0 tons of HAP on an annual basis. The facility is subject to applicable requirements of 40 CFR Part 60 Subpart UUU, and 25 Pa. Code Chapters 121—145. The proposed Plan Approval includes a limitation on production hours and potential emissions, as well as monitoring, record keeping, reporting, work practice, and stack testing requirements.

A person may oppose the proposed plan approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [jparihar@pa.gov](mailto:jparihar@pa.gov); or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone

number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00699H), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

NGC's Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the NGC Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Plan Approval for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

All comments must be received prior to the close of business 30 days after the date of this publication.

**32-00200A: PA State System of Higher Education/IUP** (525 Pratt Drive, Indiana, PA 15705) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.45 that the Department of Environmental Protection ("Department") intends to issue Air Quality Plan Approval: PA-32-00200A to PA State System of Higher Education/IUP ("IUP") for the installation of oxidation catalysts on four existing reciprocating internal combustion engines (RICE) at the S.W. Jack Cogeneration Plant located in Indiana Borough, **Indiana County**.

Potential to emit (PTE) changes from installation of oxidation catalysts are calculated to be decreases of 290 tons of carbon monoxide (CO), 22 tons of volatile organic compounds (VOC), 25 tons of formaldehyde, and 30 tons of total hazardous air pollutants (HAP) per year. Oxidation catalysts are being installed to control CO emissions and comply with a CO emission limit of 23 ppmvd at 15% oxygen or a CO reduction of 70%. This requirement, and all other applicable requirements of 40 CFR Part 63 Subpart ZZZZ are being incorporated into this plan approval. PTE from the facility after installation of the oxidation catalysts will be 1,073 tons of nitrogen oxides (NO<sub>x</sub>); 166 tons of CO; 90 tons of VOC; 25 tons of particulate matter less than 10 microns in diameter (PM<sub>10</sub>); 15 tons of sulfur dioxide (SO<sub>2</sub>); 43 tons of HAP including 25 tons of formaldehyde, 6 tons of acetaldehyde, and 4 tons of acrolein; and 196,000 tons of carbon dioxide equivalents (CO<sub>2</sub>e).

A person may oppose the proposed plan approval by filing a written protest with the Department through Alan Binder via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to abinder@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-32-00200A) and

a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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

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

All comments must be received prior to the close of business 30 days after the date of this publication.

#### OPERATING PERMITS

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

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

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

**36-05029: High Steel Structures, Inc.** (1915 Old Philadelphia Pike, Lancaster, PA 17605) to issue a Title V Operating Permit for the steel girder manufacturing facility located in East Lampeter Township, **Lancaster County**. The actual emissions from the facility in 2013 year are estimated at 1.52 ton of NO<sub>x</sub>, 1.07 ton of PM, 42.38 tons of VOCs and 9.17 tons of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63 Subpart M—National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products and 40 CFR Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**07-05001: Appvion, Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673-1488) to renew a Title V Operating Permit for their Kraft pulp and paper production facility in Roaring Spring Borough, **Blair County**. The actual emissions from the facility in 2013 are estimated at 414.4 tpy of CO, 378.2 tpy of NO<sub>x</sub>, 834.6 tpy of SO<sub>x</sub>, 114.6 tpy of PM<sub>10</sub>, 79.9 tpy PM<sub>2.5</sub>, 89.7 tpy of VOC and 37.5 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provi-

sions derived from 40 CFR 60 Subpart BB—Standards of Performance for Kraft Pulp Mills, 40 CFR 63 Subpart MM—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semi-chemical Pulp Mills, 40 CFR 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters, and 40 CFR 63 Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

**67-05001: Magnesita Refractories Company** (425 South Salem Church Road, York, PA 17408) to issue a Title V Permit renewal for their non-clay refractory products manufacturing plant in West Manchester Township, **York County**. Reported plant emissions for 2013 included 3,064 tons of nitrogen oxides (NO<sub>x</sub>), 1,464 tons of sulfur oxides (SO<sub>x</sub>) and 44 tons of particulate matter (PM). The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the permit conditions include provisions derived from the following 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants subparts: Subpart AAAAA—Lime Manufacturing Plants, Subpart SSSSS—Refractory Manufacturing, Subpart ZZZZ—Stationary Reciprocating Internal Combustion Engines, and Subpart DDDDD—Industrial, Commercial, and Institutional Boilers and Process Heaters.

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

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

**65-00163: Pennsylvania Department of Human Services** (121 Longview Drive, Derry, PA 15627), for a facility-wide Title V Operating Permit renewal for the operation of the Torrance State Hospital, located in Derry Township, **Westmoreland County**. The facility contains air contamination sources consisting of two limited-use coal-fired boilers (45 & 17 MMBtus/hr, each), two natural gas-fired boilers with distillate oil backup (14.04 & 32.10 MMBtus/hr, each), eight emergency diesel engines (1,300-bhp total, largest engine 298-bhp), and five emergency LPG diesel engines (112-bhp total). Facility emissions are 109.6 tons of SO<sub>2</sub>, 26.9 tons of NO<sub>x</sub>, 10.0 tons of CO, 12.8 tons of PM<sub>10</sub> and 1.8 ton of VOC per year. The coal fired boilers are equipped with Breslove Separators to control particulate. The NG-fired boilers have low NO<sub>x</sub> burners. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 40 CFR Part 60, Subpart Dc, Part 63, Subpart JJJJJ, Part 98, and Pa. Code Title 25, Chapters 121—145. The permit includes emission and operational limitations, monitoring, testing, reporting, and recordkeeping requirements for the facility.

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

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

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

**45-00004: Tobyhanna Army Depot** (11 Hap Arnold Boulevard, Tobyhanna, PA 18466-5002) for the operation of a commercial and service industry and supply facility

in Coolbaugh Township, **Monroe County**. The sources consist of boilers, generators, painting/coating operations, metal fabrication and finishing operations. The sources are controlled by panel filters, baghouses, cyclones, and scrubbers. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**48-00044: Just Born, Inc.** (1300 Stefko Boulevard, Bethlehem, PA 18017-6672) for the operation candy manufacturing facility in the City of Bethlehem, **Northampton County**. The sources consist of cooking casting and molding operations. The particulate emissions from the sources are controlled by dust collectors. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**64-00014: Haines and Kibblehouse, Inc.** (PO Box 1467, 2052 Lucon Road, Skippack, PA 19474-1467) for the operation of a sand and gravel processing plant in Palmyra Township, **Wayne County**. The sources at the facility consist of three (3) crushers, two (2) screens, and twenty (20) conveyors. The particulate emissions are controlled by water sprays. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 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*

**06-03048: Fusion Coatings, Inc.** (932 West Penn Avenue, P. O. Box 224, Robeson, PA 19551) to issue a State Only Operating Permit for the Robeson Plant located in Heidelberg Township, **Berks County**. The actual emissions from the facility in 2012 were one ton of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.63.

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

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

**37-00008: Ellwood City Forge** (800 Commercial Avenue, Ellwood City, PA) for a Synthetic Minor Permit to operate a steel forging operation located in Ellwood City Borough, **Lawrence County**. This plant has restrictions on Nitrogen Oxide emissions to qualify for a Synthetic Minor Operating Permit.

Source ID: 610—8 KW Emergency Generator and Source ID: 630—40 KW Emergency Diesel Generator are subject to the newly promulgated requirements of 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Inter-



nal Combustion Engines. The latest version of that subpart has been attached to those sources.

Source ID: 640—20 KW Emergency Natural Gas Generators (5) must meet the requirements of 40 CFR Part 60, Subpart JJJJ, for spark ignition engines. The requirements of that subpart have been attached to the source. The potential emissions from this facility are as follows. (All values are in tons/year.)  $PM_{10} = 16.1$ ,  $PM_{2.5} = 8.2$ ,  $SO_x = 0.43$ ,  $NO_x = 90.0$ ,  $VOC = 4.9$ ,  $CO = 55.3$ ,  $CO_2e = 54,000$ .

**37-00271: Allegheny Mineral Corporation Princeton Plant**, (PO Box 1022, One Glade Park East, Kittanning, PA 16201), to issue a renewal State Only Operating Permit for the facility located in Slippery Rock Township, **Lawrence County**. The facility is a Natural Minor. The facility processes limestone. The primary sources at the facility include a dry crushing and screening process and a wet crushing and screening process. The facility is subject to 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and the applicable requirements have been included in the renewal permit. Potential particulate emissions from the facility are estimated at approximately 52.2 TPY based on 1,000,000 tons of production. The potential  $PM_{10}$  emissions are approximately 26.2 TPY. The potential  $PM_{2.5}$  emissions are 1.1 TPY. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**61-00034: Franklin Industries Co**, (PO Box 671, Franklin, PA 16323) to issue the renewal of the State Only Operating Permit for the facility located in the City of Franklin, **Venango County**. The primary sources at the facility include natural gas combustion for building heat; a natural gas fueled walking beam furnace; natural gas combustion for scarfing activities; a 1.5 million Btu/hr natural gas fueled pre-heat oven; a 2.5 million Btu/hr natural gas fueled drying oven; a 4 million Btu/hr natural gas fueled drying oven; 2 dip coating lines; a flow coating line; and 5 cold degreasing parts washers. The facility is a Synthetic Minor due to the potential VOC emissions from the coating lines and the permit contains conditions for limiting those VOC emissions to not more than 47 tons per year. Potential emissions for all other criteria pollutants are below the major source thresholds. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

#### PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Dixie Consumer Products**

**LLC** (605 Kuebler Road, Easton, PA 18040-9282) for their facility located in Forks Twp., **Northampton County**. This Plan Approval No. 48-00031B will be incorporated into the company's Synthetic Minor Permit 48-00031 through an administrative amendment at a later date.

Plan Approval No. 48-00031B is for the installation and operation of six (6) additional new cup forming machines. Particulate emissions generated by these machines will be controlled by two (2) existing cyclones. Potential particulate emissions increase from these machines is estimated to be 3.2 tons/year. The addition of these machines will increase VOC emissions from the facility's flexographic operations by 5.2 tons/year. The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. Particulate emissions from the cyclone will be less than 0.02 grain/dscf and will meet BAT requirements for these sources. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00031B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

#### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

**10000103 and NPDES Permit No. PA0241776. Seneca Landfill, Inc.,** (P. O. Box 1080, Mars, PA 16046) Renewal of an existing bituminous surface mine and associated NPDES permit in Jackson & Lancaster Townships, **Butler County**, affecting 82.1 acres. Receiving streams: Unnamed tributary to Connoquenessing Creek, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 3, 2015.

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

**17110109 and NPDES PA0257818. King Coal Sales, Inc.,** (P. O. Box 712, Philipsburg, PA 16866). Permit renewal for continued operation and restoration of a bituminous surface mine located in Morris Township, **Clearfield County** affecting 85.7 acres. Receiving stream(s): Unnamed Tributary to Hawk Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 26, 2015.

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

**Permit No. 54850202R6. B-D Mining Co.,** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Mahanoy and West Mahanoy Townships, Shenandoah and Gilberton Boroughs, **Schuylkill County** affecting 1,590.0 acres, receiving stream: Mahanoy Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: March 30, 2015.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 28130302. RA Hill, Inc.,** 1364 Lincoln Way East, Chambersburg, PA 17202 commencement, operation and restoration of a large noncoal (industrial minerals) operation in Hamilton Township, **Mifflin County** affecting 52.39 acres. Receiving streams: unnamed tributary to Conococheague Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 18, 2015.

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

**Permit No. 66930803. Factory Equipment Excavating,** (1025 East Avery Station Road, Factoryville, PA 18419), Stage I & II bond release of a quarry operation in Nicholson Township, **Wyoming County** affecting 1.0 acre on property owned by Stanley Karp. Application received: April 6, 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.

*Noncoal NPDES Draft Permits**Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**NPDES Permit No. PA0010111 on Surface Mining Permit No. 8274SM4. Rohrer's Quarry, Inc.**, (70 Lititz Road, Lititz, PA 17543), revision and renewal of an NPDES Permit for a limestone quarry operation in Penn and Warwick Townships, **Lancaster County**, affecting 171.8 acres. Receiving stream: unnamed tributary to Little Conestoga Creek, classified for the following use: warm water fishes. Application received: January 13, 2015.

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

The outfall listed below discharge to unnamed tributary to Little Conestoga Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
NP-1	No	MDT/Groundwater

\*Average/Maximum Discharge Rate increased to 12/15 MGD respectively.

**NPDES Permit No. PA0595080 on Surface Mining Permit No. 6277SM1. Compass Quarries, Inc., d/b/a Independence Construction Materials**, (638 Lancaster Avenue, Malvern, PA 19355), revision and renewal of an NPDES Permit for a limestone quarry operation in Paradise Township, **Lancaster County**, affecting 157.1 acres. Receiving stream: Londonland Run to Eshleman Run, classified for the following uses: cold water and migratory fishes. Application received: March 11, 2015.

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

The outfalls listed below discharge to Londonland Run to Eshleman Run.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	MDT/Groundwater
002	Yes	Stormwater

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E54-359. Richard C. Hale**, 2528 Sleepy Hollow Drive, State College, PA 16803, in Union Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a driveway crossing consisting of a 30-foot wide open span steel arch culvert across Trexler Run (HQ-CWF, CWF) having an 18-foot span and a 5.75-foot underclearance with headwalls and wingwalls. The project is located approximately 0.30 mile north of the intersection of Pine Swamp Road and Little Mountain Road. (Shenandoah, PA Quadrangle, Latitude: 40°51'26"; Longitude: -76°16'14").

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

**E22-611: Royalton Borough**, 101 Northumberland St., Middletown, PA 17057 in Royalton Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District

To (1) install and maintain a 241 linear foot 32-inch plastic liner within an existing 36-inch diameter culvert with scour protection UNT Susquehanna River (WWF,MF) (40° 11' 12.7", -76° 43' 12.5"), (2) remove

existing structures and to install and maintain 467 linear feet of 41-inch x 53-inch ASRP, 48-inch SLCPP and open channel with multiple stream habitat structures in a UNT Susquehanna River (WWF,MF) (40° 11' 9.1", -76° 43' 31.5"), (3) to remove 42 linear feet of existing vegetation along Royalton Cannel and to install and maintain erosion control matting (40° 11' 7.7", -76° 43' 41.1"). The project proposes to directly affect 708 linear feet of stream channel.

**E21-441: Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, Pennsylvania, 17106-7676, Upper Mifflin and Hopewell Townships, **Cumberland County**, ACOE Baltimore District

The applicant proposes to:

1. Replace and maintain existing 18" Reinforced Concrete Pipe (RCP) extended by 14.0 feet on the upstream side for a total of 159.0 feet in an unnamed tributary to Newburg Run (WWF) at milepost 202.01 (Latitude: 40° 09' 48.82"; Longitude: -77° 36' 18.45");

2. Extend and maintain an existing 194.0 foot long 10.0 foot wide by 5.5 foot high concrete arch culvert by 36.0 feet on the downstream side with a 10.0 foot wide by 6.0 foot high concrete box culvert with fish baffles in Newburg Run (WWF) at milepost 202.58 (Latitude: 40° 09' 56.10"; Longitude: -77° 35' 41.34");

3. Extend and maintain an existing 255.0 foot long 42.0 inch RCP by 34.0 feet on the downstream side with a 42.0 inch RCP in an unnamed tributary to Newburg Run (WWF) at milepost 202.68 (Latitude: 40° 09' 56.76"; Longitude: -77° 35' 33.26");

4. Remove an existing 24.0 inch culvert and construct and maintain a 195.0 foot long 30.0 inch RCP culvert, relocating 194.0 linear feet of an unnamed tributary to Newburg Run (WWF) at milepost 202.76 (Latitude: 40° 09' 57.92"; Longitude: -77° 35' 29.23");

5. To place and maintain fill in 0.02 acre of Palustrine Emergent (PEM) wetland and 0.01 acre of Palustrine Scrub/Shrub (PSS) wetland, temporarily impacting 0.01 acre of wetland at milepost 202.79 (Latitude: 40° 09' 59.83"; Longitude: -77° 35' 27.42");

6. To extend and maintain an existing 132.0 foot long 42.0 inch RCP culvert with a 42.0 inch RCP culvert extension 28.0 foot on the upstream side with a 428.0 foot stream relocation, impacting 0.01 acre PEM/PSS wetlands, and 27.0 feet on the downstream side in an unnamed tributary to Peebles Run (WWF) at milepost 203.11 (Latitude: 40° 10' 01.93"; Longitude: -77° 35' 03.93");

7. Extend and maintain an existing 93.0 foot long 12.0 foot wide by 8.0 foot high concrete arch culvert with a 12.0 foot wide by 10.5 foot high concrete box culvert with fish baffles by 26.0 feet on the upstream side and 24.0 feet on the downstream side in Peebles Run (WWF) at milepost 203.53 (Latitude: 40° 10' 06.59"; Longitude: -77° 34' 37.85");

8. To place and maintain fill in 0.02 acre of PEM wetland, temporarily impacting 0.01 acre of PEM wetland at milepost 203.59 (Latitude: 40° 10' 8.40"; Longitude: -77° 34' 34.88");

9. To replace an existing 18.0 inch culvert with a 172.0 foot long 24.0 inch RCP culvert in an unnamed tributary to Peebles Run (WWF), impacting 0.01 acre of PEM wetland, 0.01 acre of PSS wetland and 0.01 acre of Palustrine Forested (PFO) wetland, all at milepost 203.59 (Latitude: 40° 10' 7.20"; Longitude: -77° 34' 34.36");

10. To place and maintain fill in 0.01 acre of Palustrine Emergent (PEM) wetland and 0.01 acre of Palustrine Scrub/Shrub (PSS) wetland, temporarily impacting 0.01 acre of wetland at milepost 203.85 (Latitude: 40° 10' 09.99"; Longitude: -77° 34' 16.92");

11. Extend and maintain an existing 137.0 foot long 8.0 foot wide by 4.5 foot high concrete arch culvert with an 8.0 foot wide by 6.5 foot high concrete box culvert with fish baffles by 17.25 feet on the upstream side, impacting 0.01 acre of PEM wetland, 0.01 acre of PFO wetland and 0.01 acre of PSS wetland; and 33.25 feet on the downstream side with an adjacent stormwater management basin, permanently impacting 0.01 acre of PEM wetlands, 0.01 acre of PSS wetlands and 0.05 acre of PFO wetlands as well as temporarily impacting 0.01 acre of PEM wetlands, 0.04 acre of PSS wetlands and 0.13 acre of PFO wetlands, all in an unnamed tributary to Peebles Run (WWF) at milepost 204.01 (Latitude: 40° 10' 11.46"; Longitude: -77° 34' 07.04");

12. Extend and maintain an existing 93.0 foot long 14.0 foot wide by 7.5 foot high concrete arch culvert with a 14.0 foot wide by 9.0 foot high concrete box culvert with fish baffles 25.33 feet on the upstream side and 24.17 feet on the downstream side with an associated stormwater management facility outfall temporarily impacting 0.02 acre of PEM wetland at milepost 204.35 (Latitude: 40° 10' 15.77"; Longitude: -77° 33' 43.59");

13. Extend and maintain an existing 120.0 foot long 8.0.0 foot wide by 7.0 foot high concrete arch culvert with an 8.0 foot wide by 6.5 foot high concrete box culvert with fish baffles 31.25 feet on the upstream side, permanently impacting 0.01 acre of PEM wetlands and 31.17 feet on the downstream side with an associated stormwater management facility outfall permanently impacting 0.09 acre of PEM wetland and temporarily impacting 0.04 acre of PEM wetland at milepost 204.69 (Latitude: 40° 10' 19.43"; Longitude: -77° 33' 20.30");

14. To fill and maintain 0.04 acre of PEM wetland and construct and maintain 266 linear feet of retaining wall along the banks for Bore Mill Run (WWF) between milepost 205.45 and 205.56 to stabilize the stream banks (Latitude: 40° 10' 30.13"; Longitude: -77 32' 26.36");

15. To remove the existing structure and to construct and maintain a single span bridge with a clear span of 100.0 feet, a width of 39.38 feet and a minimum underclearance of 27.25 feet over Bore Mill Run (WWF), permanently impacting 0.47 acre of PEM wetland and 0.12 acre PFO wetland, temporarily impacting 0.11 acre of PEM wetland and 0.03 acre of PFO wetland, all carrying SR 0997 over Bore Mill Run and its wetlands (Latitude: 40° 10' 30.70"; Longitude: -77° 32' 34.90");

16. To construct and maintain a 36.0 inch CMP culvert crossing, measuring 300 linear feet and enclosing 241.0 linear feet of stream channel, carrying SR 0997 over an unnamed tributary to Bore Mill Run (WWF) at milepost 205.35 (Latitude: 40° 10' 26.92"; Longitude: -77° 32' 34.85");

17. To extend and maintain an existing 126.0 foot long 42.0 inch RCP culvert by 38.0 linear feet on the upstream side, permanently impacting 0.03 acre of PEM wetland and temporarily impacting 0.01 acre of PEM wetland, conveying an unnamed tributary to Bore Mill Run (WWF) at milepost 205.47 (Latitude: 40° 10' 28.58"; Longitude: -77° 32' 27.23");

18. To remove the existing structure and to construct and maintain a single span bridge with a width of 139.2 feet, a span of 26.43 feet and a minimum underclearance



of 7.0 feet in Bore Mill Run (WWF), permanently impacting 0.01 acre of PFO and 0.01 acre of PEM wetland and temporarily impacting 0.03 acre of PFO and 0.01 acre of PEM wetland at milepost 205.69 (Latitude: 40° 10' 31.34"; Longitude: -77° 32' 14.85");

19. To remove the existing structure and to construct and maintain a 24.0 inch outfall structure, extended 6.0 linear feet in an unnamed tributary to Bore Mill Run (WWF) at milepost 205.78 (Latitude: 40° 10' 30.86"; Longitude: -77° 32' 12.63");

20. To place and maintain fill in 0.04 acre of Palustrine Emergent (PEM) wetland, temporarily impacting 0.03 acre of PEM wetland at milepost 205.75 (Latitude: 40° 10' 32.26"; Longitude: -77° 32' 13.15");

21. Extend and maintain an existing 119.0 foot long 24.0 foot wide by 12.5 foot high concrete arch culvert with an 24.0 foot wide by 11.5 foot high concrete arch culvert 32.85 feet on the upstream side and 32.85 feet on the downstream side with an associated stormwater management facility outfall permanently impacting 0.05 acre of PEM wetland and temporarily impacting 0.02 acre of PEM wetland at milepost 206.18 (Latitude: 40° 10' 36.04"; Longitude: -77° 31' 42.29");

22. To relocate 336.0 linear feet of an unnamed tributary of Three Square Hollow Run (WWF), permanently impacting 0.02 acre of PEM wetlands and temporarily impacting 0.01 acre of PEM wetlands from milepost 206.22 to 206.18 (Latitude: 40° 10' 37.76"; Longitude: -77° 31' 40.70");

23. To relocate 455.0 linear feet of an unnamed tributary of Three Square Hollow Run (WWF) from milepost 206.24 to 206.18 (Latitude: 40° 10' 36.34"; Longitude: -77° 31' 40.49");

24. To remove the existing structure and to construct and maintain a 204.0 foot long 30.0 inch RCP outfall, extended by 40.0 feet with a 137.0 foot stream relocation all in an unnamed tributary to Three Square Hollow Run (WWF) at milepost 206.35 (Latitude: 40° 10' 38.25"; Longitude: -77° 31' 30.08");

25. To extend and maintain an existing 49.0 foot long 36.0 inch HDPE culvert with a 36.0 inch HDPE culvert 13 linear feet on the upstream side, permanently impacting 0.03 acre of PEM wetland and temporarily impacting 0.02 acre of PEM wetland, all for carrying SR 0997 over an unnamed tributary to Bore Mill Run (Latitude: 40° 10' 34.05"; Longitude: -77° 32' 23.66").

The project purpose is to improve transportation safety and roadway standards. The project is located between mile markers 202 and 206 along the Pennsylvania Turnpike in Upper Mifflin and Hopewell Townships, Cumberland County. The applicant is required to provide compensation for 1,389 linear feet of stream impacts and has proposed mitigation through stream enhancements previously conducted at Big Spring Creek (HQ-CWF) in West Pennsboro Township and North Newton Township, Cumberland County originally authorized under permit E21-422. Compensation for 1.31 acre of wetland impact will be deducted from the wetland mitigation site created as part of PA Turnpike Commission permit No. E21-389 in Middlesex Township, Cumberland County.

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

**E5729-079: Appalachia Midstream Services, LLC**, 400 1st Center, Suite 404, Horseheads, NY, 14845 Cherry Township, **Sullivan County**, USACE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing using timber mats and a 10 inch diameter gas line impacting 3,996 square feet of a palustrine emergent (PEM) wetland and 7,845 square feet of a palustrine scrub shrub (PSS) wetland (Dushore, PA Quadrangle 41°32'42"N, 76°24'31"W);

(2) A 10 inch diameter gas line impacting 40 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland and 138 square feet of an exceptional value palustrine forested (EV-PFO) wetland by horizontal directional drill (Dushore, PA Quadrangle 41°32'46"N, 76°24'09"W);

(3) A 10 inch diameter gas line impacting 27 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland by horizontal directional drill (Dushore, PA Quadrangle 41°32'45"N, 76°24'05"W);

(4) A temporary road crossing using timber mats and a 10 inch diameter gas line impacting 2,454 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Dushore, PA Quadrangle 41°32'44"N, 76°23'55"W);

(5) A temporary road crossing using timber mats and a 10 inch diameter gas line impacting 2,620 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Dushore, PA Quadrangle 41°32'43"N, 76°23'34"W);

(6) A temporary road crossing using timber mats and a 10 inch diameter gas line impacting 177 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°32'43"N, 76°23'34"W);

(7) A temporary road crossing using timber mats and a 10 inch diameter gas line impacting 768 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 101 linear feet of an unnamed tributary of March Run (EV) (Dushore, PA Quadrangle 41°32'42"N, 76°23'22"W);

(8) A temporary road crossing using timber mats and a 10 inch diameter gas line impacting 177 square feet of a palustrine emergent (PEM) wetland (Dushore, PA Quadrangle 41°32'48"N, 76°23'06"W).

The project will result in 18,202 square feet of temporary wetland impacts and approximately 101 linear feet of temporary stream impacts for the purpose of installing a well line for Marcellus Shale gas development in Cherry Township, Sullivan County.

**E5729-080: Appalachia Midstream Services, LLC**, 400 1st Center, Suite 404, Horseheads, NY, 14845 Elkland Township, **Sullivan County**, USACE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing using timber mats and a 8 inch diameter gas line impacting 4,675 square feet of a palustrine emergent/scrub shrub (EV-PEM/PSS) wetland (Shunk, PA Quadrangle 41°32'47"N, 76°41'24"W);

(2) A temporary road crossing using timber mats and a 8 inch diameter gas line impacting 66 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°32'47"N, 76°41'12"W);

The project will result in 4,675 square feet of temporary wetland impacts and approximately 66 linear feet of temporary stream impacts for the purpose of installing a well line for Marcellus Shale gas development in Cherry Township, Sullivan County.

**E5729-081: Appalachia Midstream Services, LLC**, 400 1st Center, Suite 404, Horseheads, NY, 14845 Fox Township, **Sullivan County**, USACE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing using timber mats and a 6 inch diameter natural gas line impacting 56 linear feet of an unnamed tributary to Hoagland Branch (Shunk, PA Quadrangle 41°34'05"N, 76°44'09"W);

(2) A temporary road crossing using timber mats and a 6 inch diameter natural gas line impacting 50 linear feet of an unnamed tributary to Hoagland Branch (Shunk, PA Quadrangle 41°34'05"N, 76°44'01"W);

(3) A temporary road crossing using timber mats and a 6 inch diameter natural gas line impacting 389 square feet of a palustrine emergent (PEM) wetland (Shunk, PA Quadrangle 41°34'01"N, 76°43'57"W);

(4) A temporary road crossing using timber mats and a 6 inch diameter natural gas line impacting 2,807 square

feet of a palustrine emergent (PEM) wetland (Shunk, PA Quadrangle 41°33'56"N, 76°43'52"W);

(5) A temporary road crossing using timber mats and a 6 inch diameter natural gas line impacting 647 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 53 linear feet of an unnamed tributary of Hoagland Branch (EV) (Shunk, PA Quadrangle 41°33'55"N, 76°43'47"W);

(6) A temporary road crossing using timber mats and a 6 inch diameter natural gas line impacting 5,119 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Dushore, PA Quadrangle 41°33'54"N, 76°43'44"W).

The project will result in 18,202 square feet of temporary wetland impacts and approximately 101 linear feet of temporary stream impacts for the purpose of installing a well line for Marcellus Shale gas development in Cherry Township, Sullivan County

## ACTIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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



**I. NPDES Renewal Permit Actions**

*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>
PA0085448 SEW	East Earl Sewer Authority PO Box 339 East Earl, PA 17506	Lancaster County East Earl Township	UNT of Conestoga River/7-J	Y
PA0084552 IW	Allentown Refrigerated Terminal 125 Seneca Trail Boyertown, PA 19512	Berks County Colebrookdale Township	Ironstone Creek/3-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228184 (Sewage)	J & D Campground 973 Southern Drive Catawissa, PA 17820	Columbia County Franklin Township	Roaring Creek (5-E)	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>
PA0216445 (SFTF)	Paradigm Aviation Corp 226 Airport Road Mount Pleasant, PA 15666	Fayette County Bullskin Township	Unnamed Tributary to Jacobs Creek (19-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263567 (Industrial Waste)	Ridgway Borough WTP Waterworks Road Ridgway, PA 15853	Elk County Ridgway Borough	Big Mill Creek (17-A)	Y
PAS228302 (Storm Water)	Endeavor Lumber Route 666 Endeavor, PA 16322-0067	Forest County Hickory Township	East Hickory Creek and Unnamed Tributary to East Hickory Creek (16-F)	Y
PA0102270 (Sewage)	Summit Estates MHP 69 S Summit Road Greenville, PA 16125-9805	Mercer County West Salem Township	Unnamed Tributary of Booth Run (20-A)	Y
PA0102911 (Sewage)	Camp Lend A Hand 9655 State Highway 285 Conneaut Lake, PA 16316	Crawford County Sadsbury Township	Unnamed Tributary to the Conneaut Outlet (16-D)	Y

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

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

**NPDES Permit No. PA0058840**, Sewage, **Hilltown Township Water & Sewer Authority**, P. O. Box 365, Sellersville, PA 18960.

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

Description of Action/Activity: To discharge from a facility known as Berry Brow WWTP to unnamed Tributary to Neshaminy Creek in Watershed(s) 2-F.

**NPDES Permit No. PA0057401**, Sewage, **S & S Styles, Inc.**, 6801 Easton Road, Pipersville, PA 18947.

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

Description of Action/Activity: To discharge from a facility known as S & S Styles STP to unnamed Tributary to Cabin Run in Watershed(s) 2-D.

**NPDES Permit No. PA0051942**, Sewage, **Margaret M. Bower**, 40 Grays Lane, Elverson, PA 19520-9715.

This proposed facility is located in Warwick Township, **Chester County**.

Description of Action/Activity: To discharge from a facility known as Brower SRSTP, 40 Grays Lane, Elverson, PA 19520.

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

**NPDES Permit No. PA0260119**, Sewerage, **Sharon L. Enck**, 523 Camargo Road, Quarryville, PA 17566.

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

Description of Proposed Action/Activity: Authorization to discharge from a facility known as Enck Properties to Big Beaver Creek in Watershed 7-K.

**NPDES Permit No. PA0265951**, Industrial Waste, **Old Dominion Electric Cooperative**, 4201 Dominion Boulevard, Glen Allen, VA 23060-6149.

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

Description of Proposed Action/Activity: Authorization to discharge from a facility known as Wildcat Point.

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

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

**WQM Permit No. 3814402**, Sewerage, **South Londonderry Township Municipal Authority**, 20 West Market Street, PO Box 3, Campbelltown, PA 17010-0003.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit approval of the construction of sewage facilities consisting of a fine-screen rated for 0.304 mgd, two 80,000 gallons SBR reactors operating in parallel, two 1,200 gallons post-SBR flow equalization tanks, and a UV disinfection system capable of treating 1.2 mgd of flow (with one unit out of service). Also upgrades to the influent pump station's impellers and forcemain.

**WQM Permit No. 2115402**, Sewerage, **Monroe Township Municipal Authority Cumberland County**, 1220 Boiling Springs Road, Mechanicsburg, PA 17055.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of the replacement of existing submersible pumps and generator, upgrading pump controls, building intake and exhaust, and misc. electrical work.

**WQM Permit No. 2115401**, Sewerage, **North Middleton Authority Cumberland County**, 240 Clearwater Drive, Carlisle, PA 17013.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of the replacement of the existing Cavalry Road Area Pump Station No. 2 with a new submersible pump station.

**WQM Permit No. 3614407**, Sewerage, **Sharon L. Enck**, 523 Camargo Road, Quarryville, PA 17566.

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

Description of Proposed Action/Activity: Permit approval for the construction and operation of sewage facilities consisting of two 1,500-gallon dual compartment concrete treatment tanks, one biotube effluent filter, two Orenco AdvanTex AX20 Filters, and an ultraviolet disinfection system.

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

**WQM Permit No. 1415201**, Industrial Waste, SIC Code 4953, **Department of Transportation, District 2-0**, P. O. Box 342, Clearfield, PA 16830.

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

Description of Proposed Action/Activity: Permit issued authorizing industrial waste treatment system.

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

**WQM Permit No. WQG02201501**, SIC Code 4952, **Vernon Township Sanitary Authority Crawford County**, 1320 Park Avenue, Meadville, PA 16335-3114.

This proposed facility is located in Meadville City, **Crawford County**.

Description of Proposed Action/Activity: Sewer extension along Route 98.

**WQM Permit No. WQG01621405**, SIC Code 8800, **Kevin & Linda Retterer**, 622 Norberg Road, Russell, PA 16345.

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

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

**IV. NPDES Stormwater Discharges from MS4 Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI132245	Jermyn Borough, 440 Jefferson Avenue, Jermyn, PA 18433	Lackawanna	Jermyn Borough	Lackawanna River/HQ-CWF and MF

**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>
PAI010914007	Springfield Township 2320 Township Road Quakertown, PA 18951	Bucks	Springfield Township	Tributary to Cooks Creek EV-MF
PAI011514037	Planebrook Partners, LLC 2298 Horseshoe Pike Honey Brook, PA 19344	Chester	East Whiteland Township	DA 1B and DA 1C drain to a Tributary to Valley Creek EV
PAI012314007	Sunoco Partners Marketing & Terminals L.P. 100 Green Street Marcus Hook, PA 19061-4800	Delaware	Marcus Hook Borough	Delaware River WWF-MF
PAI014613012	JERC Partners, XIII, L.P. 171 Route 173, Suite 201 Asbury, NJ 08802	Montgomery and Philadelphia Counties	Lower Moreland Township and the City of Philadelphia	Huntingdon Valley Creek TSF-MF Pennypack Creek TSF-MF

*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>
PAI025414002	Pusti Margiya Vaishna Samaj (a.k.a. VRAJ) VRAJ Temple, 51 Manor Road Schuylkill Haven, PA 17972	Schuylkill	Wayne Township	Lower Little Swatara Creek (CWF, MF), EV Wetlands
PAI024514010	Center Rock Realty 505 Fawn Road East Stroudsburg, PA 18301	Monroe	Coolbaugh Township	Indian Run (EV, MF)
PAI021309004(2)	PA Solar Park II, LLC 100 Summit Lake Drive Suite 400 Valhalla, NY 10595	Carbon County	Nesquehoning Borough	Nesquehoning Creek (CWF, MF) Broad Run (HQ-CWF, MF) Deep Run (EV, MF)
PAI026415001	Indian Head Camp 3287 Hancock Highway Equinunk, PA 18417	Wayne County	Manchester Township	Little Equinunk Creek (HQ-CWF, MF)
PAI024814013	Blue Moo & Company c/o Mr. Brian Crocefoglia 181 Blackstone Drive Wind Gap, PA 18091	Northampton	Bushkill Township	UNT to Bushkill Creek (HQ-CWF, MF)
PAI024814015	GLICA Bethlehem, LLC c/o Mr. James C. Carlino, Manager 800 East 96th Street, Suite 175 Indianapolis, IN 46240	Northampton	Hanover Township	Monocacy Creek (HQ-CWF, MF)

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


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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).

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


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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>
Penndel Borough Bucks County	PAG02000914074	RPM Group LLC 6177 Hulmeville Road Bensalem, PA 19020	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511501	Blackstone Management and Development 1850 North 18th Street Suite 101 Philadelphia, PA 19121	Delaware Estuary WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &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>
Blakely Borough Lackawanna County	PAG02003515007	PV Realty Inc. Jim Keisling 3 Bucknell Drive Clarks Green, PA 18411	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Lower Nazareth Township Northampton County	PAG02004813009(1)	First Park Industrial Pennsylvania, LP 707 Eagleview Blvd Suite 110 Exton, PA 19341	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971
Lower Nazareth Township Northampton County	PAG02004815008	UGI Utilities, Inc. Mike Landis 225 Morgantown Road Reading, PA 19611	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971



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>
Straban Township Adams County	PAG02000115001	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325-3404 717.334.0636
South Hanover Township Dauphin County	PAG02002215007 Issued	South Hanover Township 111 West Third Street Hershey, PA 17033	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Londonderry Township Dauphin County	PAG02002214055 Issued	Matincheck Associates PO Box 267 Middletown, PA 17057	Susquehanna River/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
West Hanover Township Dauphin County	PAG02002215005 Issued	Michael L. Coons 1771 North Meadow Drive Mechanicsburg, PA 17055	Beaver Creek/ WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Lykens Township Dauphin County	PAG02002215008 Issued	Linford Snyder 831 Greble Road Lebanon, PA 17046	Pine Creek/CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Bethel Township Fulton County	PAG02002914008 Issued	Michael T. Mellott 766 White Oak Hollow Road Warfordsburg, PA 17267	UNT to White Oak Hollow Run/ WWF, MF	Fulton County Conservation District 216 North Second Street, Suite 15 McConnellsburg, PA 17233 717-485-3547, x121
East Donegal Township Lancaster County	PAG02003615003 Issued	Mitch Shellenberger 580 Colebrook Road Mount Joy, PA 17552	UNT To Donegal Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361, Ext.121
Brecknock Township Lancaster County	PAG02003615027 Issued	Nathan Brubaker 1527 Bowmansville Road Mohnton, PA 19540	Muddy Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361, Ext.121
Windsor Township York County	PAG0200610031R Issued	Stonebridge Bank 624 Willowbrook Lane West Chester, PA 19382	Cabin Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Paradise Township York County	PAG02006714070 Issued	Hallam Properties, LLC 2310 Fairway Drive York, PA 17404	UNT to Beaver Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

*Facility Location:  
Municipality &  
County*Fairview Township  
York County

Permit No.

PAG02006714012-2  
Issued*Applicant Name &  
Address*Pennsylvania American  
Water Company  
800 West Hersheypark  
Drive  
Hershey, PA 17033*Receiving  
Water / Use*Yellow Breeches  
Creek/CWF, MF and  
UNT to Yellow  
Breeches  
Creek/CWF, MF*Contact Office &  
Phone No.*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.**Facility Location &  
Municipality*Centre County  
College Twp

Permit No.

PAG02001415005

*Applicant Name &  
Address*Penn State University  
139J Physical Plant Bldg  
University Park, PA  
16802*Receiving  
Water / Use*UNT to Spring  
Creek  
CWF, MF*Contact Office &  
Phone No.*Centre County  
Conservation District  
414 Holmes Ave Ste 4  
Bellefonte, PA 16823  
(814) 355-6817Montour County  
Danville Boro  
Mahoning Twp  
Valley Twp

Permit No.

PAG02004713006(1)

*Applicant Name &  
Address*  
Valley Twp MA  
PO Box 307  
Danville, PA 17821*Receiving  
Water / Use*  
Mahoning Creek  
WWF  
Mausers Creek  
CWF*Contact Office &  
Phone No.*  
Montour County  
Conservation District  
14 E Mahoning St  
Danville, PA 17821  
(570) 271-1140*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335.**Facility Location:  
Municipality &  
County*Fairview Township  
Erie County

Permit No.

PAG02002511018R(1)

*Applicant Name &  
Address*Walt Bender  
5678 West Ridge Road  
Erie, PA 16506*Receiving  
Water / Use*

UNT Lake Erie CWF

*Contact Office &  
Phone No.*Erie County  
Conservation District  
814-825-6403Summit Township  
Erie County

Permit No.

PAG02002515001

*Applicant Name &  
Address*  
Summit Township  
Sewer Authority  
8890 Old French Road  
Erie, PA 16509*Receiving  
Water / Use*  
Walnut Creek  
CWF; MF*Contact Office &  
Phone No.*  
Erie County  
Conservation District  
814-825-6403*General Permit Type—PAG-03**Facility Location  
Municipality &  
County*Madison Township  
Columbia County  
(Industrial  
Stormwater)

Permit No.

PAR604832 A-1

*Applicant Name &  
Address*Madison Salvage &  
Recycling LLC  
177 Swartz Road  
Bloomsburg, PA 17815*Receiving  
Water / Use*UNT to East Branch  
of Chillisquaque  
Creek—10-D*Contact Office &  
Phone No.*DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.0530Hempfield  
Township  
Westmoreland  
County

Permit No.

PAR606160

*Applicant Name &  
Address*  
Toll Gate Auto  
Parts Co. Inc.  
194 Tollgate Hill Road  
Greensburg, PA 15601*Receiving  
Water / Use*  
Unnamed Tributary  
of Jacks Run—19-D*Contact Office &  
Phone No.*  
DEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000Canton Township  
Washington County

Permit No.

PAG036135

*Applicant Name &  
Address*  
Brookman Auto Parts Inc.  
4 Race Street  
Washington, PA 15301*Receiving  
Water / Use*  
Catfish Creek—20-F*Contact Office &  
Phone No.*  
DEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000

<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>
Elk Lick Township Somerset County	PAR206162	West Salisbury Foundry & Machine Co., Inc. PO Box 541 Salisbury, PA 15558	Casselman River—19-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Brokenstraw Township Warren County	PAG038322	New England Wood Pellet LLC PO Box 532 Jaffrey, NH 03452	Matthews Run—16-B	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-04*

<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>
California Borough Washington County	PAG046451	Pennsylvania Turnpike Commission PO Box 67676 Harrisburg, PA 17106-7676	South Branch Maple Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
West Shenango Township Crawford County	PAG041181	Huntington Randy L. 2112 W State Road Jamestown, PA 16134-3760	Unnamed Tributary to Shenango River—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942
Pine Grove Township Warren County	PAG041179	Kevin & Linda Retterer 622 Norberg Road Russell, PA 16345	Unnamed Tributary to North Branch Akeley Run—16-B	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-12*

<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>
Franklin County Washington Township	PAG123601	Lamar D. Horst Horst Poultry Farm 11599 Koons Road Waynesboro, PA 17268	UNT West Branch Antietam Creek/CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Juniata County Fayette Township	PAG123523	Lost Creek Farm 586 Benner Road McAlisterville, PA 17049	Little Lost Creek/TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Perry County Miller Township	PAG123606	Kenneth E. Beers Sunrise Farm 1236 Newport Road Duncannon, PA 17020	Losh Run/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Lower Chanceford Township	PAG123799	Greg Kennard 1277 Bridgeton Road Airville, PA 17302-9210	UNT Orson Run/TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-13*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133572	East Cocalico Township 100 Hill Road Denver, PA 17517-9148	Lancaster County	East Cocalico Township	Cocalico Creek, Coover Run, UNT to Muddy Creek, UNT to Little Muddy Creek, UNT to Stony Run/WWF and MF	Y

**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>
Linford Snyder 904 Fearnot Road Sacramento, PA 17968	Dauphin	0	388.23	Pullet	NA	Approved
Linford Snyder Emway Farms 870 Luxemburg Rd Lykens, PA 17048	Dauphin	67.1	1,898.58	Layer	NA	Approved
Stoner’s Hijos Hill, Inc. Tim Stoner 7678 Oellig Road Mercersburg, PA 17236	Franklin	1,419.9	1,202.65	Dairy	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

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

**Permit No. 0914525, Minor Amendment.** Public Water Supply.

Applicant	<b>Buckingham Valley Rehab &amp; Nursing</b> 820 Durham Road Newtown, PA 18940
Township	Buckingham
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Buckingham Valley Rehabilitation & Nursing Center 820 Durham Rd Rte 413 Buckingham, PA 18912
Permit to Construct Issued	April 2, 2015

**Permit No. 4614528, Minor Amendment.** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Upper Moreland
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Operate Issued	February 26, 2015

**Permit No. 1514538,** Public Water Supply.

Applicant	<b>Downingtown Municipal Water Authority</b> 900 Water Plant Way Downingtown, PA 19355
Borough	Downingtown
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Cardno BCM 920 Germantown Pike Plymouth Meeting, PA 19462
Permit to Construct Issued	February 26, 2015

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

**Permit No. 4515501MA,** Public Water Supply.

Applicant	<b>Palmeri &amp; Sons, Inc.</b> 6887 South Delaware Drive Martins Creek, PA 18063
[Borough or Township]	Lower Mt. Bethel Township
County	<b>Northampton</b>
Type of Facility	Finished Bulk Water Hauling System
Consulting Engineer	N/A
Permit to Construct Issued	4/7/2015

**Permit No. 2451075, Operations Permit** Public Water Supply.

Applicant	<b>CBK Lodge, LP</b> 529 Camelback Rd. Tannersville, PA 18372
[Borough or Township]	Pocono Township
County	<b>Monroe</b>
Type of Facility	PWS
Consulting Engineer	Nathen Oiler, PE RKR Hess, A Division of UTRS, Inc. 112 N. Courtland St. East Stroudsburg, PA 18301
Permit to Operate Issued	4/7/15

**Permit No. 6414508,** Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 1775 North Main Street Honesdale, PA 18431
[Borough or Township]	Lehigh Township
County	<b>Wayne</b>
Type of Facility	PWS
Consulting Engineer	Christopher E. Hannum, P.E. Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Permit to Construct Issued	April 9, 2015

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

**Permit No. 0714502 MA, Minor Amendment,** Public Water Supply.

Applicant	<b>Greenfield Township Municipal Authority (GTMA)</b>
Municipality	Greenfield Township
County	<b>Blair</b>
Responsible Official	Vincent L. Dodson, Chairman PO Box 372 Claysburg, PA 16625
Type of Facility	Construction of a new 354,000 gallon finished water storage tank to replace the existing 158,000 Walter Business Park Water Storage Tank.

Consulting Engineer Eric A. Casanave, P.E.  
Stiffler McGraw & Associates  
Inc.  
1731 North Juniata Street  
Hollidaysburg, PA 16648

Permit to Construct 4/6/2015  
Issued

**Permit No. 6715502 MA, Minor Amendment, Public Water Supply.**

Applicant **The York Water Company**  
Municipality Spring Garden Township  
County **York**  
Responsible Official Mark S. Snyder, Engineering  
Manager  
130 East Market Street  
PO Box 15089  
York, PA 17405-7089

Type of Facility Installation of a new 1,000 gpm  
pump at the Shunks Hill Booster  
Station.

Consulting Engineer Mark S. Snyder, P.E.  
The York Water Company  
130 East Market Street  
PO Box 15089  
York, PA 17405-7089

Permit to Construct 4/6/2015  
Issued

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

**Permit No. 0314501, Public Water Supply.**

Applicant **Eastern Armstrong County  
Municipal Authority**  
PO Box 262  
Elderton, PA 15736

[Borough or Township] Plum Creek Township  
County **Armstrong**  
Type of Facility Test Well #1

Consulting Engineer Gibson-Thomas Engineering  
Co., Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Permit to Construct April 8, 2015  
Issued

**Permit No. 0215507-E, Public Water Supply.**

Applicant **UPMC**  
200 Lothrop Street  
Pittsburgh, PA 15213

[Borough or Township] City of Pittsburgh  
County **Allegheny**  
Type of Facility UPMC-Montefiore  
Permit to Construct April 8, 2015  
Issued

**Permit No. 0215508-E, Public Water Supply.**

Applicant **UPMC**  
200 Lothrop Street  
Pittsburgh, PA 15213

[Borough or Township] City of Pittsburgh  
County **Allegheny**  
Type of Facility UPMC-Presbyterian  
Permit to Construct April 8, 2015  
Issued

**Operations Permit** issued to: **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, (PWSID #5020043), Pine Township, **Allegheny County** on April 8, 2015 for the operation of facilities approved under Construction Permit #0214526MA.

**Permit No. 6315501MA, Minor Amendment. Public Water Supply.**

Applicant **Authority of the Borough of Charleroi**  
3 McKean Avenue  
PO Box 211  
Charleroi, PA 15022

[Borough or Township] Bentleyville Borough; Fallowfield  
and Somerset Townships  
County **Washington**  
Type of Facility Bentleyville interchange  
waterline project

Consulting Engineer Chester Engineers  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Permit to Construct April 10, 2014  
Issued

**Permit No. 6515505GWR, Minor Amendment. Public Water Supply.**

Applicant **Pine Gardens Realty  
Associates, LP**  
11 Glenview Avenue  
Greensburg, PA 15601

[Borough or Township] Loyalhanna Township  
County **Westmoreland**  
Type of Facility Pine Gardens Apartments  
Permit to Operate April 8, 2015  
Issued

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

**Permit No. 2515501 Public Water Supply**

Applicant **Erie City Water Authority**  
Township or Borough Harborcreek Township/Lawrence  
Park  
County **Erie**  
Type of Facility Public Water Supply  
Consulting Engineer Chad J. Ellsworth, P.E.  
Erie Water Works  
240 West 12th Street  
Erie, PA 16501

Permit to Construct April 8, 2015  
Issued

**Operation Permit** issued to **Commonwealth of Pennsylvania, Department of Public Welfare**, PWSID No. 6610010, Polk Borough, **Venango County**. Permit Number 8329-W-MA3 issued January 30, 2015 for the

operation of the 0.5 MG and 1.0 MG in-ground reservoirs. This permit is issued in response to acceptable bacteriological and VOC test results at both reservoirs along with the completed Certificate of Construction Modification Completion form.

**Permit No. 2514502** Public Water Supply

Applicant **Albion Borough**  
 Township or Borough Albion Borough  
 County **Erie**  
 Type of Facility Public Water Supply  
 Consulting Engineer August E. Maas, P.E.  
 Hill Engineering, Inc.  
 8 Gibson Street  
 North East, PA 16428  
 Permit to Construct Issued September 19, 2014

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

*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 Frankford Township	105 Easy Rd, Carlisle, PA 17015	Cumberland

*Plan Description:* Approval of a revision to the official plan of Lower Frankford Township, Cumberland County. The project is known as Arlington Miller. The plan provides for one residual lot (Lot 1) using a Small Flow Treatment Facility and a new residential lot (Lot 5) using an existing elevated sand mound bed. The proposed development is located at 440 Wildwood Drive, Lower Frankford Township, Cumberland County. 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 A3-21913-128-3s and the APS Id is 863763. Any permits must be obtained in the name of Arlington Miller.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 2**

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

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

a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Silberline Manufacturing Company Inc.**, 201 East Dock Street, Lansford Borough, **Carbon County**, Michael S. Kozar, O'Brien & Gere Engineers Inc., has submitted an RIR (Remedial Investigation Report), on behalf of his client, Silberline Manufacturing Company Inc, concerning the remediation of soil and groundwater found to have been impacted by TCE, Vinyl Chloride (VC), and cis-1, 2-dichloroethene (cDCE) and the remediation of groundwater found to have been impacted by No. 6 fuel oil (naphthalene) as a result of historical operations at the site. The applicant proposes to remediate the site to meet the Site Specific Standard for soil and groundwater. The intended use of the site is continued commercial/industrial use. A summary of the RIR (Remedial Investigation Report) was published in *The Times News* on November 25, 2014.

**Former Trexler Estate**, 4677 Route 309, Upper Saucon Township, **Lehigh County**. Pennoni Associates Inc., on behalf of LUP4, LLC, 27 Memorial Drive West, Bethlehem, PA 18015, submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with Leaded and Unleaded Gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard, and was published in *The Press Group Newspapers* on March 25, 2015.

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

**750L Release Site/416 Weaver Road/Buckeye Pipeline**, 416 Weaver Road, Manheim, PA, Rapho Township, **Lancaster County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Buckeye Partners, LP, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031, and RJR Leasing, LLC, 416 Weaver Road, Manheim, PA 17545, submitted a Remedial Investigation Report,



Cleanup Plan, and Final Report concerning remediation of site soils and groundwater contaminated with unleaded gasoline from a ruptured pipeline. The combined reports are intended to document remediation of the site to meet a combination of Residential Statewide Health and Site Specific Standards.

**John Riddell Property**, 8221 Jonestown Road, Grantville, PA, East Hanover Township, **Dauphin County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of John Riddell, 8221 Jonestown Road, Grantville, PA 17028-8635, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Former Waynesboro Pipe Manufacturing Facility**, 315-317 Hamilton Avenue, Borough of Waynesboro, **Franklin County**. CB & I Environmental & Infrastructure, Inc., 2790 Mossie Boulevard, Monroeville, PA 15146, on behalf of Waynesboro Pipe Products, c/o Invensys LLC, 33 Commercial Street, Foxboro, MA 02035, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Arsenic and PCBs. 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.*

**Graco Children's Products, Inc., Facility**, 47 Park Avenue, Borough of Chester, **Chester County**. Jeremy W. Bolyn, Patriot Environmental Management, P. O. Box 629, Douglassville, PA 19518 on behalf of Lou Meschede, Newell Rubbermaid, 2707 Butterfield Road, Suite 100, Oak Brook, IL 60523 has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with lead and inorganic. The report is intended to document remediation of the site to meet the Site Specific Standard. PF667078.

**Sipple Residence**, 5918 Ditman Street, City of Philadelphia, **Philadelphia County**. Ednell Elimanoc, Insurance Restoration Specialists, 30 Abeel Road, Monroe, NJ 08831 on behalf of Frank Sipple, 5918 Ditman Street, Philadelphia, PA 19135 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. PF778107.

**Marcus Hook Industrial Complex**, 100 Green Street, Borough of Marcus Hook, **Delaware County**. Jim Oppenheim, Evergreen Resources Managements Operation, 2 Righter Parkway, Suite 20, Wilmington, DE 19083, Jennifer Menges, Stantec 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Brad Fish, Sunoco Partner Marketing & Terminal, 4041 Market Street, Aston, PA 19014 has submitted a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF750216.

**Belmont Terminal**, 2700 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Jim Oppenheim, Evergreen Resources Managements Operation, 2 Righter Parkway, Suite 20, Wilmington, DE 19083, Jennifer Menges, Stantec 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Brad Fish, Sunoco Partner

Marketing & Terminal, 4041 Market Street, Aston, PA 19014 has submitted a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF7780561.

**Philadelphia Energy Solutions Refining and Marketing, LLC**, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Jim Oppenheim, Evergreen Resources Managements Operation, 2 Righter Parkway, Suite 20, Wilmington, DE 19083, Jennifer Menges, Stantec 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Charles Barksdale, Jr., Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 has submitted a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF780190.

**Baldt Inc.**, 801 West 6th Street, City of Chester, **Chester County**. Bill Johnson, Lindbach Funkhouser, Inc., 114 Fairfax Avenue, Louisville KY 40207, Steven Ohrwaschel, Coventry Environmental, Inc., Coventry Environmental, Inc., 141 South Main Street, Spring City, PA 19475 on behalf of Susan Supleed, 801 West 6th Street, Chester, PA 19013 has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with pah. The report is intended to document remediation of the site to meet the Site Specific Standard. PF774462.

**2801 Grant Avenue**, 2801 Grant Avenue, City of Philadelphia, **Philadelphia County**. Lawren Yuen, Pennsylvania 2801 Grant LLC, 88 Pine Street, Suite 2010 New York, NY 10005, Stuart Wiswall, PG Keating Environmental Consultants, 835 Springdale Drive, Suite 200, Exton, PA 19341 on behalf of Tom Rosenfeld, Pennsylvania 2801 Grant, LLC, 88 Pine Street, Suite 2010, New York, NY 10005, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF773604.

**Schulmerich Carillons Inc.**, 1 Carillon Hill Road, Sellersville Borough, **Bucks County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Christopher R. Canavan, Prospect Acquisitions, LP, 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Site Specific Standard. PF648757.

**Patham Chemical Site**, 425-447 Moyer Street, City of Philadelphia **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Kevin Gray, New Kensington Community Development Corporation, 2515 Frankford Avenue, Philadelphia, PA 19125 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF636522.

**Commercial Property**, 2259 Baltimore Pike, East Nottingham Township, **Chester County**. Benjamin G. Myers, P.E., GTA ESI, 3445 Box Hill Corporate Center Drive, Abingdon, MD on behalf of J. Patrick Curran,



Investment Guild LLC, P. O. Box 104, Oxford, PA 19363 has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF783058.

**600-700 East Washington Street**, Norristown Borough, **Montgomery County**. Matthew Lesley, ARCADIS U.S. 824 N. Market Street, Suite 820, Wilmington, DE 19801 on behalf of John Nugent, III, Redevelopment Authority of Montgomery County, 104 West Main Street, Suite 2, Norristown, PA 19401 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with inorganics and chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standards. PF698865.

**Stoneback Residence**, 220 East Broad Street, Souderton Borough, **Montgomery County**. Michael Kern, P.G., Mountain Research, LLC 825 25th Street, Altoona, PA 16601 on behalf of Glenda Stoneback, 220 East Broad Street, Souderton, PA 18964 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. PF778908.

**Superior Tube**, 3900 Germantown Pike, Lower Providence Township, **Montgomery County**. Joseph Rossi, Environmental Alliance, Inc., 5341 Limestone Road, Wilmington, DE 19080 on behalf of Paul Miller, Environmental Alliance, Inc., 5341 Limestone Road, Wilmington, DE 19808 has submitted a Cleanup Plan concerning remediation of site groundwater and soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF618579.

**R&B Investors LP Plants 4 & 4A**, 234 West Cayuga Street, City of Philadelphia, **Philadelphia County**. Pete Falnes, Gannett Fleming, Inc., Atrium I, Suite 300, 1000 Atrium Way, Mt. Laurel, NJ 08054-3905, Glen DePalanton, Cardone Industries, Inc., 5501 Whitaker, Philadelphia, PA 19124 on behalf of Allen Burns, Richard S. Burns Company, Inc., 4300 Rising Sun Avenue, Philadelphia, PA 19140 has submitted a Final Report concerning remediation of site groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF687651.

**5960 Upland Way**, 5960 Upland Way, City of Philadelphia, **Philadelphia County**. Michael A. Christie, P.G., Pen E&R, Inc., 275 Bergey Road, Hatfield, PA 19440, Michael D. Lattanze, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of William Camp, 5960 Upland Way, LP, 123 East Lancaster Avenue, Ardmore, PA 19003 has submitted a Cleanup and Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with vocs and pcbs. The report is intended to document remediation of the site to meet the Site Specific Standard. PF783059.

**Rittenhouse Square Parking Garage**, 2028-2034 Rittenhouse Square, City of Philadelphia, **Philadelphia County**. Daniel E. Erdman, Keystone E-Science Group, Inc., 590 East Lancaster Avenue, Suite 200, Frazer, PA 19355 on behalf of Dr. Richard Pastcan, 397 Lakeview Drive, Napa, CA 94559 has submitted a Final Report concerning remediation of site soil contaminated with

other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF780090.

**508 North Lewis Road**, 508 North Lewis Road, Limerick Township, **Montgomery County**. Keith Green, WSP Environmental & Energy, LLC, 11190 Sunrise Valley Drive, Suite 300, Reston, VA 20191, Debi Geyer, Stanley Black & Decker, Inc., Route #2 Briggs Drive, East Greenwich, RI 02818 on behalf of Fred Goebert, Redgo Development LP, 615 Willowbrook Land, West Chester, PA 19382 has submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF744118.

**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, PA 18914, Brett Milker, Boos Development Group, Inc., 2651 McCormick Drive, Clearwater, FL 33759 on behalf of Hao Change, HHC Holdings, LLC, 1001 East Baltimore Avenue, Clifton Heights, PA 19018 has submitted a Final Report concerning remediation of site soil contaminated with benzo. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF784348.

**Weymouth Residence**, 86 Rockyhill Road, Chadds Ford Township, **Delaware County**. Frank Lynch, Envirolink, Inc, 165 Daleville Road, Cochranville, PA 19330 Richard D. Williams, Suburban Propane, P. O. Box 4833, Syracuse, NY 13221 on behalf of George Weymouth, 86 Rockyhill Road, Chadds Ford, PA 19317 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. PF779231.

**McKee Residence**, 4 Milyko Drive, Upper Makefield Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management LLC, 21 Unionville Road, P. O. Box 629, Douglasville, PA 19518, Bruce Harris, Harris Fuels, Inc., 206 Otter Street, Bristol, PA 19007-3610 on behalf of Augustus McKee, 4 Milyko Drive, Washington Crossing, PA 18977 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. PF779231.

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

**Lawrenceville Willow Street Site** (formerly Phoenix Rolls Works and Blawnox Roll Company; Mill Equipment & Engineering Corporation), 115 41st Street, City of Pittsburgh/Willow Street at 40th Street, **Allegheny County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Fort Willow Developers, L.P., 921 Beaver Street, Sewickley, 15143 has submitted a Remedial Investigation Report/Cleanup Plan concerning: site soils contaminated with arsenic, lead, nickel, manganese, benzo(a)pyrene; and site groundwater contaminated with chlorinated compounds. The RIR/CP is intended to document remediation of the site to meet the Site Specific Standard. Notice of the RIR/CP was published in the *Pittsburgh Tribune-Review* on March 30, 2015.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**PPL Pole Grid #55911N26398**, Silk Road and Fifth Street, Jim Thorpe Borough, **Carbon County**, Jennifer L. Sedora, PPL Electric Utilities, has submitted a Final Report, concerning the remediation of soil contaminated with, PCB. The report is intended to document remediation

of the site to meet the Statewide Health Standard for soils. The intended future use of the property will be industrial, and was approved by the Department on April 9, 2015.

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

**750L Release Site/416 Weaver Road/Buckeye Pipeline**, 416 Weaver Road, Manheim, PA, Rapho Township, **Lancaster County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Buckeye Partners, LP, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031, and RJR Leasing, LLC, 416 Weaver Road, Manheim, PA 17545, submitted a Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of site soils and groundwater contaminated with unleaded gasoline from a ruptured pipeline. The combined reports are intended to document remediation of the site to meet a combination of Residential Statewide Health and Site Specific Standards. The submission was administratively incomplete and was disapproved by the Department on April 6, 2015.

**South Middleton WWTP/Blower Building**, 345 Lear Lane, Boiling Springs, PA 17007, Monroe Township, **Cumberland County**. Advantage Engineers, LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of South Middleton Township Municipal Authority, 345 Lear Lane, Boiling Springs, PA 17007, submitted a combined Remedial Investigation Report/Final Report concerning remediation of site soils contaminated with diesel fuel. The Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on April 7, 2015.

**Marsteller Oil Company/Morales Property**, 3716 Green Street, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Mitza Morales, 3716 Green Street, Harrisburg, PA 17110; Marsteller Oil Company, 2011 State Road, Duncannon, PA 17020; Rapid Response, Inc., 14 Brick Kiln Court, Northampton, PA 18067; and Ambrose Environmental Management, Five Cherry Hill Drive, Suite L 100, Danbers, MA 01923, submitted a Final Report concerning remediation of site soils contaminated with #2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on April 9, 2015.

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

**Vantage Energy Appalachia Porter Street Pad**, 390 Valley Farm Road, Waynesburg, Franklin Township, **Greene County**. SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15307 on behalf of Vantage Energy Appalachia, LLC, 116 Inverness Drive East, Suite 107, Englewood, CO 80112 submitted a Remedial Investigation/Final Report concerning the remediation of site soils contaminated with chlorides and other fluids from drilling operations. The Final Report demonstrated attainment of non-residential Statewide Health standard for soils except for chlorides which achieved a Site Specific standard, and was approved on April 10, 2015.

**XTO—Minta Forsha #1 Well Site**, Spruce Road, Green Township, **Indiana County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of XTO Energy,



Inc., 395 Airport Road, Indiana, PA 15701 submitted a Remedial Investigation/Final Report concerning the remediation of site 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 Final Report demonstrated attainment of Site Specific standard for chlorides, a residential Statewide Health standard for all other constituents sampled for in soils except arsenic which met non-residential Statewide Health standard in soil, and was approved by the Department on April 14, 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.*

**200 Hatfield State Site**, 200 Hatfield State Site, Lansdale Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of John Nash, North Penn Professional Center, 920 North Broad Street, Lansdale, PA 19446 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 1, 2015. PF784172.

**Emico Property**, 821 West Chestnut, Borough of Perkasio, **Bucks County**. Michael A. Christie, P.G. Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Frank Stopper, Penn Environmental & Remediation Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Stu Duckman, Target Partners, LLC, 812 Chestnut Street, Perkasio, PA 18944 has submitted a Final Report concerning the remediation of site groundwater contaminated with voc. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 18, 2015. PF738217.

**CVS/Wawa Grant & Academy**, City of Philadelphia, **Philadelphia County**. Justin Lauterbach, RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of John Zaharchuk, Summit Realty Advisor, LLC, 201 South Maple Avenue, Suite 100, Ambler, PA 19002 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with arsenic and mtbe. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 8, 2015. PF770958.

**Commercial Property**, 2259 Baltimore Avenue, East Nottingham Township **Chester County**. Benjamin G. Myers, P.E. Associates, GTA ESI, 3445 Box Hill Corporate Center Drive, Abingdon, MD 21009 on behalf of J. Patrick Curran, Investment Guild LLC, P. O. Box 104, Oxford, PA 19363 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 2, 2015. PF783058.

**Pathan Chemical Site**, 425-447 Moyer Street, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Kevin Gray, New Kensington Community Development Corporation, 2515 Frankford Avenue, Philadelphia, PA 19125 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final report did not demon-

strate attainment of the Site Specific Standard and was disapproved by the Department on April 1, 2015. PF636522.

**20 Derstine Road Property**, 20 Derstine Road, Towamencm Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of William Steninhauser, 105 Misty Meadow Lane, Lansdale, PA 19446 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 March 31, 2025. PF771007.

**State Road Land Partners Parcel B**, 2115 State Road, City of Philadelphia, **Philadelphia County**. Jeffery K. Walsh, P.G., Penn Environmental & Remediation, 13180 Route 6, Mansfield, PA 16933 on behalf of Arnold Boyer, Waterside Phase, I, LLC, 2310 Terwood Drive, Huntingdon Valley, PA 19006 has submitted a Final Report concerning the remediation of site soil contaminated with antimony, arsenic, cadmium, copper, lead and target pahs. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on January 30, 2015. PF620175.

**Lamborn Residence**, 3502 Limekiln Pike, Warrington Township, **Bucks County**. Bradford McGoldrick, Compliance Management, Inc., International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Andrew B. Lamborn, 5317 Cambridge Circle, Doylestown, PA 18902 has submitted a Final Report concerning the remediation of site soil contaminated with lead, btex and voc's. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 11, 2020. PF783092.

**Maple Glen Dry Cleaners**, 1945 Norristown Road, Upper Dublin Township, **Montgomery County**. Gloria Hunsberger, Klenifelder, 180 Sheree Boulevard, Suite 3800, Exton, PA has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site groundwater contaminated with other organics. The Remedial Investigation and Cleanup Plan were approved by the Department on February 23, 2015. PF748153.

**Apartment Building**, 3343 Marshall Road, Upper Darby Township, **Delaware County**. Staci Cottone, P. O. Box 370, Blue Bell, PA 19422 on behalf of Aris Karalis, KRE Investors, LPI, P. O. Box 73, Broomall, PA 19008 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 February 2, 2015. PF782138.

**Kiesling Residence**, 5 Hickory Lane, Bristol Township, **Delaware County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Maintenance, Glenside, PA 19038 on behalf of Alyce Kiesling, 5 Hickory Lane, Levittown, PA 19055 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 13, 2015. PF782116.

**Dolata Residence**, 1475 Washington Lane, Pocopson Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Theresa O'Connor, State Farm Insurance, PA Fire

Claims, P. O. 1061110, Atlanta, GA 30348-6110 on behalf of Richard and Lynn Dolata, 1475 Washington Lane, West Chester, PA 19382 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 19, 2015. PF774872.

**Rite Aid 3637**, 6363 Frankford Avenue, 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 17001 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 4, 2015. PF683659.

**Sunoco Inc.**, Old Pennell Road and North Manor Drive, Aston Township, **Delaware County**. Stephanie Grillo, GES Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Martin D. Liebhardt, P.G., Evergreen Resources Management Operation 2 Righter Parkway, Suite 200, Wilmington, PA 19083 has submitted a Remedial Investigation/Cleanup Plan and Final Report concerning the remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The Remedial Investigation Report/Cleanup Plan and Final Report were approved by the Department on January 27, 2015. PF689359.

**Finneran & Haley**, 901 Washington Street, Whitmarsh Township, **Montgomery County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335, Robert Harley, Spring Mill Corporation, 194 Greenfield Road, Lancaster, PA 17601 on behalf of Gary Toll, 901 Washington Partners, LP, 55 County Club Drive, Downingtown, PA 19335 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with methanol. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on March 2, 2015. PF758570.

**Ursinus College**, 601 Main Street, Collegeville Borough, **Montgomery County**. Gilbert Marshall, Marshall Geoscience, Inc., 170N East First Avenue, Collegeville, PA 19426, Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Andrew Feick, Ursinus College, 601 Main Street, Collegeville, PA 19426 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with inorganics. The Remedial Investigation Report was disapproved by the Department on February 20, 2015. PF648108.

**FBF, Inc.**, 1145 Industrial Boulevard, Upper Southampton, **Bucks County**. Phillip Getty, Boucher & James, Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901 on behalf of Joe Medvic, FBF Incorporated, 1145 Industrial Boulevard, Southampton, PA 18966 has submitted a Risk Assessment/Remedial Investigation and Cleanup Plan concerning the remediation of site groundwater contaminated with PCE and TCE. The Risk Assessment/Remedial Investigation and Cleanup Plan were approved by the Department on February 26, 2015. PF620614.

**Robs Auto & Collision Center, Inc.**, 3114 Veteran Highway, Bristol Township, **Bucks County**. Jeffery T. Bauer, P.G., Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Robert Leipziger, Rob's Automotive & Collision Center, Inc., 3114 Veterans Highway, Bristol Township, PA 19007 has submitted a Final Report concerning the remediation of site soil contaminated with leaded gasoline. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 12, 2015. PF782398.

**Trinley Road Drive Property**, 1 Trinley Road, Limerick Township, **Montgomery County**. Jamie Kleinle, Sr. Barry Isett and Associates, Inc., 85 South Route 100, Allentown, PA 18106, Mark Irwin, Mark Irwin Associates, Inc., P. O. Box 575, Southampton, PA 18966 on behalf of Kimberly Laffredo, P. O. Box 62103, King of Prussia, PA 19406 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 February 23, 2015. PF762448.

**Perry Residence**, 119 Harrow Road, Middletown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Theresa O'Connor, State Farm Insurance, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Sandra Perry, 119 Harrow Road, Levittown, PA 19056 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 6, 2015. PF773334.

**BPG Ellis Preserve**, 3801 West Chester Pike, Newtown Township, **Delaware County**. Bella Bakrania, IES Engineers, 1720 Walton Road, Blue Bell, PA 19422 on behalf of Linda Rothenberger, BPG Management Company, LP, Betsy Ross Cottage, 3825 West Chester Pike, Newtown, PA 190973 has submitted a Final Report concerning the remediation of site groundwater contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 12, 2015. PF737109.

**Vangrossi Residence**, 885 Crestline Drive, Whitpain Township, **Montgomery County**. Patrick S. Crawford, P.G., Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Paul VanGrossi, 885 Crestline Drive, Blue Bell, PA 19422 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 10, 2015. PF781256.

**Sitewide BP Trainer Refining**, 401 Post Road, Borough of Trainer and Marcus Hook, **Delaware County**. Iain Bryant, Sovereign Consulting, 111A North Gold Drive, Robbinsville, NJ 08691, Sasa Jazic, Atlantic Richfield Company, 28100 Torch Parkway, Mail Code 2-S, Warrenville, Illinois 60555 on behalf of Matthew Torell, Monroe Energy, LLC, 4101 Post Road, Trainer, PA 19061 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with inorganics. The Risk Assessment Report demonstrated attainment of the Site Specific Standard and was disapproved by the Department on March 12, 2015. PF747691.



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

*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

**Hazardous Waste Transporter License Issued**

**Force, Inc.**, 1380 Route 286 Highway, Suite 303, Indiana, PA 15701. License No. PA-AH 0819. Effective March 19, 2015.

**Abington Reldan Metals, LLC**, 550 Old Bordentown Road, Fairless Hills, PA 19030. License No. PA-AH 0824. Effective April 1, 2015.

**Hazardous Waste Transporter License Renewed**

**Nortru, LLC**, 515 Lycaste, Detroit, MI 48214. License No. PA-AH 0451. Effective February 3, 2015.

**Ecoflo, Inc.**, 2750 Patterson Street, Greensboro, NC 27407. License No. PA-AH 0225. Effective February 9, 2015.

**TMC Services, Inc. dba TMC Environmental**, 19 National Drive, Franklin, MA 02038. License No. PA-AH 0781. Effective February 9, 2015.

**Nexeo Solutions, LLC**, 415 South 1St Stree, Lufkin, TX 75901. License No. PA-AH 0783. Effective February 11, 2015.

**Brenntag Northeast, Inc.**, 81 West Huller Lane, Reading, PA 19605. License No. PA-AH 0082. Effective February 18, 2015.

**Cambridge Chemical Cleaning, Inc.**, P. O. Box 4220, Linden, NJ 07036. License No. PA-AH 0356. Effective February 18, 2015.

**Bethlehem Apparatus Company, Inc.**, P. O. Box Y, 890 Front Street, Hellertown, PA 18055. License No. PA-AH 0681. Effective February 24, 2015.

**Triad Transport, Inc.**, P. O. Box 818, McAlester, OK 74502. License No. PA-AH 0392. Effective February 26, 2015.

**Allstate O.R.C., Inc.**, 473 Hamburg Turnpike, West Milford, NJ 07480-3746. License No. PA-AH 0564. Effective February 26, 2015.

**Buffalo Fuel Corporation**, 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective February 3, 2015.

**Clean Harbors Environmental Services, Inc.**, P. O. Box 9149, Norwell, MA 02061. License No. PA-AH 0312. Effective March 10, 2015.

**Hazmat Environmental Group, Inc.**, 60 Commerce Drive, Buffalo, NY 14218-1040. License No. PA-AH 0315. Effective March 16, 2015.

**Republic Environmental Systems (Transportation Group), LLC**, P. O. Box 368, Neenah, WI 54957. License No. PA-AH 0317. Effective March 13, 2015.

**The Pennohio Corporation**, 4813 Woodman Avenue, Ashtabula, OH 44004. License No. PA-AH 0618. Effective March 16, 2015.

**Monarch Environmental, Inc.**, P. O. Box 330, Woodstown, NJ 08098. License No. PA-AH 0558. Effective March 19, 2015.

**MCF Systems Atlanta, Inc.**, 4319 Tanners Church Road, Building A, Ellenwood, GA 30294. License No. PA-AH S240. Effective March 31, 2015.

**Campbell Transportation Company, Inc.**, 2567 Congo Arroyo Road, Newell, WV 26050. License No. PA-AH 0786. Effective March 31, 2015.

**Kuhnle Brothers, Inc.**, P. O. Box 375, 14905 Cross Creek Drive, Newbury, OH 44065. License No. PA-AH 0655. Effective March 31, 2015.

**Hittman Transport Services, Inc.**, 1560 Bear Creek Road, Oak Ridge, TN 37830. License No. PA-AH S239. Effective March 27, 2015.

**REGULATED MEDICAL WASTE TRANSPORTER LICENSE****Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.**

*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

**Regulated Medical Waste Transporter License Issued**

**Smith Systems Transportation, Inc.**, P. O. Box 2455, Scottsbluff, NE 69361. License No. PA-HC 0262. Effective February 20, 2015.

**Northeast Pennsylvania Cremation Services, Inc.**, 143 Gravity Road, Lake Ariel, PA 18436. License No. PA-HC 0261. Effective February 20, 2015.

**Safeguard Waste Solutions, Inc.**, 6 Brown Road, Albany, NY 12205. License No. PA-HC 0263. Effective March 19, 2015.

**Regulated Medical Waste Transporter License Renewed**

**Stericycle, Inc.**, 1525 Chestnut Hill Road, Morgantown, PA 19543. License No. PA-HC 0196. Effective January 28, 2015.

**Bio-Team Mobile, LLC**, 6 East Kendig Road, Willow Street, PA 17584. License No. PA-HC 0225. Effective February 3, 2015.

**Image First Medical Waste Services**, 900 East Eight Avenue, Suite 300, King Of Prussia, PA 19406. License No. PA-HC 0255. Effective February 18, 2015.

**Daniels Sharpsmart, Inc.**, 111 West Jackson Blvd, Suite 720, Chicago, IL 60604. License No. PA-HC 0254. Effective March 3, 2015.

**Secured Med Waste, LLC**, 3113 Lauren Hill Drive, Finksburg, MD 21048. License No. PA-HC 0241. Effective March 4, 2015.

**Alpha Bio/Med Services, LLC**, 3246 Lincoln Highway East, Paradise, PA 17562. License No. PA-HC 0234. Effective April 7, 2015.

**Infectious and Chemotherapeutic Waste Transporter License, actions taken under the Solid Waste Management Act of July 7, 1980 and Act 93 of June 28, 1988 and regulations to transport infectious and chemotherapeutic waste.**

*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

**Regulated Medical Waste Transporter License Voluntarily Terminated**

**Med Waste Management, LLC**, 1860 52nd Street, Suite 1E, Brooklyn, NY 11204. License No. PA-HC 0242. February 26, 2015.

**Regulated Medical Waste Transporter License Expired**

**Pathacura, Inc.**, P.O. Box 877, New Haven, CT 06504. License No. PA-HC 0247. February 28, 2015.

**RESIDUAL WASTE GENERAL PERMITS**

**Permit 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 17106-9170.*

**General Permit Application No. WMGR097R026, American Ash Recycling Corp. of Pennsylvania**, 613 Memory Lane York, PA 17402. The registration to operate under General Permit Number WMGR097 is for research and development activities to support the beneficial use or processing prior to beneficial use. The project involves the beneficial use of recycled aggregate and sand (rock, glass, ceramics) from municipal solid waste incinerator ash encapsulated in asphalt and concrete landscape pavers, block and masonry units used as a construction material. The general permit was issued by Central Office on April 2, 2015.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

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

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

**Permit No. 100817. Abington Township**, 995 Fitzwatertown Road, Upper Dublin, PA 19038. This application is for the reissuance of the solid waste permit No. 100817 from Waste System Authority of Eastern **Montgomery County** to Abington Township for the Abington Transfer Station, a municipal waste transfer facility operated by Covanta Abington Transfer Solutions, LLC, and located at 995 Fitzwatertown Road in Upper Dublin Township, Montgomery County. The permit was issued by the Southeast Regional Office on April 8, 2015.

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit No. 101247. Keystone Sanitary Landfill**, Keystone Sanitary Landfill, Inc., 249 Dunham Drive, Dunmore, PA 18512. A Permit Renewal extending the existing permit until April 6, 2025 and authorizing the continued operation and construction of this municipal waste landfill located in Dunmore and Throop Boroughs, **Lackawanna County**. The permit was issued in the Regional Office on April 6, 2015.

**Permit No. 101600. Waste Reduction & Transfer, Inc.** Waste Reduction & Transfer, Inc., 106 Exeter Ave, West Pittston, PA 18643. A Permit Renewal extending the existing permit until March 31, 2025 and authorizing the continued operation of this municipal waste transfer facility located in Hanover Township, **Luzerne County**. The permit was issued in the Regional Office on March 31, 2015.

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

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

**Permit No. 101688. PA Waste, LLC**, 175 Bustleton Park, Feasterville, PA 19053, Boggs Township, **Clearfield County**. A proposed 850 acres municipal waste landfill site to take 5,000 tons per day of waste. The permit was denied by Northcentral Regional Office on April 9, 2015.

The Department held a public hearing on January 22, 2013 at the Lighthouse Evangelical Church in West Decatur. The comment and response document developed from that meeting can be found on the Department's web site, under Regional Resources, Northcentral Regional Office, Community Information, Waste Management-Camp Hope.

Persons interested in reviewing the documentation may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania 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.**

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

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

**GP3-48-006: Haines & Kibblehouse** (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on April 6, 2015 for the construction and operation of a Portable Crushing Operation with watersprays at ABE Materials-Easton site located in Lower Mt, Bethel Twp., **Northampton County**.

**GP9-48-006: Haines & Kibblehouse** (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on April 6, 2015 for the installation and operation of Diesel I/C Engines at

ABE Materials-Easton site located in Lower Mt. Bethel Twp., **Northampton 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.*

**GP3-50-03007: B. R. Kreider & Son, Inc.** (63 Kreider Land, Manheim, PA 17545) on April 10, 2015, for a portable nonmetallic mineral processing plant, under GP3, at the Penny Supply Newport Quarry, in Oliver Township, **Perry County**.

**GP11-50-03007: B. R. Kreider & Son, Inc.** (63 Kreider Land, Manheim, PA 17545) on April 10, 2015, for a non-road engine, under GP11, to power portable nonmetallic mineral processing equipment, at the Penny Supply Newport Quarry, in Oliver Township, **Perry County**.

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

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

**GP3-59-197C: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on April 7, 2015, to construct and operate one (1) Lippman 3042 portable jaw crusher, one (1) Trio triple deck screen and five (5) conveyors pursuant to General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the company's Antrim Facility/Plant #25 in Duncan Township, **Tioga County**.

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

*Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174.*

**GP5-03-00242B: US Energy Exploration Corporation** (PO Box 237, Rural Valley, PA 16249) on March 31, 2015, to install and operate a dehydrator including a reboiler and continued operation of a previously installed Waukesha, 4SRB, natural gas fired compressor engine rated @ 840 bhps at their Knepshield Compressor Station located in Gilpin Township, **Armstrong County**.

**GP5-30-00204B: EQM Gathering, Opco, LLC** (625 Liberty Avenue, Suite 1700, Pittsburgh, PA-15222) on March 31, 2015, to change ownership from EQT Gathering, LLC to EQM Gathering Opco, LLC for their Hope-well Ridge Compressor Station located in Morris Township, **Greene County**.

**GP5-30-00230A: Energy Corporation of America** (101 Heritage Run Road, Suite 1, Indiana, PA 15701-2490) on April 10, 2015, at their Veres Compressor Station located in Greene Township, **Greene County** to authorize the construction and operation of one Exterran dehydrator 50 MMscfs/d and two storage tanks of various capacities and also allow continued operation of five previously installed natural gas fired G3606 Caterpillar compressor engines, each rated at 1,775 bhps; one Divers Energy dehydrator, rated at 50 MMscfs/day, attached to two reboilers each rated at 1.0 MMBtu/hr, and controlled by a flare rated at 2.0 MMBtus/hr; two flash tanks 40 gallons each; and two (2) storage tanks each 400 bbls capacity. Each compressor engine is equipped with an oxidation catalyst and regulated by an air fuel ratio controller.

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

*Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940.*

**GP3-24-184A: Charles J Merlo** (East Branch Damn Road, Wilcox, PA 15870 Borrow Fill Area) on April 7, 2015 for the construction and/or operation of the Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP3) located at your property in Jones Township, **Elk County**.

**GP9-24-184B: Charles J Merlo** (East Branch Damn Road, Wilcox, PA 15870 Borrow Fill Area) on April 7, 2015 for the construction and/or operation of a Diesel or No. 2 fuel-fired Internal Combustion Engine (BAQ-GPA/GP9) located at your property in Jones Township, **Elk County**.

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

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*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.*

**ER-67-05047A: Republic Services of PA, LLC** (4400 Mount Pisgah Road, York, PA 17406-8240) on April 9, 2015, for an Air Quality Emission Reduction Credit (ERC) approval of the following emission reductions from the permanent shutdown of Engines 2, 3 and 4 (Source IDs 104, 105 and 106), at the Modern Landfill in Lower Windsor Township, **York County**: CO: 141.7 tpy, NO<sub>x</sub>: 29.56 tpy, PM<sub>2.5</sub>: 0.88 tpy, SO<sub>x</sub>: 2.12 tpy, VOC: 4.36 tpy.

**67-05030F: C-P Converters, Inc.** (15 Grumbacher Road, York, PA 17406) on April 9, 2015, for the modification of their CAM plan in issued plan approval 67-05030E and Title V operating permit 67-05030 at the facility in Manchester Township, **York County**.

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

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

**60-00002A: NGC Industries, LLC** (PO Box 210, West Milton, PA 17886-0210), issued plan approval on April 8, 2015, for the modification of their 68.9 MMBtus/hr Babcock & Wilcox Boiler (Boiler #2) to utilize #2 fuel oil as a backup fuel at their Milton Plant located in White Deer Township, **Union County**.

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

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

**PA-11-00524C: JWF Industries, Inc.** (163 Cramer Pike, Johnstown, PA 15906) Plan Approval issuance date effective March 31, 2015, to allow the installation and temporary operation of equipment for surface coating and abrasive blasting operation at their ETC facility located in West Taylor Township, **Cambria County**.



**32-00429A: Reparex Fabricated Systems, Inc.** (PO Box 705, Latrobe, PA 15650) On April 7, 2015, for the operation of a reinforced plastic composite manufacturing facility located in Greene Township, **Indiana County**.

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

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

**16-149B: Clarion Laminates** (143 Fiberboard Road, Shippensburg, PA 16254), on April 9, 2015 issued a plan approval for the construction of a 3rd bonding line with baghouse and upgrading the current dust transfer system with bin filters in Paint Township, **Clarion County**. This is a State Only facility.

**24-123H: Advanced Disposal Services Greentree Landfill, LLC** (635 Toby Road, Kersey, PA 15846), on April 9, 2015, issued a plan approval for the modification of conditions from plan approval 24-123F & 24-123G with regards to submittal of a plan approval application for the gas collection system in Fox Township, **Elk 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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*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

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

**31-05019A: Texas Eastern Transmission, LP** (PO Box 1642, Houston, TX 77251) on April 10, 2015, for a turbine upgrade project at the Entriken Compressor Station in Todd Township, **Huntingdon County**. The plan approval was extended.

**05-05014B: WSI Sandy Run Landfill, Inc.** (995 Landfill Road, Hopewell, PA 16650-8653) on April 10, 2014, for the construction of an enclosed ground flare to control landfill gas emissions from the landfill expansion at the Sandy Run Landfill located in Broad Top Township, **Bedford County**. The plan approval was extended.

**28-05002C: US Army Letterkenny Army Depot** (1 Overcash Avenue, Chambersburg, PA 17201) on April 7, 2015, for the construction and temporary operation of two new surface coating booths at the military facility located in Letterkenny Township, **Franklin County**. The plan approval was extended.

**06-05007P: Carpenter Technology Corporation** (101 Bern Street, Reading, PA 19601) on April 9, 2015, to replace the steel coil cleaning line in their specialty steel alloy manufacturing facility located in the City of Reading, **Berks County**. The new line will include salt baths for descaling coils with a scrubber to control emissions; salt bath natural gas fired process heaters; HCl acid baths controlled by a scrubber; nitric and sulfuric acid baths controlled by a scrubber; rinse and coating tanks without controls; natural gas fired furnaces for drying coils; and a natural gas fired air makeup unit. Plan

Approval 06-05007P also incorporates the requirements of 40 CFR 63 Subpart DDDDD for the facility. The plan approval was extended.

**06-05069U: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) on April 9, 2015, for modifying the A-2 Facility operations at the lead-acid battery assembly facility located in Richmond Township, **Berks County**. The plan approval was extended.

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

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

**08-313-004L: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on April 6, 2015, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 14, 2015 to November 10, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

**08-00001A: Tennessee Gas Pipeline Company, LLC** (PO Box 2511, Houston, TX 77252-2511) on March 25, 2015, extended the authorization an additional 180 days from April 13, 2015 to October 10, 2015, to allow the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the new natural gas compression process, including the associated combustion turbine, located at their facility in Wyalusing Township, **Bradford County** pending issuance of operating permit. The plan approval has been extended.

**08-00010G: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on April 8, 2015, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 6, 2015 to November 2, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

**49-00064B: Milton Sewer Regional Authority** (5585 State Route 405, PO Box 433, Milton, PA 17847), located in West Chilisquaque Township, **Northumberland County**, on April 7, 2015, for the construction and operation of two Cummins model C1000-N6C biogas/natural gas fired engines/generators at their wastewater plant until November 13, 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.*

**11-00356C: Allegheny Valley Connector, LLC** (625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222) Extension effective April 26, 2015, to extend the period of temporary operation of one lean burn natural gas-fired compressor engine rated at 1,340 bhps and known as Laurel Ridge Engine #3, and one thermal oxidizer controlling dehydrators #1 & #2 authorized under PA-11-00356C at Laurel Ridge/Rager Mountain Compressor Station located in Jackson Township, **Cambria County**.

**65-00979A: Laurel Mountain Midstream Operating, LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) Extension effective



April 11, 2015, to extend the period of temporary operation of the Caterpillar G3612LE lean burn natural gas-fired compressor engine rated at 3,550 bhps and controlled by an oxidation catalyst authorized under plan approval PA-65-00979A at the Herminie Compressor Station located in South Huntingdon Township, **Westmoreland County**.

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

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

**24-016H: Keystone Powdered Metal Company** (251 State Street, Saint Marys, PA 15857) on April 13, 2015, effective April 30, 201, has issued a plan approval extension for an increase in emissions from greater utilization of an existing immersion cold cleaning degreaser machine used to deposit dry lubricant on parts at their Facility located in Saint Marys City, **Elk County**.

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

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

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

**39-00098: Ocean Spray Cranberries, Inc.** (151 Boulder Drive, Breinigsville, PA 18031-1850) issued on 04/14/2015 for the operation of a beverage manufacturing facility in Upper Macungie Township, **Lehigh County**. The sources consist of seven (7) natural gas fired boilers, two (2) bottling lines, two (2) aseptic lines, marking inks, adhesives, bottling forming, and cleaning operations. This is an initial State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**39-00104: PPL Renewable Energy, LLC** (2 N. Ninth Street GENPL2, Allentown, PA 18101-1179) issued on 04/14/2015 for the operation of one (1) IC engine in the City of Allentown, **Lehigh County**. The source is one (1) IC engine fired on digester gas collected from Allentown Wastewater Treatment Plant. This is an initial State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**54-00085: Ringtown Wilbert Vault Works, Inc.** (710 W Main Street, Ringtown, PA 17967-9449) issued on 04/13/2015, for the operation of two (2) crematories in Ringtown Borough, **Schuylkill County**. The sources consist of one (1) human crematory and one (1) animal crematory. The emissions are controlled by an after-burner. This is an initial State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**64-00013: Haines and Kibblehouse, Inc.** (PO Box 196, Lucon Road, Skippack, PA 19474) issued on 04/13/2015 for the operation of an asphalt production plant in Palmyra Township, **Wayne County**. The sources at the facility consist of the batch mix asphalt plant with the particulate emissions being controlled by a knockout box and baghouse. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**39-00020: Lehigh Valley Health Network/Cedar Crest** (1628 West Chew Street, Allentown, PA 18102-3649) on April 13, 2015 for a general medical and surgical hospitals facility in Salisbury Township, **Lehigh County**. The sources consist of boilers and emergency generators. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636.*

**24-00146: National Fuel Gas Supply Corporation** (6363 Main St., Williamsville, NY 14221), on April 7, 2015, renewed a State Only Operating Permit for the Boone Mountain Compressor Station located in Horton Township, **Elk County**. The facility is a Natural Minor. The primary sources at the facility include and two pipeline heaters with a combined rating of 1 million Btu/hr, two 150 hps compressor engines, a 280 hp compressor engine, and a 35 hp emergency generator, a dehydrator, and a 500,000 Btu/hr dehydrator reboiler. Potential Emissions are as follows: 71.60 tpy NO<sub>x</sub>, 10.35 tpy CO, 65.51 tpy PM, 1.59 tpy SO<sub>x</sub>, and 8.74 tpy VOC. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00337: Custom Engineering Company** (2800 McClelland Avenue, Erie, PA 16510-2544) on April 7, 2015 for renewal of a Natural Minor Permit at the fabricated metal products manufacturing plant located in the City of Erie, **Erie County**. The emitting sources include: 1) Natural Gas Combustion Units (Heaters), 2) Burn Table Torch Cutting (2 Tables), 3) two Paint Booths, 4) Dry abrasive blasting operations, 5) Dry Machining Operations, 6) Welding Operations, and 7) Rust Preventative by hand application. The potential emissions from the facility are less than the Title V threshold limits. Thus, the facility is a natural minor. The actual emissions from the facility based on the original permit application and plan approval 25-337A are: VOC: 8.2 TPY, Tons per year (Plan approval VOC emission restriction), NO<sub>x</sub>: 0.4 TPY, PM: 0.1 TPY. CO and SO<sub>x</sub> emissions are less than 1.0 TPY.

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

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

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

**38-03020: Tech Cast Holdings, LLC** (640 S. Cherry Street, Myerstown, PA 17067-1511) on April 8, 2015, for the investment castings foundry facility located in Myerstown Borough, **Lebanon County**. The State-only permit was administratively amended in order to reflect a change of ownership.

**06-05128: Reading Truck Body, LLC** (PO Box 650, Reading, PA 19607-0650) on April 8, 2015, for the truck body manufacturing facility located in Reading City, **Berks County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05128A.

**21-05039: Land O’ Lakes, Inc.** (405 Park Drive, Carlisle, PA 17013-9270) on April 7, 2015, for the milk processing plant located in South Middleton Township, **Cumberland County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 21-05039B.

**21-05021: Mechanicsburg Terminal DE LLC** (PO Box 2621, Harrisburg, PA 17105-2621) on April 10, 2015, for the petroleum products distribution terminal in Silver Spring Township, **Cumberland County**. The State-only permit was administratively amended in order to reflect a change of name.

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

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

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

**38-03020: Tech Cast Holdings, LLC** (640 S. Cherry Street, Myerstown, PA 17067-1511) on April 8, 2015, for the investment castings foundry facility located in Myerstown Borough, **Lebanon County**. The State-only permit was administratively amended in order to reflect a change of ownership.

**06-05128: Reading Truck Body, LLC** (PO Box 650, Reading, PA 19607-0650) on April 8, 2015, for the truck body manufacturing facility located in Reading City, **Berks County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05128A.

**21-05039: Land O’ Lakes, Inc.** (405 Park Drive, Carlisle, PA 17013-9270) on April 7, 2015, for the milk processing plant located in South Middleton Township, **Cumberland County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 21-05039B.

**21-05021: Mechanicsburg Terminal DE LLC** (PO Box 2621, Harrisburg, PA 17105-2621) on April 10, 2015, for the petroleum products distribution terminal in Silver Spring Township, **Cumberland County**. The State-only permit was administratively amended in order to reflect a change of name.

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

*Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940.*

**10-00267: Alcoa Commercial Windows LLC** (71 Progress Avenue, Cranberry Township, PA 16066) for its facility located in Cranberry Township, **Butler County**. The De minimis emission increase is for the proposed replacement of the Die Shop Cleaning Process Tank System. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit renewal on September 22, 2010.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
03-21-14	Anodizing tank to Source 112	0.00004				
1-5-15	Solvent Distillation Unit				0.1	
4-7-15	Die Shop Cleaning	0.11				
Total Reported Increases		0.11004			0.1	
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### *Coal Permits Issued*

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

**Permit No. 56940105 and NPDES No. PA0212890. Rosebud Mining Co.,** 301 Market Street, Kittanning, PA 16201, renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick and Summit Townships, **Somerset County**, affecting 108.0 acres. Receiving streams: unnamed tributaries to/and Casselman River, classified for the following uses: cold and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2014. Permit issued: April 2, 2015.

**Permit No. 32803010 and NPDES No. PA0124834. CONSOL Mining Co., LLC,** 1000 Consol Energy Drive, Canonsburg, PA 15317, permit renewal for reclamation only of a bituminous surface mine in Blacklick Township, **Indiana County**, affecting 89.9 acres. Receiving stream: Unnamed tributary to Aultman's Run classified for the following use: trout stocked fishery. The first downstream potable water supply intake from the point of discharge is Saltsburg Borough Indiana County Municipal Waterworks Conemaugh River SWI. Application received: February 5, 2014. Permit issued: April 2, 2015.

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

**24100104 and NPDES Permit No. PA0258954. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) Transfer of an existing bituminous surface mine and associated NPDES permit from AMFIRE Mining Company, LLC in Fox & Huston Townships, **Elk & Clearfield Counties**, affecting 68.9 acres. Receiving streams: East Branch Wilson Run. Application received: January 13, 2015. Permit Issued: April 7, 2015.

**24010101 and NPDES Permit No. PA0241857. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) Transfer of an existing bituminous surface mine and associated NPDES permit from AMFIRE Mining Company, LLC in Horton Township, **Elk County**, affecting 264.3 acres. Receiving streams: Unnamed tributary to Mead Run and unnamed tributaries to Johnson Run. Application received: January 13, 2015. Permit Issued: April 7, 2015.

**24030102 and NPDES Permit No. PA0242322. Rosebud Mining Company** (301 Market Street, Kittanning,

PA 16201) Transfer of an existing bituminous surface mine and associated NPDES permit from AMFIRE Mining Company, LLC in Fox Township, **Elk County**, affecting 172.5 acres. Receiving streams: Unnamed tributary No. 1 to Mill Run. Application received: January 13, 2015. Permit Issued: April 7, 2015.

**24030103. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) Transfer of an existing bituminous surface mine from AMFIRE Mining Company, LLC in Horton Township, **Elk County**, affecting 581.1 acres. Receiving streams: Johnson Run and unnamed tributaries to Johnson Run, Oyster Run and unnamed tributaries to Oyster Run. Application received: January 8, 2015. Permit Issued: April 7, 2015.

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

**03803044 and NPDES Permit No. PA0126375. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Permit renewal issued for continued operation and reclamation to an existing bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 97.9 acres. Receiving streams: unnamed tributaries to Limestone Run. Application received: April 23, 2014. Permit issued: April 10, 2015.

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

**Permit No. 40990202R3. HUD, Inc. t/a Emerald Anthracite II,** (PO Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation for reclamation activities only in Newport and Hanover Townships, **Luzerne County** affecting 104.2, receiving stream: Nanticoke Creek. Application received: April 15, 2014. Renewal issued: April 7, 2015.

**Permit No. 49870201R5. Susquehanna Coal Company,** (PO Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 206.0 acres, receiving stream: North Branch Shamokin Creek. Application received: July 30, 2014. Renewal issued: April 7, 2015.

**Permit No. 49870201GP104. Susquehanna Coal Company,** (PO Box 27, Nanticoke, PA 18634), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49870201 in Mt. Carmel Township, **Northumberland County**, receiving stream: North Branch Shamokin Creek. Application received: July 30, 2014. Permit issued: April 7, 2015.

### *Noncoal Permits Issued*

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

**18080801. Daniel J. Stoltzfus** (125 McHenry Lane, Mill Hall, PA 17751). Final bond release for a small industrial minerals surface mine located in Lamar Township, **Clinton County**. Restoration of 0.5 acre completed. Receiving stream(s): Unnamed Tributary to Chub Run to Long Run. Application received: March 23, 2015. Final bond release approved: April 9, 2015.

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

**Permit No. 40142801. George D. Larock** (101 Church Road, Sugarloaf, PA 18249), Commencement, operation and restoration of a quarry operation in Black Creek Township, **Luzerne County** affecting 5.0 acres,



receiving stream: Black Creek. Application received: October 21, 2014. Permit issued: April 13, 2015.

**Permit No. 40142801GP104. George D. Larock** (101 Church Road, Sugarloaf, PA 18249), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40142801 in Black Creek Township, **Luzerne County**, receiving stream: Black Creek. Application received: October 21, 2014. Permit issued: April 13, 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*

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

**24154002. Precision Geophysical, Inc.** (2695 State Route 83 South, Millersburg, OH 44654) Blasting activity permit to conduct seismic exploration in Jones Township, **Elk County**. This blasting activity permit expires on August 8, 2015. Permit Issued: April 7, 2015.

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

**59154001. Precision Geophysical, Inc.** (2695 SR 83 South, Millersburg, OH 44654). Blasting for seismic exploration located in Clymer Township, **Tioga County** with expiration date of December 31, 2015. Permit issued: April 6, 2015.

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

**63154001. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Washington 2 Landfill, located in Chartiers Township, **Washington County** with an exploration date of April 1, 2016. Blasting permit issued: April 8, 2015.

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

**Permit No. 36154111. J Roy's, Inc.,** (P. O. Box 125, Bowmansville, PA 17507), construction blasting at 128 Roundtop Drive, East Hempfield Township, **Lancaster County** with an expiration date of April 6, 2016. Permit issued: April 7, 2015.

**Permit No. 35154102. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Valley View Business Park in Archbald and Jessup Boroughs, **Lackawanna County** with an expiration date of April 7, 2016. Permit issued: April 8, 2015.

**Permit No. 06154102. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stonecroft Village in Marion Township, **Berks County** with an expiration date of March 31, 2016. Permit issued: April 9, 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

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

**E09-989. Plumstead Township,** 5186 Stump Road, Plumsteadville, PA 18949, Plumstead Township, **Bucks County**, ACOE Philadelphia District.

To modify, construct and maintain miscellaneous activities at Owl's Nest Park within the floodplain of the North Branch Neshaminy Creek (WWF). The activities includes educational trail, improvement to parking area, repairs to non-jurisdictional pond/dam, a pedestrian bridge, (Approximate 55 feet wide by 5.3 feet high, and 10 feet length), and installation of an outdoor classroom etc.

The site is located approximately 500 feet southeast of the intersection of Curley Hill Road and Silo Hill Road (Doylestown, PA, USGS Quadrangle, Latitude: 40.3619; Longitude: -75.1478).



The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E46-1114. Upper Providence Township**, 1286 Black Rock Road, P. O. Box 406, Oaks, PA 19456, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

To demolish the existing two-story dwelling that is located in the 100-year floodplain of the Schuylkill River.

The site is located at 209 Canal Street (Collegeville, PA USGS map, Lat.: 40:7448; Long. -75.2944).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

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

**E14-558. Patton Township**, 100 Patton Plaza, State College, PA 18803-2304. Waddle Road improvements in Patton Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle N: 40°49'12.55"; W: -77°54'04.30").

To construct and maintain: 1) a 8-foot by 5-foot by 78-foot long reinforced concrete culvert extension at a 30-degree skew to the existing inlet end of a 8-foot by 5-foot by 150-foot 3-inch long reinforced concrete culvert, 2) temporarily impact 50 linear feet of the unnamed tributary to Spring Creek, 3) permanently realign 122 linear feet of the unnamed tributary to Spring Creek to accommodate road widening on Waddle Road located between Toftrees Avenue and I-99. This permit also includes 401 Water Quality Certification.

**E41-662. UGI Penn Natural Gas, Inc.**, One UGI Center, Wilkes-Barre, PA 18711-0600. Pennsdale Gate Station Fence Project in Muncy Township, **Lycoming County**, ACOE Baltimore District (Huntersville, PA Quadrangle Lat: 41° 16' 40"; Long: -76° 47' 46").

To construct and maintain a 6-foot chain link fence around an existing natural gas gate station owned by UGI Penn Natural Gas. The fence will be topped with 3 strands of barbed wire. The total perimeter of the fence line is approximately 634 feet in length in Muncy Township—Lycoming County, which is located within the floodway/floodplain of Carpenters Run.

The project proposes to construct approximately 60 posts with chain link fence. The bore holes will be 12 to 18 inches in diameter below existing grade. The proposed improvements will not have any effect on the floodway, which is located on Carpenters Run and is classified as Warm Water Fishery (WWF) waterway. The proposed modifications will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites.

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

**E5829-096.** Harmony and Oakland Townships, and Lanesboro Borough, **Angelina Gathering Company, LLC**; 2350 North Sam Houston Parkway E, Suite 125, Houston, TX 77032; Harmony and Oakland Townships, and Lanesboro Borough, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 20 inch diameter steel natural gas pipeline floodway crossing impacting 5,247 square feet of unnamed tributary to Susquehanna River (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 58' 11" Lat., W -75° 36' 38" Long.),

2) a temporary access road floodway crossing impacting 13,280 square feet of unnamed tributary to Susquehanna River (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 57' 48" Lat., W -75° 35' 38" Long.),

3) a 20 inch diameter steel natural gas pipeline crossing impacting 197 lineal feet of unnamed tributary to Susquehanna River (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 57' 54" Lat., W -75° 35' 21" Long.),

4) a 20 inch diameter steel natural gas pipeline crossing impacting 347 lineal feet of the Susquehanna River (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 57' 55" Lat., W -75° 35' 27" Long.),

5) a 20 inch diameter steel natural gas pipeline crossing impacting 50 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 57' 56" Lat., W -75° 35' 21" Long.),

6) a 20 inch diameter steel natural gas pipeline and timber bridge crossing impacting 3 lineal feet of an unnamed tributary to Pigpen Creek (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 58' 11" Lat., W -75° 34' 27" Long.),

7) a 20 inch diameter steel natural gas pipeline and timber mat crossing impacting 1,401 square feet (0.03 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 57' 56" Lat., W -75° 35' 21" Long.),

8) a 20 inch diameter steel natural gas pipeline and timber mat crossing impacting 695 square feet (0.02 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 18" Lat., W -75° 34' 20" Long.),

9) a timber mat crossing impacting 321 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 21" Lat., W -75° 34' 16" Long.),

10) a 20 inch diameter steel natural gas pipeline and timber bridge crossing impacting 2 lineal feet of an unnamed tributary to Pigpen Creek (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 51" Long.),

11) right of way impacting 1 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 51" Long.),

12) a timber mat crossing impacting 91 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 51" Long.),

13) a 20 inch diameter steel natural gas pipeline and timber bridge crossing impacting 20 lineal feet of Pigpen Creek (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 51" Long.),

14) a 20 inch diameter steel natural gas pipeline and timber mat crossing impacting 469 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 51" Long.),

15) a 20 inch diameter steel natural gas pipeline and timber mat crossing impacting 2,663 square feet (0.06 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 38" Lat., W -75° 33' 48" Long.),

16) a 20 inch diameter steel natural gas pipeline and timber bridge crossing impacting 4 lineal feet of an

unnamed tributary to Pigpen Creek (CWF-MF) (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 46" Long.),

17) a 20 inch diameter steel natural gas pipeline and timber mat crossing impacting 420 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 46" Long.),

18) a timber mat crossing impacting 796 square feet (0.02 acre) of PEM wetlands (Susquehanna, PA Quadrangle; N 41° 58' 37" Lat., W -75° 33' 44" Long.).

The project consists of constructing approximately 4.62 miles of 20" steel natural gas gathering pipeline within a 50' permanent right of way located in Harmony and Oakland Townships, and Lanesboro Borough, Susquehanna County. The project will result in 934 lineal feet of temporary stream impacts and 0.16 acre of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

**E5829-048 Amendment #2;** Gibson Township, **Williams Field Services Company, LLC;** Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Gibson Township, **Susquehanna County,** ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16-inch natural gas pipeline and timber bridge crossing impacting 37 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 07" Lat., W -75° 37' 35" Long.),

2) a 16-inch natural gas pipeline and timber bridge crossing impacting 90 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 07" Lat., W -75° 37' 35" Long.),

3) a 16-inch natural gas pipeline and timber bridge crossing impacting 35 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 29" Long.),

4) a 16-inch natural gas pipeline and timber bridge crossing impacting 41 lineal feet of Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 27" Long.),

5) a 16-inch natural gas pipeline and timber bridge crossing impacting 101 lineal feet of an unnamed tributary to Bell Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 24" Long.),

6) a 16-inch natural gas pipeline and timber mat impacting 32,234 square feet (0.74 acre) of a PSS wetland (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 31" Long.),

7) a 16-inch natural gas pipeline and timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 17" Lat., W -75° 36' 37" Long.),

8) a 16-inch natural gas pipeline and timber bridge crossing impacting 78 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 50" Lat., W -75° 36' 00" Long.),

9) a 16-inch natural gas pipeline and timber bridge crossing impacting 108 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 55" Lat., W -75° 35' 54" Long.),

10) a 16-inch natural gas pipeline and timber bridge crossing impacting 89 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 46' 58" Lat., W -75° 35' 57" Long.),

11) a 16-inch natural gas pipeline and timber bridge crossing impacting 81 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 09" Lat., W -75° 35' 54" Long.),

12) a 16-inch natural gas pipeline and timber bridge crossing impacting 50 lineal feet of Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 11" Long.),

13) a 16-inch natural gas pipeline and timber bridge crossing impacting 81 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 08" Long.),

14) a 16-inch natural gas pipeline and timber bridge crossing impacting 59 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF-MF) (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 06" Long.),

15) a 16-inch natural gas pipeline and timber mat crossing impacting 2,178 square feet (0.05 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 46' 55" Lat., W -75° 35' 54" Long.),

16) a timber mat crossing impacting 871 square feet (0.02 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 46' 59" Lat., W -75° 35' 58" Long.),

17) a 16-inch natural gas pipeline and timber mat crossing impacting 16,117 square feet (0.37 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 47' 33" Lat., W -75° 35' 37" Long.),

18) a 16-inch natural gas pipeline and timber mat crossing impacting 871 square feet (0.02 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 11" Long.),

19) a 16-inch natural gas pipeline and timber mat crossing impacting 14,810 square feet (0.34 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 47' 41" Lat., W -75° 35' 07" Long.),

20) a dry stone masonry wall impacting 180 square feet (<0.01 acre) of PSS wetland (Thompson, PA Quadrangle; N 41° 46' 06" Lat., W -75° 37' 22" Long.).

The project consists of constructing approximately 4.5 miles of 16" natural gas gathering line from the Reilly J. well pad routed to the Southwest to the Davis pipeline in Gibson Township, Susquehanna County. Amendment #2 has been submitted to modify the permit for impact #20 to include a stone masonry wall within a previously permitted wetland crossing. No other modifications or changes result from prior approvals, for this amendment. The project includes 833 lineal feet of stream impacts, 0.46 acre of temporary wetland impacts, and 0.81 acre of permanent wetland conversion impacts, all for the conveyance of Marcellus Shale natural gas to market.

**E5829-095;** Auburn, Dimock, and Springville Townships, **Williams Field Services Company, LLC;** Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Auburn, Dimock, and Springville Townships, **Susquehanna County,** ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 32 lineal feet of Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 43", Longitude: -76° 01' 33"),

2) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting the 24 lineal feet of the floodway of Dority Creek

(CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 43", Longitude: -76° 01' 33"),

3) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 6 lineal feet of a unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 50", Longitude: -76° 01' 18"),

4) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting the 33 lineal feet of the floodway of a unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 43", Longitude: -76° 01' 33"),

5) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 6 lineal feet of a unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 52", Longitude: -76° 01' 07"),

6) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 3 lineal feet of a unnamed tributary to Nick Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 11", Longitude: -76° 01' 04"),

7) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 16 lineal feet of Nick Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 14", Longitude: -76° 00' 47"),

8) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,441 square feet (0.03 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Latitude: 41° 41' 16", Longitude: -76° 00' 43"),

9) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 9 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 30", Longitude: -76° 00' 10"),

10) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 32 lineal feet of Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 31", Longitude: -75° 59' 54"),

11) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,354 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 31", Longitude: -75° 59' 54"),

12) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 844 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 31", Longitude: -75° 59' 54"),

13) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 15,620 square feet (0.36 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 27", Longitude: -75° 59' 41"),

14) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 3 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 29", Longitude: -75° 59' 30"),

15) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting

9,632 square feet (0.22 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 29", Longitude: -75° 59' 30"),

16) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,614 square feet (0.11 acre) of a PSS wetland (Springville, PA Quadrangle; Latitude: 41° 41' 29", Longitude: -75° 59' 30"),

17) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 12,384 square feet (0.28 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 36", Longitude: -75° 59' 21"),

18) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 11,013 square feet (0.25 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 39", Longitude: -75° 59' 17"),

19) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 18 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 59' 05"),

20) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 15,975 square feet (0.37 acre) of a PSS wetland (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 59' 05"),

21) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,061 square feet (0.14 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 59' 05"),

22) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 158 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 54"),

23) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 4 lineal feet of a unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 52"),

24) a temporary timber mat crossing impacting 6 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 52"),

25) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,767 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16"),

26) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 787 square feet (0.02 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16"),

27) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 9,602 square feet (0.22 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16"),

28) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting



9 lineal feet of a unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16"),

29) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 7 lineal feet of a unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 58' 02"),

30) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,600 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 58' 02"),

31) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,551 square feet (0.17 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 58' 02"),

32) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,157 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 57' 57"),

33) a temporary timber mat crossing impacting 668 square feet (0.01 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 05", Longitude: -75° 57' 57"),

34) a temporary timber mat crossing impacting 929 square feet (0.02 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 00", Longitude: -75° 57' 09"),

35) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,366 square feet (0.08 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 57' 07"),

36) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 54 lineal feet of White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 06", Longitude: -75° 56' 58"),

37) a temporary timber mat crossing impacting 1,323 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 56' 50"),

38) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,846 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 11", Longitude: -75° 56' 48"),

39) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,576 square feet (0.13 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 56' 48"),

40) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,517 square feet (0.10 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 13", Longitude: -75° 56' 47"),

41) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,319 square feet (0.17 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44"),

42) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,911 square feet (0.04 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44"),

43) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,315 square feet (0.14 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44"),

44) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 4 lineal feet of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 56' 44"),

45) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 49 lineal feet of White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 30", Longitude: -75° 56' 45"),

46) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 638 square feet (0.01 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 31", Longitude: -75° 56' 46"),

47) a temporary timber mat crossing impacting 1,964 square feet (0.05 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 32", Longitude: -75° 56' 47"),

48) a temporary timber mat crossing impacting 1,232 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 48", Longitude: -75° 56' 48"),

49) a temporary timber mat crossing impacting 1,511 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 42' 53", Longitude: -75° 56' 46"),

50) a temporary timber mat crossing impacting 1,956 square feet (0.04 acre) of a PUB wetland (Springville, PA Quadrangle; Latitude: 41° 41' 38", Longitude: -75° 59' 18"),

51) a temporary timber bridge crossing impacting 65 lineal feet of the floodway of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 30", Longitude: -75° 56' 45"),

52) a temporary timber bridge crossing impacting 40 lineal feet of the floodway of an unnamed tributary to Dority Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 40' 51", Longitude: -76° 01' 15"),

53) a temporary timber bridge crossing impacting 201 lineal feet of the floodway of an unnamed tributary to Nick Creek (CWF-MF) (Auburn Center, PA Quadrangle; Latitude: 41° 41' 14", Longitude: -76° 00' 55"),

54) a temporary timber bridge crossing impacting 287 lineal feet of the floodway of an unnamed tributary to Riley Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 41' 27", Longitude: -75° 59' 41"),

55) a temporary timber bridge crossing impacting 71 lineal feet of the floodway of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16").



The project consists of constructing approximately 6.8 miles of 16" steel natural gas gathering line located in Auburn, Dimock, and Springville Townships, Susquehanna County, connecting the Shields Compressor Station and the Anderson Dehydration Station. The project will result in 1,305 lineal feet of temporary stream impacts, 0.34 acre of floodway only impacts, 106,982 square feet (2.46 acres) of temporary wetland impacts, and 33,699 square feet (0.77 acre) of permanent wetland conversion all for the purpose of conveying Marcellus Shale natural gas to market.

**E5829-097: Brooklyn Township, Williams Field Services Company, LLC;** Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Brooklyn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) an 8 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 120 square feet (0.01 acre) of a PFO wetland (Montrose—East, PA Quadrangle; Latitude: 41° 47' 18", Longitude: -75° 48' 29"),

2) an 8 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,700 square feet (0.18 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 47' 18", Longitude: -75° 48' 30"),

3) an 8 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 50 lineal feet of a unnamed tributary to Hop Bottom Creek (CWF-MF) (Montrose—East, PA Quadrangle; Latitude: 41° 47' 23", Longitude: -75° 48' 49"),

4) an 8 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,750 square feet (0.04 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 47' 23", Longitude: -75° 48' 49"),

5) an 8 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 500 square feet (0.01 acre) of a PEM wetland (Montrose—East, PA Quadrangle; Latitude: 41° 47' 22", Longitude: -75° 48' 59").

The project consists of constructing approximately 0.88 mile of 8" steel natural gas gathering line located in Brooklyn Township, Susquehanna County, connecting the Diaz Well Pad to the Teddick Pipeline. The project will result in 50 lineal feet of temporary stream impacts, 9,950 square feet (0.23 acre) of temporary wetland impacts, and 120 square feet (< 0.01 acre) of permanent wetland conversion for the purpose of providing safe and reliable conveyance of Marcellus Shale natural gas to market.

**E5729-077: Appalachia Midstream Services, LLC,** 400 1st Center, Suite 400, Horseheads, NY, 14845 Elkland Township, **Sullivan County**, USACE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing using timber mats and an 6-inch diameter well line impacting 878 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°31'42"N, 76°40'47"W);

(2) A temporary road crossing using timber mats and an 6-inch diameter well line impacting 226 linear feet of

an unnamed tributary to Elk Creek (EV) (Dushore, PA Quadrangle 41°31'43"N, 76°40'50"W);

(3) A temporary road crossing using timber mats and an 6-inch diameter well line impacting 11,424 square feet of an exceptional value palustrine scrub shrub/emergent (EV-PSS/PEM) wetland and 33 linear feet of an unnamed tributary to Elk Creek (EV) (Dushore, PA Quadrangle 41°31'46"N, 76°40'53"W).

The project will result in 12,302 square feet of temporary wetland impacts and approximately 259 linear feet of temporary stream impacts for the purpose of installing a well line for Marcellus Shale gas development in Elkland Township, Sullivan County.

#### 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.*

**D39-127EA. Robert Stiffler, Director,** Lehigh County Parks and Recreation Office, 260 South Cedarbrook Road, Allentown, PA 18104. North Whitehall Township, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove the Trexler Nature Preserve Dam for the purpose of eliminating a threat to public safety and restoring approximately 150 feet of stream channel to a free-flowing condition. The project is located across Jordan Creek (TSF, MF) (Slatedale, PA Quadrangle, Latitude: 40.6621; Longitude: -75.6262).

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

*Lawrence County Conservation District, Lawrence Co. Government Ctr, 430 Court Street, New Castle, PA 16101.*

<i>ESCGP -2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG00 0073 14 001	NRG Power Midwest LP Mr. Ethan Russell PO Box 325 2189 Rt. 168 South West Pittsburgh, PA 16160	Lawrence	Taylor and North Beaver Townships	McKee Run, Beaver and UNT Hickory Run (WWF, TSF)
<hr/>				
<i>Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.</i>				
ESCGP-2 #ESG15-019-0003	Angert Gas Pipeline Applicant Mountain Gathering, LLC Contact Dewey Chalos Address 810 Houston Street City Fort Worth State TX Zip Code 76102 County Butler Township(s) Donegal(s) Receiving Stream(s) and Classification(s) UNT to Buffalo Creek, Buffalo Creek, Allegheny River HQ-CWF			
<i>Eastern Region: Oil &amp; Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
ESCGP-2 # ESX09-027-0003(01)	Applicant Name Anadarko E&P Onshore LLC Contact Person Rane Wilson Address 33 W Third St, Suite 200 City, State, Zip Williamsport, PA 17701 County Centre Township(s) Boggs & Snowshoe Receiving Stream(s) and Classification(s) Council Run (CWF, MF), UNT to Council Run (CWF, MF) Secondary—Beech Creek (CWF, MF), Council Run (CWF, MF)			
ESCGP-2 # ESX10-015-0115(01)	Applicant Name Chesapeake Appalachia LLC Contact Person Eric Haskins Address 14 Chesapeake Lane City, State, Zip Sayre, PA 18840 County Bradford Township(s) Wysox Receiving Stream(s) and Classification(s) Surface Drain- age to Laning Creek (WWF, MF) Secondary—Susquehanna River (CWF, MF)			
ESCGP-2 # ESX29-081-15-0010	Applicant Name XTO Energy Inc Contact Person Stacey Vehovic Address 395 Airport Rd City, State, Zip Indiana, PA 15701 County Lycoming Township(s) Franklin Receiving Stream(s) and Classification(s) Beaver Run (CWF) Secondary—Little Muncy Creek			
ESCGP-2 # ESG29-081-15-0009	Applicant Name Anadarko E&P Onshore LLC Contact Person Rane Wilson Address 33 W Third St, Suite 200 City, State, Zip Williamsport, PA 17701 County Lycoming Township(s) Cascade Receiving Stream(s) and Classification(s) Slacks Run (HQ-CWF, MF), UNT Slacks Run (HQ-CWF, MF) Secondary—Lycoming Creek (EV-CWF), Slacks Run (HQ-CWF, MF)			
ESCGP-2 # ESX10-131-0006(01)	Applicant Name Chesapeake Appalachia LLC Contact Person Eric Haskins Address 14 Chesapeake Lane City, State, Zip Sayre, PA 18840 County Wyoming Township(s) Washington Receiving Stream(s) and Classification(s) UNT Meshop- pen Creek (CWF, MF) Secondary—Meshoppen Creek (CWF, MF)			
ESCGP-2 # ESX13-115-0121(01)	Applicant Name Cabot Oil & Gas Corp Contact Person Kenneth Marcum Address Five Penn Center West, Suite 401 City, State, Zip Pittsburgh, PA 15276 County Susquehanna Township(s) Dimock Receiving Stream(s) and Classification(s) UNT to White Creek (CWF, MF) West Creek (CWF, MF) Secondary—West Creek (CWF, MF)			
ESCGP-2 # ESX11-081-0159(01)	Applicant Name EXCO Resources PA, LLC Contact Person Brian Rushe Address 260 Executive Drive, Suite 100 City, State, Zip Cranberry Twp, PA 16066 County Lycoming Township(s) Plunketts Creek Receiving Stream(s) and Classification(s) Bear Creek—EV Secondary—Loyalsock Creek			
ESCGP-2 # ESX29-015-15-0008	Applicant Name Appalachia Midstream Svcs LLC Contact Person Randy DeLaune Address 400 IST Center, Suite 404 City, State, Zip Horseheads, NY 14845 County Bradford Township(s) Rome Receiving Stream(s) and Classification(s) UNT to Johnson Creek (CWF) Secondary—Wysox Creek (CWF)			
ESCGP-2 # ESX10-115-0004(01)	Applicant Name Chesapeake Appalachia LLC Contact Person Eric Haskins Address 14 Chesapeake Lane City, State, Zip Sayre, PA 18840 County Susquehanna Township(s) Auburn Receiving Stream(s) and Classification(s) UNT Riley Creek (CWF-MF) Secondary—Riley Creek (CWF-MF)			
ESCGP-2 # ESX10-015-0035(01)	Applicant Name Chesapeake Appalachia LLC Contact Person Eric Haskins Address 14 Chesapeake Lane City, State, Zip Sayre, PA 18840 County Bradford Township(s) Leroy Receiving Stream(s) and Classification(s) Wallace Brook (CWF-MF) Secondary—Towanda Creek (TSF-MF)			

ESCGP-2 # ESX10-081-0036(01)  
 Applicant Name XTO Energy Inc  
 Contact Person Stacey Vehovic  
 Address 395 Airport Rd  
 City, State, Zip Indiana, PA 15701  
 County Lycoming  
 Township(s) Franklin  
 Receiving Stream(s) and Classification(s) Derr Run to  
 Little Muncy Creek (CWF, MF)  
 Secondary—Little Muncy Creek

ESCGP-2 # ESX11-081-0076(01)  
 Applicant Name XTO Energy Inc  
 Contact Person Stacey Vehovic  
 Address 395 Airport Rd  
 City, State, Zip Indiana, PA 15701  
 County Lycoming  
 Township(s) Franklin  
 Receiving Stream(s) and Classification(s) UNT to Little  
 Muncy Creek (CWF, MF)  
 Secondary—Little Muncy Creek

*Southwest Region: Oil & Gas Program Mgr. 400 Water-  
 front Dr. Pittsburgh, PA.*

ESCGP-2 No.: ESX15-129-0002  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person Alex Genovese  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Westmoreland Township: South Huntingdon  
 Receiving Stream(s) and Classifications: UNTs to  
 Youghiogheny River (WWF); Other WWF

ESCGP-2 No.: ESX15-007-0005  
 Applicant Name: PennEnergy Resources LLC  
 Contact Person: Gregg A Stewart  
 Address: 1000 Commerce Drive Park Place One Suite 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Beaver Township(s): New Sewickley & Marion  
 Receiving Stream(s) and Classifications: UNTs to Brush  
 Creek; Other WWF

ESCGP-2 No.: ESG14-059-0071  
 Applicant Name: Vantage Energy Appalachia II LLC  
 Contact Person: John Moran  
 Address: 116 Inverness Drive East Suite 107  
 City: Englewood State: CO Zip Code: 80112  
 County: Greene Township(s): Morris  
 Receiving Stream(s) and Classifications: UNTs to Browns  
 Creek/Watershed; HQ

ESCGP-2 No.: ESG14-059-0097  
 Applicant Name: PA Land Resources LLC DBA PL Re-  
 sources LLC  
 Contact Person: Nick Mongelluzzo  
 Address: PO Box 247  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Greene Township(s): Franklin  
 Receiving Stream(s) and Classifications: UNT to Smith  
 Creek (WWF)/South Fork Tenmile Creek; UNT to  
 Pursley Creek (HQ-WWF)/South Fork Tenmile  
 Creek; HQ; Other WWF

ESCGP-2 No.: ESG14-125-0088  
 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): Peters/Nottingham/  
 Union  
 Receiving Stream(s) and Classifications: UNTs to Peters  
 Creek TSF, Peters Creek TSF, UNTs to Mingo Creek  
 HQ-TSF/Middle Monongahela River Watershed; HQ;  
 Other TSF

ESCGP-2 No.: ESX15-007-0007  
 Applicant Name: Cardinal PA Midstream LLC  
 Contact Person: Tommy D Baskin  
 Address: 8150 North Central Expressway, Suite 1725  
 City: Dallas State: TX Zip Code: 75206  
 County: Beaver Township(s): New Sewickley/Marion  
 Receiving Stream(s) and Classifications: Trib 34799 to  
 Brush Creek; UNTs to Brush Creek; Other WWF

ESCGP-2 No.: ESG15-125-0003  
 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, South  
 Straban  
 Receiving Stream(s) and Classifications: UNTs to Opos-  
 sum Run (HQ-WWF), Opossum Run (HQ-WWF), UNTs  
 to Little Chartiers Creek (HQ-WWF) Little Chartiers  
 Creek (HQ-WWF), UNT to Center Branch Pigeon Creek  
 (WWF); HQ; Other WWF

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## SPECIAL NOTICES

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### **Hatfield's Ferry Power Station: Coal Combustion Landfill; Monongahela Township, Greene County; Notice of Public Meeting**

*Southwest Region: Waste Management Program Man-  
 ager, 400 Waterfront Drive, Pittsburgh, PA 15222.*

The Pennsylvania Department of Environmental Pro-  
 tection (DEP) currently has under review an application  
 for the modification of solid waste permit No. 300370 for  
 Hatfield's Ferry Power Station Coal Combustion  
 Byproduct Landfill ("Hatfield CCB Landfill"), which is  
 owned and operated by Allegheny Energy Supply  
 Company/FirstEnergy Generation, LLC's (FirstEnergy)  
 and is located in Monongahela Township in Greene  
 County, Pennsylvania. The application proposes disposal  
 at the "Hatfield CCB Landfill" of coal combustion  
 byproduct (CCB) waste transported by barge from the  
 FirstEnergy, Bruce Mansfield Power Station, located in  
 Shippingport Borough, Beaver County.

As a part of the application review process, DEP has  
 scheduled a public meeting for May 21, 2015 to be held  
 from 6 p.m. to 8 p.m. at the Carmichaels Junior/Senior  
 High School Building, 300 W Greene St, Carmichaels, PA  
 15320.

The meeting is intended to allow for public participa-  
 tion on the application.

Copies of the application are available for review or  
 copying at the DEP Southwest Regional Office between  
 the hours of 8 a.m. and 4 p.m. It is advisable to call  
 ahead for an appointment at telephone number  
 412.442.4000 for review and copying to assure proper  
 assistance. The Department may charge a fee for copying.

### **Drinking Water State Revolving Fund**

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### **Special Notice Special Notice Under the federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f, et. seq.**

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

#### *Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Ashland Area Municipal Authority	401 S. 18th St. Ashland, PA 17921	Schuylkill County



*Project Description:*

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Ashland Area Municipal Authority is proposing to modify the Ashland reservoir dam across Little Mahanoy Creek in Butler Township, Schuylkill County. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment for the proposed project.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Hazleton City Authority	400 E. Arthur Gardner Parkway Hazleton, PA 18201-7395	Luzerne & Carbon County

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project, known as the Hazleton City Authority (HCA) Water Meter Replacement/AMR Project. HCA proposes undertaking a meter replacement project to replace existing, aging and obsolete meters in their existing system. The Department's review of the project and the information received for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves a Categorical Exclusion for the project.

[Pa.B. Doc. No. 15-776. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Bid Opportunity**

**OSM 11(0824)101.1, Abandoned Mine Reclamation Project, Carrolltown Road No. 1, West Carroll Township, Cambria County.** The principal items of work and approximate quantities include mobilization and demobilization, implementation of the erosion and sedimentation control plan, grading 339,751 cubic yards, seeding 24 acres and trees 21,360. This bid issues on May 8, 2015, and bids will be opened on June 4, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-777. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Bid Opportunity**

**OSM 16(2825)101.1, Abandoned Mine Reclamation Project, Spaces Corner, Redbank Township, Clarion County.** The principal items of work and approximate quantities include mobilization and demobilization, implementation of the erosion and sedimentation control plan,

clearing and grubbing, grading 44,520 cubic yards, existing access road 1,040 linear feet, blading 3.5 acres, ditch excavation 325 cubic yards, high velocity erosion control mulch blanket 500 square yards, R-5 rock lining with filter material 380 tons, 24" diameter smooth interior corrugated polyethylene pipe 40 linear feet, subsurface drain 507 linear feet, seeding 6 acres and trees 4,080, and bat gate and tunnel. This bid issues on May 8, 2015, and bids will be opened on June 4, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-778. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Bid Opportunity**

**OOGM 13-8R2, Cleaning Out and Plugging One Abandoned Gas Well (Kenneth R. Eppley and Lynn L. Brillhart Property), Benezette Township, Elk County.** The principal items of work and approximate quantities are to clean out and plug one abandoned gas well, estimated to be 7,200 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites/site; and to mobilize and demobilize plugging equipment. This project issues on April 24, 2015, and bids will be opened on June 2, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held on May 15, 2015, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-779. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Bid Opportunity**

**OOGM 14-3R2, Cleaning Out and Plugging One Abandoned Gas Well (Mr. and Mrs. Charles Dewing Property), Orwell Township, Bradford County.** The principal items of work and approximate quantities are to clean out and plug one abandoned gas well, estimated to be 4,420 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites/site; and to mobilize and demobilize plugging equipment. This project issues on April 24, 2015, and bids will be opened on June 2, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held on May 8, 2015, at 11 a.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-780. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Interstate Pollution Transport Reduction; Final 2015 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice of the final Nonelectric Generating Unit (non-EGU) 2015 Ozone Season Nitrogen Oxide (NO<sub>x</sub>) emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO<sub>x</sub> trading programs).

Notice of the proposed NO<sub>x</sub> emission limitations was published at 45 Pa.B. 1451 (March 21, 2015) to allow for a 15-day public comment period, which closed on April 5, 2015. The Department did not receive any comments on the notice during the public comment period. Therefore, no changes were made to the proposed limits.

In this notice, the NO<sub>x</sub> emissions cap provides 181 tons of NO<sub>x</sub> emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NO<sub>x</sub> Budget Trading Program; emissions from these units were below the 25-ton exemption threshold. Adjustments were also made for the permanent retirement of NO<sub>x</sub> allowances due to generation of emission reduction credits. The Department will also use a portion of the 181 tons of the budgeted NO<sub>x</sub> emissions, if necessary, to address mistakes or miscalculations. This year, the Department is proposing to use 71 tons of the 181 tons of NO<sub>x</sub> for account adjustments, leaving 110 tons available for any additional adjustments at the end of the control period.

The Department made accounting adjustments for the following facilities:

*Retired Units:* Naval Surface Warfare Division Unit 98; Shenango Units Nos. 6 and 9 (the generation of emission offsets for small non-NO<sub>x</sub> Budget Trading Program units resulted in a permanent NO<sub>x</sub> accounting adjustment of 45 tons).

*Exempt Units:* The Naval Surface Warfare Division (Unit 100) has a 25-ton NO<sub>x</sub> permit limit. The Naval Surface Warfare Division (Unit 99) has a 1-ton NO<sub>x</sub> permit limit. These two exempt status units account for a total adjustment of 26 tons of NO<sub>x</sub> emissions.

*Change in Status Units:* Entriaken Compressor Station (Unit 31601) had previously operated under a 25-ton exemption, but was authorized by a plan approval (31-05019A) issued December 30, 2013, extended April 11, 2014, and has another extension pending, to remove the

exemption upon start-up of the Continuous Emission Monitoring System (CEMS). Armagh Compressor Station (Unit 31301) had previously operated under a 25-ton exemption, but was authorized by a plan approval (32-00230B) issued April 2, 2014, and modified December 16, 2014, to remove the exemption upon start-up of the CEMS. The Entriaken and Armaugh units listed no longer fall into the exempt units category, subjecting both units to the NO<sub>x</sub> Budget requirements in 25 Pa. Code Chapter 145 (relating to interstate pollution transport reduction).

“Table 1: Final Non-EGU 2015 Ozone Season NO<sub>x</sub> Emission Limits” lists the following: the facility name; ORIS code; the unit ID for each non-EGU unit; the operating year; the heat input for the 2014 Ozone Season; the calculated 2015 rate; and the 2015 Ozone Season limit.

Persons aggrieved by an action may appeal, 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), 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, 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.

Questions concerning this notice should be directed to Randy Bordner, (717) 772-3921, [ranbordner@pa.gov](mailto:ranbordner@pa.gov).

JOHN QUIGLEY,  
*Acting Secretary*

**Table 1: Final Non-EGU 2015 Ozone Season NO<sub>x</sub> Emission Limits**

Facility Name	ORIS Code	Unit ID	NO <sub>x</sub> Rate lb/MMBtu	2014 NO <sub>x</sub> Mass Tons	Heat Input MMBtu	County	2015 Rate (lbs/ MMBtu)	2015 OS Limit (Tons NO <sub>x</sub> )
Armagh Compressor Station	880071	31301	0	0	-	Indiana	0.252	0
Bernville Station	880049	32001	0	0	-	Berks	0.252	0
Domtar Paper Company, LLC	54638	40	0.347	145.99	859,679.62	Elk	0.252	108

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>2014 NO<sub>x</sub> Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2015 Rate (lbs/ MMBtu)</i>	<i>2015 OS Limit (Tons NO<sub>x</sub>)</i>
Domtar Paper Company, LLC	54638	41	0.347	149.26	868,483.37	Elk	0.252	109
Entriken Compressor Station	880072	31601	0	0	-	Huntingdon	0.252	0
FPL Energy MH50	50074	1	1.2438	0.835	2,288.30	Delaware	0.252	0
FPL Energy Marcus Hook, LP	55801	AB01	0	0	-	Delaware	0.252	0
FPL Energy Marcus Hook, LP	55801	AB02	0	0	-	Delaware	0.252	0
FPL Energy Marcus Hook, LP	55801	AB03	0.0195	6.557	668,219.69	Delaware	0.252	84
FPL Energy Marcus Hook, LP	55801	AB04	0.0205	2.333	224,823.64	Delaware	0.252	28
Honeywell Resins & Chemicals, LLC	880007	52	0.0799	34.101	853,334.84	Philadelphia	0.252	107
Kimberly-Clark Tissue Company	50410	34	1.5012	3.342	4,452.90	Delaware	0.252	1
Kimberly-Clark Tissue Company	50410	35	0.0713	86.222	2,430,975.15	Delaware	0.252	306
Martins Creek	3148	aux 4	0	0	-	0	0.000	0
Merck & Company—West Point	52149	39	0.0803	14.957	373,150.09	Montgomery	0.252	47
Merck & Company—West Point	52149	40	0.0241	18.962	1,567,325.18	Montgomery	0.252	197
Naval Surface Warfare Division	880009	98	0	0	retired	0	0.000	0
Naval Surface Warfare Division	880009	99	0	0	25 ton exemption (limit 1 ton)	0	0.000	0
Naval Surface Warfare Division	880009	100	0	0	25 ton exemption (limit 25 ton)	0	0.000	0
P H Glatfelter Company	50397	34	0.4768	252.142	1,053,554.45	York	0.252	133
P H Glatfelter Company	50397	35	0.4718	172.695	734,537.38	York	0.252	92
P H Glatfelter Company	50397	36	0.1583	123.675	1,519,612.70	York	0.252	191
Philadelphia Refinery	52106	150137	0.0377	24.557	1,300,818.83	Philadelphia	0.252	164
Philadelphia Refinery	52106	150138	0	0	-	Philadelphia	0.252	0



<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO<sub>x</sub> Rate lb/MMBtu</i>	<i>2014 NO<sub>x</sub> Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2015 Rate (lbs/ MMBtu)</i>	<i>2015 OS Limit (Tons NO<sub>x</sub>)</i>
Philadelphia Refinery	52106	150139	0.038	25.098	1,313,886.44	Philadelphia	0.252	165
Philadelphia Refinery	52106	150140	0.038	28.764	1,525,432.00	Philadelphia	0.252	192
Procter & Gamble Paper Products	50463	328001	0.1519	141.614	1,873,515.84	Wyoming	0.252	236
Procter & Gamble Paper Products	50463	328002	0.0136	9.376	1,951,116.54	Wyoming	0.252	246
Shenango Incorporated	54532	6	0	0	retired	0	0.000	0
Shenango Incorporated	54532	9	0	0	retired	0	0.000	0
Shermans Dale Station	880050	31801	0.7	0.096	274.00	Perry	0.252	0
Trainer Refinery	880025	33	0	0	-	Delaware	0.252	0
Trainer Refinery	880025	34	0.0041	1.677	814,013.70	Delaware	0.252	102
Trainer Refinery	880025	35	0.0036	1.475	811,786.40	Delaware	0.252	102
US Steel (Clairton Coke)	50729	CLBLR1	0.1519	106.777	1,368,801.79	Allegheny	0.252	172
US Steel (Clairton Coke)	50729	CLBLR2	0.1101	68.541	1,136,369.11	Allegheny	0.252	143
US Steel (Edgar Thomson)	50732	ETBLR1	0.0314	20.283	1,335,462.98	Allegheny	0.252	168
US Steel (Edgar Thomson)	50732	ETBLR2	0.0346	18.012	1,061,411.04	Allegheny	0.252	134
US Steel (Edgar Thomson)	50732	ETBLR3	0.0321	16.537	1,050,450.51	Allegheny	0.252	132
Veolia Energy Philadelphia—Edison Sta	880006	1	0.3147	0.394	2,510.60	Philadelphia	0.252	0
Veolia Energy Philadelphia—Edison Sta	880006	2	0.4198	0.773	4,357.70	Philadelphia	0.252	1
Veolia Energy Philadelphia—Edison Sta	880006	3	0.365	0.268	1,841.30	Philadelphia	0.252	0
Veolia Energy Philadelphia—Edison Sta	880006	4	0	0	-	Philadelphia	0.252	0
Veolia Energy Philadelphia—Schuylkill	50607	RSB1	0.0117	0.389	69,162.80	Philadelphia	0.252	9
Veolia Energy Philadelphia—Schuylkill	50607	RSB2	0.0142	0.449	66,067.68	Philadelphia	0.252	8
United Refining	880099	4	0.075	17.28	480,477.60	Warren	0.252	61
			<i>Total</i>	<i>1,493.431</i>				<i>3,438</i>

[Pa.B. Doc. No. 15-781. Filed for public inspection April 24, 2015, 9:00 a.m.]

### **Pennsylvania State Clean Diesel Grant Program; Reopening of the Grant Application Acceptance Period**

The Department of Environmental Protection (Department) is reopening an opportunity to apply for \$106,022 that has been made available through the United States Environmental Protection Agency (EPA) and the Federal Diesel Emissions Reduction Act of 2010 (Pub. L. No. 111-364). This funding is available through the Pennsylvania State Clean Diesel Grant Program for eligible diesel emission reduction projects that will improve air quality and protect public health and the environment in this Commonwealth by reducing emissions from diesel-powered vehicles and engines.

The Department is seeking applications for projects that will replace, repower or retrofit fleet diesel-powered highway and nonroad vehicles. Funding is available for public and private entities that operate diesel-powered fleets throughout this Commonwealth. These entities may include school districts, municipal authorities, political subdivisions, other State agencies, nonprofit entities, corporations, limited liability companies, or partnerships incorporated or registered in this Commonwealth. Projects must use technologies certified or verified by the EPA or the California Air Resources Board to lower diesel emissions. The technology may be a single technology or a combination of available technologies. The majority of the fleet's annual operation time must occur within this Commonwealth.

The Department will not reimburse grant recipients for project costs incurred prior to the grant performance period in the applicable grant agreement.

The application package including guidance, instructions and application forms is available by contacting Samantha Harmon, Department of Environmental Protection, Bureau of Air Quality, 400 Market Street, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-9702. The application package is also available electronically on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword "Clean Diesel").

The Department will continue its acceptance of applications beginning on April 25, 2015. Applications must be postmarked on or before May 1, 2015. Faxes and electronic copies will not be accepted.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-782. Filed for public inspection April 24, 2015, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Application of Gettysburg Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 3.6-3.6.11.1, 3.6-3.6.10.2 and 3.6-3.6.10.3 (relating to stretcher/wheelchair storage; sinks; and work counters).

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](mailto: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. 15-783. Filed for public inspection April 24, 2015, 9:00 a.m.]

### **Application of Surgical Specialty Center at Coordinated Health for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgical Specialty Center at Coordinated Health has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.12.6.12 (relating to environmental services rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto: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. 15-784. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, May 13, 2015, and Thursday, May 14, 2015, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Federal Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. In addition, Part B of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38) requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information, contact Kenneth McGarvey, Director, Department of Health, Division of HIV/AIDS, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-785. Filed for public inspection April 24, 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):

Colonial Manor Nursing Home  
970 Colonial Avenue  
York, PA 17403  
FAC ID # 033402

Wyndmoor Hills Health Care & Rehab Center  
8601 Stenton Avenue  
Wyndmoor, PA 19038  
FAC ID # 21610201

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 205.6(a) (relating to function of building):

Manchester Commons  
6351 West Lake Road  
Erie, PA 16505  
FAC ID # 075602

Waverly Heights  
1400 Waverly Road  
Gladwyne, PA 19035  
FAC ID # 233402

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. 15-786. Filed for public inspection April 24, 2015, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Millionaire Raffle XX Raffle Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle game is Pennsylvania Millionaire Raffle XX.

2. *Price:* The price of a Pennsylvania Millionaire Raffle XX lottery game ticket is \$20.

3. *Ticket Sales And Drawing Date:* Pennsylvania Millionaire Raffle XX lottery game ticket sales will commence on or after May 5, 2015, and will continue until all 500,000 tickets have been sold, or 5:00 p.m. on July 11, 2015, whichever occurs earlier.

4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle XX lottery game ticket will contain one chance consisting of one unique computer-generated eight-digit number between 00000001 and 00500000, the drawing date, amount bet, and validation data.

5. *Prizes:* The prizes that can be won in this game are \$100, \$1,000, \$100,000 and \$1,000,000. A player may only win one time on each ticket or chance.



6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than 500,000 tickets printed and sold for the Pennsylvania Millionaire Raffle XX lottery game. The chances will be sequentially issued on a statewide basis from the range of individual unique numbers representing the chances available for the game.

7. *Conduct of Drawing:* The results of the Pennsylvania Millionaire Raffle XX will be televised on July 11, 2015, at or about 7:00 p.m. A computer-generated randomizer will be used to conduct the drawing. Six-thousand (6,000) unique eight-digit numbers will be drawn from the range of numbers representing the chances sold. The first four unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The fifth through eighth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The ninth through 108th unique eight-digit numbers drawn will be the third-prize-tier winning numbers. The 109th through 6,000th unique eight-digit numbers drawn will be the fourth-prize-tier winning numbers.

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*Ticket Matching Exactly the Unique Eight-digit Number Drawn:*

	<i>Win Prize Of:</i>
First-Prize-Tier	\$1,000,000
Second-Prize-Tier	\$100,000
Third-Prize-Tier	\$1,000
Fourth-Prize-Tier	\$100

All Pennsylvania Millionaire Raffle XX lottery game prize payments, including first-prize-tier prizes, will be made as one-time lump-sum cash payments.

10. *Consumer Promotional Programs:* The Lottery may conduct promotional activities to promote the sale of Pennsylvania Millionaire Raffle XX lottery game tickets, including offering tickets at a discounted price. Details of any such offering will be disseminated through media used to advertise or promote Pennsylvania Millionaire Raffle XX or through normal communications methods.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Raffle XX lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Raffle 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 Raffle 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 raffle ticket is claimed and validated or approximately

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which the unique eight-digit number matches exactly one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which the unique eight-digit number matches exactly one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which the unique eight-digit number matches exactly one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which the unique eight-digit number matches exactly one of the fourth-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100.

9. *Number and Description of Prizes and Approximate Odds:* The Pennsylvania Millionaire Raffle XX prizes and determination of winners are as follows:

<i>Maximum Odds Of Winning Are 1 In:</i>	<i>Number Of Winners</i>
125,000	4
125,000	4
5,000	100
84.86	5,892

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30 days after the date of the drawing in which the Raffle winning ticket was entered, provided that Lottery security can and has verified the sales transaction as valid. A bonus will not be awarded to a Lottery retailer that sells a Pennsylvania Lottery raffle ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Promotional Drawings:* The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Millionaire Raffle XX game. Pennsylvania Millionaire Raffle XX game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Millionaire Raffle XX drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

14. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle XX lottery game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

15. *Unclaimed Prize Money:* Unclaimed prize money on winning Pennsylvania Millionaire Raffle XX lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the announced close of the Pennsylvania Millionaire Raffle XX

lottery game. If no claim is made within 1 year of the announced close of the Pennsylvania Millionaire Raffle XX lottery game conducted by the State Lottery, the right of a ticket holder to claim the prize represented by that ticket, if any, expires and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

16. *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.

EILEEN H. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-787. Filed for public inspection April 24, 2015, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on April 9, 2015, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length-each)
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 3002	from SR 100 to Schoeneck Road	Lehigh	1

Questions should be directed to Matthew Hedge at (717) 772-5462.

LESLIE S. RICHARDS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-788. Filed for public inspection April 24, 2015, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Lake Erie Commercial Fishing—2015

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(b) (relating to seasons), has determined that the 2015 total allowable commercial catch for walleye from the Commonwealth waters of Lake Erie is 4,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to March 14 and 12:01 a.m. the first Saturday in May to December 31. This season shall end when the Executive Director determines that 4,000 pounds of walleye probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

The Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established that the 2015 total allowable commercial catch for yellow perch from the Commonwealth waters of Lake Erie is 100,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 100,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 15-789. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Lake Erie Creel Limits for Walleye and Yellow Perch 2015

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.12b (relating to Lake Erie walleye and yellow perch adaptive management for establishing daily limits), has established the daily limits for walleye and yellow perch that are necessary and appropriate for the better protection and management of the fishery. Effective May 1, 2015, the daily limit for walleye in Lake Erie is 6, and the daily limit for yellow perch is 30.

The Executive Director may revise the daily limit for walleye or yellow perch if he determines that conditions so warrant. The daily limits will remain in effect until April 30, 2016, or until the Executive Director establishes new daily limits. Anglers are responsible for obtaining the current daily limits for walleye and yellow perch on Lake Erie including Presque Isle Bay prior to fishing those waters.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 15-790. Filed for public inspection April 24, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Certified Reinsurer

Tokio Millenium Re AG, a reinsurer organized under Swiss law, has applied for designation as a certified reinsurer in this Commonwealth. The application was received on April 6, 2015, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P. S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-791. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Export List of Insurance Coverages; Request for Comments

The Insurance Commissioner (Commissioner) published a notice at 45 Pa.B. 941 (February 21, 2015) soliciting comments to the export list published at 44 Pa.B. 2602 (April 26, 2014). Consideration was given to all comments received.

The Commissioner proposes to amend the April 26, 2014, list as following:

Add:

- Dog Bite Liability (monoline)

Persons wishing to comment on the Commissioner's proposal are invited to submit a written statement within 15 days from the date of this publication. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Formal notification of any changes will be published in the *Pennsylvania Bulletin* after the 15-day comment period or a notice will be published stating that the April 26, 2014, list remains in effect.

TERESA D. MILLER,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-792. Filed for public inspection April 24, 2015, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Extension of the Fuel Cost Recovery Surcharge Special Permission 28207

Public Meeting held  
April 9, 2015

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

*Extension of the Fuel Cost Recovery Surcharge Special Permission 28207; R-2009-2094616*

### Order

*By the Commission:*

Tristate Household Goods Conference, Inc. (Tristate), a tariff publishing agency, represents approximately 215 PUC household good carriers. Substantially large increases in the cost of diesel fuel, which were unanticipated, motivated Tristate to request the implementation of the Fuel Cost Recovery Surcharge. The Fuel Cost Recovery Surcharge Special Permission 28207 was approved in Public Meeting held April 17, 2003, and extended in subsequent Public Meetings. The extension was approved for a duration of one year unless changed, cancelled or extended. The current surcharge grants approval to temporarily increase the Tristate tariff to recover temporarily increased fuel costs when transporting household goods for moves more than 40 miles (weight and distance) and moves that are 40 miles or less (hourly) by the use of a Fuel Cost Recovery Surcharge. Tristate filed a request on February 23, 2015 to permit members of its conference to continue assessing a fuel cost recovery surcharge to defray the costs of diesel fuel.

The surcharge is determined by a formula which attempts to approximate the amount of fuel used on a particular trip and multiplies that amount by the increased cost of fuel, allowing the carrier to recover only the additional fuel charges incurred. The formula includes the following constant factors: (1) base price per gallon of fuel;<sup>1</sup> (2) average vehicle fuel consumption of 5 miles per gallon; and (3) a terminal factor which allows the carrier to recover the additional cost of fuel used in traveling to and from the carrier's terminal to the origin point of the move. The formula also includes one variable factor, the current month's diesel fuel price.<sup>2</sup>

Moves of 40 miles or less will be divided into 4 categories according to average mileage: 5 mile average for trips ranging from 1 to 10 miles, 15 mile average for trips ranging from 10 to 20 miles, 25 mile average for trips ranging from 20 to 30 miles, and 35 mile average for trips ranging from 30 to 40 miles. An example calculation for an 8 mile move is as follows:<sup>3</sup>

<sup>1</sup>The proposed base price is \$1.267, which was the price of a gallon of diesel fuel according to the Department of Energy report of Retail On-Highway Diesel Prices for the Central Atlantic Region as of February 15, 2002. Tristate proposes this as a base price since fuel prices have steadily increased from that date.

<sup>2</sup>This figure is determined by the Department of Energy's report of Retail On-Highway Diesel Prices for the Central Atlantic Region. The current month's diesel fuel price will be effective beginning the 15th day of each month through the 14th day of the subsequent month.

<sup>3</sup>All fuel surcharges shall be calculated and provided to the customer as part of the Estimate of Charges.



Origin of move to destination 8 miles	= 5 miles average
Terminal factor	= 40 miles
Total miles	= 45 miles
Average miles per gallon	= 5
Fuel used	= 9 gallons
DOE current Fuel Price as of 3/09/15	= \$3.33
Base fuel Price	= \$1.27
Fuel price difference	= \$2.06
Gallons X Fuel price difference	= 9 x \$2.06 = \$18.54

Moves of more than 40 miles will be calculated using actual mileage from the move's origin to destination and return. An example calculation for a 100 mile move is as follows:

Origin of move to destination	= 100 miles
Empty Return (dest. to origin)	= 100 miles
Terminal factor	= 40 miles
Total miles	= 240 miles
Average miles per gallon	= 5
Fuel used	= 48 gallons
DOE current Fuel Price as of 3/09/15	= \$3.33
Base fuel Price	= \$1.27
Fuel price difference	= \$2.06
Gallons X Fuel price difference	= 48 x \$2.06 = \$98.88

On February 23, 2015, Tristate filed a request to again extend the Fuel Cost Recovery Surcharge. The request was filed in response to the volatile nature of the petroleum market. Although there were significant decreases in the past year, increased prices have resumed and do not appear to begin decreasing in the near future.

In support of the request for extension, Tristate has submitted data from the Department of Energy for the Central Atlantic Region. The average price of diesel fuel for the period of January 2014 to December 2014 was \$3.96 per gallon.

The Federal Department of Transportation has responded to the escalating fuel costs for interstate transportation by approving a fuel surcharge on a similar sliding scale. The Federal Fuel Surcharge became effective May 15, 2000 and continues in effect.

Pursuant to 66 Pa.C.S. § 1301, the Commission is required to ensure that all rates charged by a public utility are just and reasonable. Additionally, the Commission is obligated to address industry-wide problems "without creating a chaotic rate structure impossible to manage or police." Emergency Fuel Surcharge, 47 Pa.P.U.C. 389, 391 (1974). The current surcharge addresses the problem of fuel cost volatility, while being just and reasonable in that carriers are compensated only for the additional cost of the fuel used.

Based on our review, it appears that the extension of the Fuel Cost Recovery Surcharge for transportation of household goods is necessary, is an appropriate means to address this regulatory problem and will result in just and reasonable rates. In order to prevent financial hardship, it is imperative that Pennsylvania household goods carriers be afforded an opportunity to temporarily adjust

rates to offset escalating fuel costs using the proposed extended Fuel Cost Recovery Surcharge and, accordingly, we shall allow the proposed extended surcharge to become effective for a period of one year unless changed, cancelled or further extended.

*Therefore,*

*It Is Ordered That:*

1. Tristate members rendering service under authority of this Commission shall charge a Fuel Cost Recovery Surcharge on transportation provided for over 40 mile charges and for 40 miles or less hourly charges in accordance with all other tariff rules of this Commission. The Fuel Cost Recovery Surcharge is to be extended effective April 18, 2015.

2. The Extended Fuel Cost Recovery Surcharge shall be in effect for one year to April 18, 2016 unless changed, cancelled or further extended by the Commission.

3. Copies of this order shall be served by the Secretary to the Office of Consumer Advocate and Office of Small Business Advocate. The Secretary shall forward this Order to the *Pennsylvania Bulletin* for publication.

4. Each carrier shall post a copy of this Extended Fuel Cost Recovery Surcharge along with the original Fuel Cost Recovery Surcharge dated April 17, 2003 in a conspicuous place in the office and vehicles. In addition, each carrier shall include the surcharge as a separate line item of the Estimate of Charges provided to prospective shippers and on the Bill of Lading.

5. The rates collected to the Extended Fuel Cost Recovery Surcharge are subject to refund in the event that any formal complaints are filed, within 30 days of the date of publication of this order, and are successful in challenging the surcharge.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-793. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers**

Public Meeting held  
April 9, 2015

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

*Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers; Doc. No. M-2008-2074154*

**Tentative Order**

*By the Commission:*

By an Order entered July 16, 2013, the Pennsylvania Public Utility Commission (Commission) adopted the use of a modified conservation service provider (CSP) registry application form. In addition, the Commission directed all CSPs that are contracted by another CSP to perform services under the contractual obligation of an electric distribution company (EDC) to also register as a CSP if the value of its contract equals or exceeds 10% of the total value of the primary CSP contract with the EDC. With this Tentative Order, the Commission adopts the use of the CSP registry application form as further modified by this Order (see Annex).

### Background

On February 5, 2009, the Commission adopted a Final Order that established the CSP registry and the minimum experience and qualification requirements for registered CSPs in accordance with Act 129 of 2008, 66 Pa.C.S. § 2806.2 (the Act or Act 129).<sup>1</sup> This 2009 CSP Registry Order also established the application for registration and the registration fee. On May 23, 2013, the Commission entered an Order adopting processes to update CSP applications, renewals and information.<sup>2</sup> The Commission also adopted the applications for Renewal of CSP Registration (No Changes), Renewal of CSP Registration (Changes) and Update CSP Registration. On July 16, 2013, the Commission entered an Order adopting the current version of the CSP registry application.

### Discussion

The Commission will continue to require that an initial application for entry into the Commission's CSP registry be made on a form adopted by the Commission. A copy of the application may be obtained from the Commission's Secretary and will be made available on the Commission's website. An application for entry into the CSP registry shall be verified by an oath or affirmation as required in 52 Pa. Code § 1.36 (relating to verification). The completed application and supporting attachments shall be filed with the Secretary's Bureau. The non-refundable new application fee shall be maintained at \$125 and be submitted in a form as prescribed in 52 Pa. Code § 1.42.

As established in the 2009 CSP Registry Order, the Commission will continue to require all registered CSPs to re-qualify every two years in order to maintain a current registry. The non-refundable application renewal fee shall be maintained at \$25 and be submitted in a form as prescribed in 52 Pa. Code § 1.42. The Commission also expects registered CSPs to notify the Commission, in writing, of any changes to the information provided in its initial or renewal applications. To expedite the process for the filing of updated information and renewal applications, the Commission, in the May 23, 2013 Order, adopted three Applications for Renewal or Update of Conservation Service Provider Registration and set forth when each renewal and update applications are to be used, as well as the process for maintaining registration.<sup>3</sup>

The Commission again stresses that all registered CSPs must notify the Commission when there are changes to the information provided in their applications when they occur, not just at the time of renewal. By adopting the Application to Update CSP Registration the Commission facilitated this requirement in a manner that reduces the administrative burdens on registered CSPs.

As noted above, the last revision to the CSP registry application was adopted by the Commission on July 16, 2013. Since the adoption of that application, the Bureau of Technical Utility Services, as the Commission designated administrator of the CSP registry, has identified areas of the CSP registry application that require revision for clarity and completeness. Specifically, the Bureau of Technical Utility Services has identified the following portions of the application that require revisions or clarifications:

- Application instructions;
- CSP contact information;
- CSP parent, subsidiary companies and affiliate information;
- CSP contract and business partnership information;
- CSP employer identification number;
- CSP applicant signature page;
- Minor formatting changes throughout the application.

The changes to the CSP registration application adopted by this Tentative Order involve minor revisions to provide clarity and minimal additional applicant information regarding entity affiliations and tax identification. Accordingly, we will tentatively adopt the use of the revised CSP Registration Application, which is attached to this Order as an Annex, unless adverse comments regarding this revised application are received within ten days of the publication of this Tentative Order and Annex in the *Pennsylvania Bulletin*; Therefore,

#### *It Is Ordered That:*

1. The Commission hereby tentatively adopts the Conservation Service Provider Application for Registration, as modified by this Order as found in the Annex to this Order.

2. This Order and Annex be published in the *Pennsylvania Bulletin* and served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the Energy Association of Pennsylvania and all jurisdictional electric distribution companies.

3. This Order and the Conservation Service Provider Application for Registration, as modified by this Order as found in the Annex to this Order will be final unless adverse comments are received within ten days of the publication of this Order and Annex in the *Pennsylvania Bulletin*.

4. The Commission's Bureau of Technical Utility Services shall maintain and administer the CSP registry, as outlined in this Order.

ROSEMARY CHIAVETTA,  
*Secretary*

### ANNEX

#### **Application Form for Registration as a Conservation Service Provider ("CSP") in the Commonwealth of Pennsylvania**

- *Contents of Conservation Service Provider Registration Application Package*

I. Registration Application. (Sections 1-5)

II. Affidavit (Appendix A)

III. Proof of Liability Insurance (Applicant required to attach)

- *Instructions*

- Filling out the Application and Labeling Attachments

You may use the attached form to make your application. (Remove the cover sheets prior to filing.) If you need more space than is provided on this form or if you are attaching exhibits, state in the relevant section of the body of the application "see attachment \_" or "see exhibit \_". Be sure to label all attachments and exhibits in correspondence with the relevant section of the application. Lastly, be sure to answer all questions, including questions that may not be applicable.

<sup>1</sup> See Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers, Final Order (2009 CSP Registry Order) at Doc. No. M-2008-2074154, entered on February 5, 2009.

<sup>2</sup> See Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers, Order (May 23, 2013 CSP Order) at Doc. No. M-2008-2074154, entered on May 23, 2013, at 2-6.

<sup>3</sup> See, May 23, 2013 CSP Order, at 2-6.

Incomplete applications or those missing any attachments are unacceptable for filing and will be returned or delayed for processing until the required information is sent to the Commission's Secretary's Bureau.

- *Pertinent Legal Framework for Conservation Service Provider Registration*

Requirements for Conservation Service Providers, 66 Pa.C.S. §§ 2806.1(b)(1)(i)(E), 2806.1(m) & 2806.2.

Referenced law can be found on the Commission website, [www.puc.pa.gov](http://www.puc.pa.gov), under regulatory information. As well, Title 52 (Public Utilities) of the Pa. Code is available online at [www.pacode.com](http://www.pacode.com). Copies are available from Fry Communications at (717) 766-0211.

- *Change to Information Provided in Application*

The Applicant is under a duty to inform the Commission of a material change in the information provided in the application during the pendency of the application, or while the CSP is operating in Pennsylvania. For more information on what constitutes a material change and when such changes should be reported, use 52 Pa. Code § 54.34 as guidance.

- *Affidavit*

Applicant must complete and submit with this Application and any subsequent documentation submitted to the Commission, such as emails, letters, and written responses to Commission data requests, the attached Affidavit, which must be signed by the Affiant and signed and dated by the official administering the oath, that to the best of the Applicant's knowledge, information and belief that the facts set forth in this Application and all subsequent submissions are true and correct.

- *Fees*

The Applicant must submit a check payable to the Commonwealth of Pennsylvania with this Application. The fee for this Initial Application is \$125. Check should be made payable to the Commonwealth of Pennsylvania.

- *Filing and Signing of Application*

- Hard Copy Filing

To file a hard copy application (first-class mail or in person) with the Pennsylvania Public Utility Commission, file an ink-signed and verified (via notarized application affidavit—Appendix A) original and one copy of your entire application, along with any attachments, in person, by overnight delivery service or by first class mail, with your check (if applicable) with the Commission's Secretary's Office in Harrisburg, Pennsylvania at:

Filing In Person or  
Overnight Delivery: Pennsylvania Public Utility  
Commission  
Secretary  
Commonwealth Keystone  
Building,  
2nd Floor Room 01  
Harrisburg, PA 17120

Filing by First-Class Mail: Pennsylvania Public Utility  
Commission  
Secretary  
P. O. Box 3265  
Harrisburg, PA 17105-3265

- Electronic Filing (e-filing)

To file an electronic version of the application, visit the Commission's e-filing page and follow the instructions. The page is located at <http://www.puc.pa.gov/efiling/default.aspx>. Also, see 52 Pa. Code Chapters 1 and 5.

**IMPORTANT AFFIDAVIT NOTE**—Affidavits must be notarized before they are e-filed.

- *Questions*

Questions pertaining to completion of this application may be directed to the Bureau of Technical Utility Services at the above address or you may call the Bureau at the following number: 717-783-5242.

- *Subcontractors*

Any third party individual or commercial entity that is awarded a contract by a registered CSP that is under a sub-contractual obligation to complete work related to an Electric Distribution Company's Act 129 Energy Efficiency and Conservation Plan, whose financial budgetary obligation equals or exceeds 10% of that registered CSP's contract with an Electric Distribution Company, IS required to obtain CSP registration. To confirm whether CSP registration is required under this sub-contractual obligation, the individual or commercial entity should seek the advice of the registered CSP.

- *Confidentiality*

All information disclosed within this application is considered public information unless specifically labeled confidential. You have the responsibility to disclose to the Secretary's Bureau what is privileged or confidential information not otherwise available to the public. You should submit one copy of all confidential information, on documents stamped "CONFIDENTIAL" at the top in clear and conspicuous letters, in a separate envelope (but still attached to the application) to the Secretary's Office along with the Application. For more information, see 52 Pa. Code § 54.32(f).

If you have e-filed your application, separately mail in any confidential information specifically identifying that you have e-filed the application. Be sure to specify the Applicant's name, and provide the e-filing confirmation page.

Cover pages end. Remove before filing.

CONSERVATION SERVICE PROVIDER ("CSP")  
APPLICATION FOR REGISTRATION IN THE  
COMMONWEALTH OF PENNSYLVANIA

Conservation Service Providers ("CSPs") have a specific role under Act 129, which requires a covered Electric Distribution Company's Energy Efficiency and Conservation (EE&C) plan to include one or more CSPs to implement at least a portion of the EE&C Plan. 66 Pa.C.S. § 2806.1(b)(1)(i)(E). CSPs provide information and technical assistance to EDCs on measures that enable a person to increase energy efficiency or reduce energy consumption. CSPs must have no direct or indirect ownership, partnership or other affiliated interest with an EDC. 66 Pa.C.S. § 2806.1(m). Only registered CSPs may advise an EDC and/or provide consultation, design, or administration or management services to an EDC related to the implementation of the EDC's EE&C Plan. As such, registration of business entities as approved CSPs is required before entering into a contractual agreement with an EDC exclusively for the provision of consultation, design, administration, management or advisory services regarding that EDC's EE&C plan. This registry is not intended as a resource for business, whose sole purpose is the installation of measures, supplying of equipment or other contracting work for use by the general public and EDC customers. If providing such services, registration as a CSP is not required for entering into an agreement with an EDC.



Any CSP subcontractor with an annual contract cost that equals or exceeds 10% of the CSP annual contract cost and is directly performing services pursuant to a contract with a CSP which has contracted with an EDC after Commission approval should also register as a CSP. This does not include third party contractors which participate in or support an EE&C Plan but are not directly contracted with a CSP which has a direct contractual relationship with the EDC subject to Act 129.

To qualify an applicant must have at least two years of experience in providing program consultation, design, administration, management or advisory services related to energy efficiency and conservation services. CSP registration is not required of entities that limit their services to the installation of energy efficiency measures or the provision of equipment or materials to EDC customers or the public in general.

1. Identity of the Applicant

a. Legal Name of Applicant:

Attach proof of compliance with appropriate Pennsylvania Department of State filing requirements.<sup>4</sup>

b. Trade or Commercial or Fictitious Names Used by Applicant (d/b/a)—List all that apply.

The Applicant will be using a fictitious name or doing business as (“d/b/a”). Identify names below. If more space is needed, list names on the back of this page or append list to completed application.

The Applicant will not be using a fictitious name.

c. Applicant Address:

d. Applicant Telephone No:

e. Applicant Email Address:

f. Contact Information for Applicant. PLEASE NOTE: Upon approval of this application, this Contact Information will be listed on the Commission’s CSP Registry.

- Name
- Mailing Address
- Telephone
- Email Address

g. Predecessor(s) & Other Names used by Applicant for past five (5) years of date of this application. Provide Name(s), Address(es) and Telephone No.(s).

Check Box if any Predecessor(s) is currently or was previously registered in Pennsylvania as a CSP. If affirmative, please provide Docket No(s). (A-[Year]-[Seven (7) Digits]) and names for all registered CSPs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

h. Parent & Subsidiary Companies & Affiliates:

Parent Name and Contact Information. Provide name and contact information for parent company. Check Box if any parent company is currently doing business in Pennsylvania as a CSP or Electric Distribution Company

<sup>4</sup> A copy of any document from the Pennsylvania Department of State (Pa. Dept. of State) documenting the Applicant’s Pa. Dept. of State entity number is adequate. However, the document must indicate that the Applicant’s Pa. Dept. of State registration is “active.” Certified copies of Pa. Dept. of State documents are not required.

(EDC). If “None,” do not check the box and answer “None” below.

\_\_\_\_\_  
\_\_\_\_\_

Subsidiaries and Contact Information. Provide name and contact information for all subsidiary companies. Check Box if any subsidiary is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC). If “None,” do not check the box and answer “None” below.

\_\_\_\_\_  
\_\_\_\_\_

Affiliate(s) and Contact Information. Provide name and contact information for all affiliate companies. Check Box if any affiliate is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC). If “None,” do not check the box and answer “None” below.

\_\_\_\_\_  
\_\_\_\_\_

i. Contracts & Business Partnerships:

Check Box if Applicant intends to or has operated under contract with or has partnered with an EDC within the past five (5) years. If “None,” do not check the box and answer “None” below.

Check Box if Applicant intends to or has operated under contract (subcontractor) with or has partnered with a CSP within the past five (5) years. If “None,” do not check the box and answer “None” below.

If any box above is checked, please provide name(s) of EDC(s) and CSP(s) and contact information for each and briefly describe the nature of business services associated with each contract and/or partnership.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

j. Identify principal officers (owners, executives, partners and/or directors), as appropriate for Applicant’s organizational structure. Provide an organizational chart and the names, titles, business addresses and telephone numbers for each office.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

k. Attach to this Application a brief biography or single page professional resume for all principal officers and management directly responsible for Applicant’s operations.

l. Provide Applicant’s Employer Identification No. (EIN): \_\_\_\_\_

2. Registered Agent

a. If the Applicant does not maintain a principal office in the Commonwealth, the Applicant is required by the Pennsylvania Department of State to designate an approved Registered Agent as its representative in the Commonwealth. Check one of the Boxes below, as applicable:

YES, the Applicant has registered its business with the Pennsylvania Department of State. Following is the Name and Contact information for the Applicant's Department-Approved Registered Agent.

- Registered Agent's Name
- Registered Agent's Mailing Address
- Registered Agent's Telephone
- Registered Agent's Email Address

NO, the Applicant has not registered its business with the Pennsylvania Department of State. STOP—To avoid denial of your application and forfeiture of your application fee, you should contact the Pennsylvania Department of State Bureau of Corporations to register as a business entity within the Commonwealth PRIOR TO completion and filing of this application with the Pennsylvania Public Utility Commission.

b. Applicant has registered its business with the Pennsylvania Department of State. Please check appropriate registration type for Applicant as designated with the Department.

- Sole proprietor (15 Pa.C.S. § 4124)
- Domestic corporation (none)
- Domestic general partnership (15 Pa.C.S. § 4124)
- Domestic limited liability company (15 Pa.C.S. § 8913)
- Domestic limited liability partnership (15 Pa.C.S. § 8201)
- Foreign corporation (15 Pa.C.S. § 4124)
- Foreign general or limited partnership (15 Pa.C.S. § 4124)
- Foreign limited liability company (15 Pa.C.S. § 8981)
- Foreign limited liability general partnership (15 Pa.C.S. § 8211)
- Foreign limited liability limited partnership (15 Pa.C.S. § 8211)

c. If Applicant is not domiciled in the Commonwealth of Pennsylvania and is registered as a "foreign" entity as identified in Question 2.b., please identify all other states where applicant is registered and name the appropriate state department(s):

3. Applicant's Operations

Respond to each of the following four questions relating to Applicant's operations and its technical and financial fitness. Respond to each item and attach any additional information and/or statements to this Application as appropriate.

a. Describe nature of business:

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b. Current status of business (check one):

- Applicant is presently doing business in Pennsylvania
- Applicant is presently not doing business in Pennsylvania

c. The Applicant proposes to provide the following information and technical services to an EDC. Check all services that apply and identify all EDCs with whom Applicant intends to conduct business.

- Consultation EDCs: \_\_\_\_\_
- Design \_\_\_\_\_
- Administration \_\_\_\_\_
- Management \_\_\_\_\_
- Advisory \_\_\_\_\_

d. Attach to this Application a copy of any certification(s) or similar documentation that would demonstrate the technical fitness of Applicant, such as membership in trade associations, professional licenses, technical certifications, and/or names of current or past clients with a description of dates and types of services provided by Applicant.

e. Attach to this Application proof of current liability insurance coverage.

4. Compliance

Respond to each of the following Questions. Provide a statement as to the resolution or present status of any such proceedings, if applicable.

a. In the past three years has the Applicant, the parent company, an affiliate or predecessor or partner (contractor/subcontractor business relationship) of the Applicant, or any person identified by the Applicant in this Application, been investigated or convicted of a crime involving fraud, theft, larceny, deceit, violation of consumer protection law, violation of deceptive trade law or similar activity, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent?

- No
- Yes. Provide explanation:

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b. Is the Applicant, the parent company, an affiliate, or a predecessor of either, currently delinquent with any state or federal taxing authority?

- No
- Yes. Provide explanation:

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c. Identify all bankruptcy or liquidation proceedings for the prior three years. If none, state "None" below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Identify all customer complaints filed with a regulatory or prosecutor agency for the prior three years of the date of this application. If none, state "None" below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. *Falsification*

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application, or if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§ 4903 and 4904, relating to perjury and falsification in official matters.

Signature of Principal Official: \_\_\_\_\_

Official's Name & Title: \_\_\_\_\_  
(Please Print)

Date: \_\_\_\_\_

**APPENDIX A—AFFIDAVIT**

[Commonwealth/State] of \_\_\_\_\_ :  
\_\_\_\_\_ : ss.

County of \_\_\_\_\_ :

\_\_\_\_\_, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the \_\_\_\_\_ (Office of Affiant) of \_\_\_\_\_ (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein \_\_\_\_\_ has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be registered as a conservation service provider pursuant to Act 129 of 2008.

That the Applicant herein \_\_\_\_\_ acknowledges that it has answered the questions on the application correctly, truthfully and completely and has provided supporting documentation as required.

That the Applicant herein \_\_\_\_\_ acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein \_\_\_\_\_ acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of official administering oath

My commission expires: \_\_\_\_\_.

[Pa.B. Doc. No. 15-794. Filed for public inspection April 24, 2015, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 11, 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-2015-2472806. Companion Care Partners, LLC** (2819 Garfield Avenue, Camden, NJ 08105) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to elderly persons, or persons requiring assistance due to having a mental or physical disability, from points in Philadelphia, Bucks, Montgomery, Delaware and Chester Counties, to points in Pennsylvania, and return.

**A-2015-2474851. Dubem Okonkwo, t/a Havilah Resources** (6667A Terrace Way, Harrisburg, PA 17111) for the right to begin to transport, persons, by motor vehicle, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Adams, Cumberland, Dauphin, Lebanon and York, to points in Pennsylvania, and return.

**A-2015-2475579. Duals Round Trip Transportation, LLC** (1106 South Peach Street, Philadelphia, Philadelphia County, PA 19143) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Delaware and Philadelphia, to correctional facilities in Pennsylvania, and return.

**A-2015-2475681. USA Shuttle Service, Inc.** (611 Coates Street, Apartment 4, Bridgeport, Montgomery County, PA 19405) for the right to transport, as a common



carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Chester, Delaware and Montgomery, to the Philadelphia Airport, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2015-2472803. Fullington Trailways, LLC d/b/a Fullington VIP Limousine** (P. O. Box 211, Clearfield, PA 16830) for the additional right to begin to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Blair, Cambria, Cameron, Centre, Clarion, Clearfield, Elk, Huntingdon, Jefferson and Mifflin to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* John A. Pillar, Esquire, 150 Green Commons Drive, Pittsburgh, PA 15243.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer of rights as described under the application.**

**A-2015-2476056. James E. Fretz & Sons, LLC t/a James E. Fretz Transfer** (821 McClintock Avenue, Belle Vernon, Fayette County, PA 15012) for the right to transport as a Class D carrier, household goods and office furniture, in use, from points in the City of Monessen, Westmoreland County, and within 5 miles by the usually traveled highways of the limits of the said city, to points in Pennsylvania, and vice versa; which is to be a transfer of all the rights from A-00087277 issued to James E. Fretz. *Attorney:* Richard T. Mulcahey, Jr., Esquire, Schubert, Gallagher, Tyler & Mulcahey, 121 South Broad Street, 20th Floor, Philadelphia, PA 19107-4533.

**Applications of the following for approval to begin operating as contract carriers for transportation of persons as described under each application.**

**A-2015-2466622. Care Alliance Center, Inc.** (2427 Susquehanna Road, Roslyn, PA 19001) for the right to begin to transport, persons, by motor vehicle, as a contract carrier, for Medical Transport Systems, LLC, from points in the Counties of Bucks and Montgomery, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2015-2472922. DTSPA, LLC** (2424 West Woodlawn Street, Allentown, PA 18104) for the right to begin to transport, as a contract carrier, by motor vehicle, workman's compensation patients, between points in Lehigh, Bucks, Berks, Carbon and Schuylkill Counties.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2015-2474967. James T. St. John and Christie A. St. John, Tenants by Entirety** (17 Hedgewood Avenue, Ronks, Lancaster County, PA 17572) discontinuance of service and cancellation of its certificate—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor

vehicles, from points in Lancaster County, to points in Pennsylvania, and return. *Attorney:* Neal A. Rice, 342 East Main Street, Suite 205, Leola, PA 17540.

**A-2015-2475027. Susan P. Gratalo, t/a Castle Transportation** (23 Griffith Street, Hughestown, Luzerne County, PA 18640) discontinuance of service and cancellation of her certificate—persons in paratransit service, limited to persons in paratransit service between points in the County of Luzerne; subject to the following conditions:

1. That the service is limited to the transportation of passengers that are ambulatory;
2. That the service is limited to the use of vehicles that have not been modified to handle wheelchairs; and
3. That service is limited to or from United Rehabilitation Centers and/or Day Development Programs within the City of Pittston, the Township of Pittston and the Boroughs of Dupont, Duryea, West Pittston and Exter, all in Luzerne County.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-795. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due May 11, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Jan C. Rosario t/a JR Towing Service; Docket No. C-2015-2456669

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Jan C. Rosario, t/a JR Towing Service, (respondent) is under suspension effective November 05, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 519 Winters Avenue Apt 1, West Hazleton, PA 18202.
3. That respondent was issued a Certificate of Public Convenience by this Commission on June 18, 2013, at A-8915647.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915647 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/8/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and  
Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

### **VEHICLE INSPECTION BUREAU COMPLAINT FORM**

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. Totakh, LLC,  
PUC # 6415956; Docket No. C-2015-2462107**

#### COMPLAINT

The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Com-

monwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

Totakh, LLC  
148 East Street  
Feasterville Trevose, PA 19053

Inspection Information:  
Location: 148 East Street Road, Feasterville, Bucks  
Date and Time: 01/12/2015 12:00 am

Vehicle Information:  
Year, Make: 2011 Toyota Van  
State, Tag: JMP0435 PA  
VIN: 5TDKK3DC8BS100825  
DVCR #: 3095

Authorized Officer Performing Inspection: Russell Harrison

On the date and at the time described on page one of this Complaint, the following violations were disclosed:

- 52 § 29.71(a) Name and PUC# 2" Height/ 1/2" width both sides Name and PUC# 2" Height/ 1/2" width both sides-no name or A number on vehicle

\$50

- 52 § 29.356 Paratransit must display complaint information decal or provide notice on receipt Paratransit must display complaint information decal or provide notice on receipt

\$50

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine respondent the sum of \$100 for the illegal activity described in this Complaint and order any other remedy as the Commission may deem appropriate.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief of Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 01/16/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and  
Enforcement

#### NOTICE

A. You must file and Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining

the outcome of the complaint proceeding. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

C. You may elect not to contest this Complaint by paying the fine proposed in the Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the optional fine set forth in the Complaint.

Alternative formats of this material are available for persons with disabilities by contacting the Compliance Office at (717) 783-3846. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Homer E. and Deborah H. Schrock; Docket No. C-2015-2465202**

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-



tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Homer E. and Deborah H. Schrock, (respondent) is under suspension effective December 31, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 10A Schapansky Rd, Cochranville, PA 19330.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 08, 2005, at A-00120893.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00120893 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/3/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and  
Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in

your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Loretta M. Wagner t/a Legacy Tours of Distinction; Docket No. C-2015-2465345**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Loretta M. Wagner, t/a Legacy Tours of Distinction, (respondent) is under suspension effective January 06, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at HC88 Box 549, Pocono Lake, PA 18347.
3. That respondent was issued a Certificate of Public Convenience by this Commission on November 21, 1996, at A-00113279.
4. That respondent has failed to maintain evidence of Bond insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00113279 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I

expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/3/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

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**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Donald L. Snyder, Jr.; Docket No. C-2015-2468928**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Donald L. Snyder, Jr., (respondent) is under suspension effective February 05, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1001 Hall Road, Julian, PA 16844.
3. That respondent was issued a Certificate of Public Convenience by this Commission on October 18, 2010, at A-2010-2190341.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2010-2190341 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy

as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/25/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and  
Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint



by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-796. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Transfer of Control

**A-2015-2475973. Grasshopper Group, LLC and Citrix Systems, Inc.** Joint application of Grasshopper Group, LLC and Citrix Systems, Inc. for approval of a general rule transfer of control in which 100% direct control of Grasshopper Group, LLC will be transferred to Citrix Systems, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 11, 2015. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Grasshopper Group, LLC; Citrix Systems, Inc.

*Through and By Counsel:* Michael P. Donahue, Esquire, Marshlian & Donahue, LLC, 1420 Spring Hill Road, Suite 401, McLean, VA 22102

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-797. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Water Service

**A-2015-2476574. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in additional portions of Plymouth Township, Montgomery County, and issuance of a certificate of public convenience nunc pro tunc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 11, 2015. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hershey-park Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-798. Filed for public inspection April 24, 2015, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Petition for Waiver in the City of Philadelphia

Under 52 Pa. Code § 1005.23 (relating to petitions for issuance, amendment, repeal or waiver of Authority regulations), a petition for a waiver of Philadelphia Parking Authority regulations has been filed with the Taxicab and Limousine Division (TLD) at Doc. No. P-15-04-02 by Elize Cab Co., 815 Marlyn Road, Philadelphia, PA 19151, which holds certificate of public convenience No. 1000125-01. The petitioner is requesting a waiver of 52 Pa. Code § 1017.4(b) (relating to age and mileage limitations).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by May 11, 2015. Documents filed in support of the petition for waiver are available for inspection at the TLD offices with the TLD Administrative Counsel between 9 a.m. and 4:30 p.m.,

Monday through Friday, or may be inspected at the business address of the applicant. The filings fees related to a protest may be obtained on the TLD's web site [www.philapark.org/tld](http://www.philapark.org/tld).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-799. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Motor Carrier Petition for Waiver in the City of Philadelphia

Under 52 Pa. Code § 1005.23 (relating to petitions for issuance, amendment, repeal or waiver of Authority regulations), a petition for a waiver of Philadelphia Parking Authority regulations has been filed with the Taxicab and Limousine Division (TLD) at Doc. No. P-15-04-03 by El Condor Limousine Service, Inc., 4740 Rising Sun Avenue, Philadelphia, PA 19120, which holds certificate of public convenience No. 1020732-07. The petitioner is requesting a waiver of 52 Pa. Code § 1055.3(b) (relating to limousine age and mileage parameters).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by May 11, 2015. Documents filed in support of the petition for waiver are available for inspection at the TLD offices with the TLD Administrative Counsel between 9 a.m. and 4:30 p.m., Monday through Friday, or may be inspected at the business address of the applicant. The filings fees related to a protest may be obtained on the TLD's web site [www.philapark.org/tld](http://www.philapark.org/tld).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-800. Filed for public inspection April 24, 2015, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 15-018.P, RFP—Feasibility of a Marine Highway Project at the Port of Philadelphia, until 2 p.m. on Thursday, May 28, 2015. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-801. Filed for public inspection April 24, 2015, 9:00 a.m.]

### Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 15-035.P, RFP—PAB Telecommunications Improvements, until 2 p.m. on Wednesday, May 27, 2015. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-802. Filed for public inspection April 24, 2015, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

## Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Rocky Knoll Limited Partnership 1166 Gypsy Hill Road Lancaster, PA 17602	Lancaster County/ West Lampeter Township	0	Swine	Existing	Rescind
Jeffrey Martin 2300 Silver Creek Road Port Trevorton, PA 17864	Snyder County/ Union Township	119.24	Layer	New	Approved
Mike Lewis 1851 Landis Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	85.48	Broilers	New	Approved
Jason Saylor—Witmer Farms 75 Witmer Road Liverpool, PA 17045	Perry County/ Liverpool Township	49.02	Pullets	New	Approved
Joseph Nolt 915 South Cocalico Road Denver, PA 17517	Lancaster County/ West Cocalico Township	112.8	Broilers	New	Approved
Leon Snyder 440 Albright Road Kutztown, PA 19530	Lehigh County/ Weisenberg Township Berks County/ Maxatawny Township	930	Layers	New	Approved
Shelmar Acres, LLC 580 Colebrook Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	392.4	Swine	New	Approved
White Oak Hollow Farms, LLC 766 White Oak Hollow Road Warfordsburg, PA 17267	Fulton County/ Bethel Township	730	Swine	New	Approved
Hoffman Family Farm, LLC 243 Healy Road Shinglehouse, PA 16748	Potter County/ Oswayo Township	128.22	Cattle	New	Approved
Dale Hess 768 Oxford Road New Oxford, PA 17350	Adams County/ Oxford Township	293.94	Layers/ Sheep/ Goats	Amended	Approved
Jeff Wenger 34 Lincoln School Road Jonestown, PA 17038	Lebanon County/ East Hanover Township	182.5	Broiler	New	Approved

JOHN QUIGLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 15-803. Filed for public inspection April 24, 2015, 9:00 a.m.]



