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# PENNSYLVANIA BULLETIN

Volume 45

Number 22

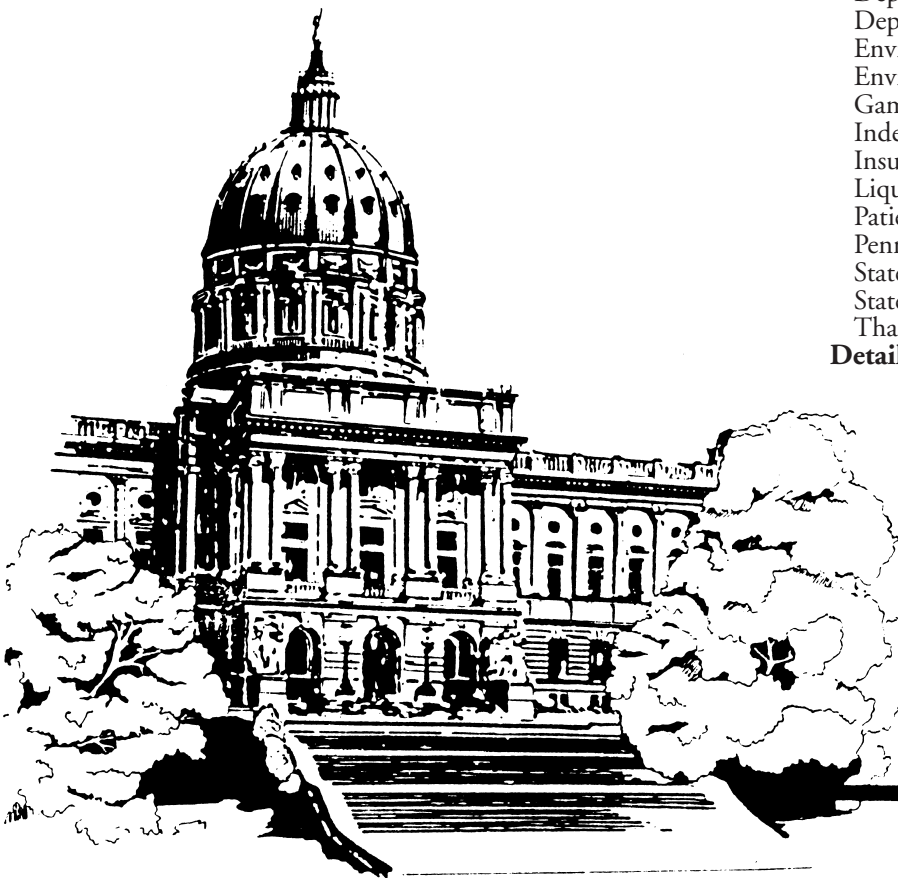
Saturday, May 30, 2015 • Harrisburg, PA

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(Master Transmittal Sheet):**

**No. 486, May 2015**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 40 ]

**Revision of Effective Date of Rules 4001—4016 of the Rules of Judicial Administration on Court Reporting and Transcripts; No. 446 Judicial Administration Doc.**

### Order

*Per Curiam*

*And Now*, this 12th day of May, 2015, it is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the June 1, 2015 effective date of Rules 4001—4016 of the Pennsylvania Rules of Judicial Administration, governing court reporting and transcripts, is revised to January 1, 2017. *See* Order No. 436 Judicial Administration Docket (December 4, 2014).

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

*(Editor's Note:* Order No. 436 Judicial Administration Doc. was published at 44 Pa.B. 7823 (December 20, 2014) and is codified in 201 Pa. Code Chapter 40 (relating to uniform rules governing court reporting and transcripts).)

[Pa.B. Doc. No. 15-994. Filed for public inspection May 29, 2015, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

**Adoption of Local Rules of Civil Procedure 1915.16(a) Form of Order and Notice. Joinder. Intervention and 1915.16(b) Order for Notice. Right to Intervene and 1920.71 Form of Notice; No. 15-0979**

### Administrative Order No. 8-2015

*And Now*, this 12th day of May, 2015, it is hereby

*Ordered and Decried* that, effective July 1, 2015, Carbon County Rules of Civil Procedure CARB.R.C.P. 1915.16(a) governing Form of Order and Notice, Joinder and Intervention in custody matters, CARB.R.C.P. 1915.16(b) governing Order for Notice, Right to Intervene in custody matters, and CARB.R.C.P. 1920.71 governing Form of Notice in divorce matters be and are hereby *Adopted* as follows hereto.

1. The Carbon County District Court Administrator is *Ordered and Directed* to File one (1) certified copy of this Administrative Order and Local Rules with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) CD with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Civil Procedural Rules Committee.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Administrative Order and Local Rules in the Prothonotary's Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

### Rule 1915.16(a). Form of Order and Notice. Joinder. Intervention.

The order and notice joining a party in an action under Pa.R.C.P. 1915.6(a) shall be completed in English and Spanish.

The English and Spanish versions are attached.

### ORDER AND NOTICE

A complaint has been filed in the Court of Common Pleas of Carbon County concerning custody of the following child(ren): \_\_\_\_\_.

The Court has learned you may have a legal interest in custody of the child(ren) named.

A hearing will be held in Courtroom \_\_\_\_\_ of the Court of Common Pleas, 4 Broadway, Jim Thorpe, Pennsylvania, on \_\_\_\_\_ (Day and Date), at \_\_\_\_\_ (Time), \_\_\_\_M. If you wish to protect any legal interest you may have or wish to present evidence to the Court on those matters, you should appear at the place and time and on the date above.

If you have the child(ren) in your possession or control, you must appear and bring them to the Courthouse with you.

If you wish to claim a right of custody, you may file a counterclaim.

If you fail to appear as provided by this order or to bring the child(ren), an order for custody may be entered against you or the Court may issue a warrant for your arrest.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

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AMERICANS WITH DISABILITIES ACT OF 1990

ACTA DE 1990 PARA ESTADOUNIDENSES CON INCAPACIDADES

The Court of Common Pleas of Carbon County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Office of the District Court Administrator at (570) 325-8556. All arrangements must be made at least seventy-two (72) hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

La Ley requiere que el Tribunal de Causas Comunes del Condado de Carbon cumpla con el Acta de 1990 para Estadounidenses con Incapacidades. Para información sobre locales accesibles y alojamiento disponibles a individuos incapacitados que tengan diligencias ante el tribunal, por favor comuníquese con nuestra oficina. Todos los arreglos deberán hacerse al menos 72 horas antes de cualquier audiencia o diligencia ante el tribunal.

BY THE COURT:

POR EL TRIBUNAL:

Date: \_\_\_\_\_

J.

Fecha: \_\_\_\_\_

ORDEN Y NOTIFICACION

**Rule 1915.16(b). Order for Notice. Right to Intervene.**

Una demanda ha sido asentada en el Tribunal de Causas Comunes del Condado de Carbon conerciente a la custodia del (los) siguiente(s) menor(es):

The order for notice of the pendency of the action and the right to intervene required by Pa.R.C.P. 1915.6(b) shall be completed in English and Spanish.

El tribunal se ha enterado de que usted pudiera tener un interés legal en la custodia del (los) menor(es) nombrados. Una audiencia tendrá lugar en la sala de tribunal \_\_\_\_\_ del Tribunal del Condado de Causas Comunes, 4 Broadway, Jim Thorpe, PA 18229 el \_\_\_\_\_ (Dia y Fecha), a las \_\_\_\_\_ (AM/PM) (hora).

The English and Spanish versions are attached.

ORDER AND NOTICE

Si desea proteger cualquier derecho legal que pudiera tener o desea presentar pruebas al Tribunal sobre estos asuntos, deberá comparecer en el lugar, a la hora y en la fecha antes indicada.

A complaint has been filed in the Court of Common Pleas of Carbon County concerning custody of the following child(ren): \_\_\_\_\_ .

Si tiene al (los) menor(es) en su poder y control, deberá comparecer y traerlo(s) al Tribunal con usted.

The Court has learned you claim custodial rights with respect to the child(ren) named.

Si desea reclamar un derecho a custodia, usted puede asentar una contrademanda.

A hearing will be held in Courtroom \_\_\_\_\_ of the Court of Common Pleas, 4 Broadway, Jim Thorpe, Pennsylvania, on \_\_\_\_\_ (Day and Date), at \_\_\_\_\_ (Time), \_\_\_\_M. If you wish to assert your claim to custodial rights with respect to the child(ren) or wish to present evidence to the Court on those matters, you should petition the Court, on or before the date above, for leave to intervene in the proceedings.

Si no comparece de acuerdo a esta notificación o no trae al (los) menor(es), una orden para custodia pudiera ser asentada en su contra o el Tribunal pudiera emitir una orden de arresto en contra suya.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

USTED DEBERA LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME A LA OFICINA ALISTADA ABAJO. ESTA OFICINA PUEDE PROVEERLE LA INFORMACION NECESARIA PARA CONTRATAR UN ABOGADO. SI USTED NO PUEDE CONTRATAR LOS SERVICIOS DE UN ABOGADO, ESTA OFICINA PUEDE DARLE INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS ELEGIBLES PARA UNA CUOTA REDUCIDA O GRATIS.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

North Penn Legal Services  
101 West Broad Street, Suite 513  
Hazleton, PA 18201  
Phone 1-877-953-4250  
Fax (570) 455-3625

or

Carbon County Lawyer Referral  
777 Blakeslee Blvd. Dr., Suite 2  
Lehighton, PA 18235  
Phone 1-610-379-4950  
Fax (610) 379-4952

or

Carbon County Lawyer Referral  
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Lehighton, PA 18235  
Phone 1-610-379-4950  
Fax (610) 379-4952

ACTA DE 1990 PARA ESTADOUNIDENSES CON INCAPACIDADES

La Ley requiere que el Tribunal de Causas Comunes del Condado de Carbon cumpla con el Acta de 1990 para Estadounidenses con Incapacidades. Para información sobre locales accesibles y alojamiento disponibles a individuos incapacitados que tengan diligencias ante el tribunal, por favor comuníquese con nuestra oficina. Todos los arreglos deberán hacerse al menos 72 horas antes de cualquier audiencia o diligencia ante el tribunal.

POR EL TRIBUNAL:

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Carbon County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Office of the District Court Administrator at (570) 325-8556. All arrangements must be made at least seventy-two (72) hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

Fecha: \_\_\_\_\_

Rule 1920.71. Form of Notice.

The notice required by Pa.R.C.P. 1920.12(c) shall be completed in English and Spanish.

The English and Spanish versions are attached.

BY THE COURT:

Date: \_\_\_\_\_ J.

NOTICE TO DEFEND AND CLAIM RIGHTS

ORDEN Y NOTIFICACION

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

Una demanda ha sido asentada en el Tribunal de Causas Comunes del Condado de Carbon concerniente a la custodia del (los) siguiente(s) menor(es):

El tribunal se ha enterado de que usted pudiera tener un interés legal en la custodia del (los) menor(es) nombrados. Una audiencia tendrá lugar en la sala del tribunal \_\_\_\_\_ del Tribunal del Condado de Causas Comunes, 4 Broadway, Jim Thorpe, PA 18229 el \_\_\_\_\_ (Dia y Fecha), a las \_\_\_\_\_ (AM/PM) (hora).

Si desea hacer valer su demanda de derechos de custodia con respecto al (los) menor(es) o desea presentar pruebas al Tribunal sobre estos asuntos, deberá hacer un pedimento al Tribunal a más tardar para la fecha antes indicada, para pedir permiso para intervenir en las diligencias judiciales.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at Carbon County Courthouse, 4 Broadway, Jim Thorpe, Pennsylvania 18229.

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IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

North Penn Legal Services  
101 West Broad Street, Suite 513  
Hazleton, PA 18201  
Phone 1-877-953-4250  
Fax (570) 455-3625

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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Lehighton, PA 18235  
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Fax (610) 379-4952

NOTIFICACION AL ACUSADO Y DERECHOS DE  
DEMANDA

Se le ha demandado en el tribunal. Si desea defenderse de las demandas delineadas en las siguientes páginas, debe tomar acción prontamente. Se le notifica que si no lo hace, el caso procederá sin usted y el tribunal pudiera asentar una orden de divorcio o anulamiento en su contra. Una sentencia pudiera también ser asentada en su contra por cualquier otra queja o demanda o desagravio requerido por el demandante en estos documentos. Usted pudiera perder dinero o propiedades u otros derechos importantes para usted, incluyendo la custodia o derecho de visita de sus hijos.

Cuando la causal de divorcio es un rompimiento absoluto del matrimonio, usted puede solicitar consejería matrimonial. Una lista de consejeros matrimoniales está disponible en la Oficina del Protonotario en el Tribunal del Condado de Carbon, 4 Broadway, Jim Thorpe, Pennsylvania 18229.

SI USTED NO ASIENTA UNA DEMANDA POR MANUTENCION, DIVISION DE PROPIEDADES, HONORARIOS PROFESIONALES DEL ABOGADO O GASTOS ANTES QUE SE OTORQUE UN DIVORCIO O ANULACION, USTED PUEDE PERDER EL DERECHO A RECLAMAR CUALQUIERA DE ESTOS GASTOS.

USTED DEBERA LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME A LA OFICINA ALISTADA ABAJO. ESTA OFICINA PUEDE PROVEERLE LA INFORMACION NECESARIA PARA CONTRATAR UN ABOGADO. SI USTED NO PUEDE CONTRATAR LOS SERVICIOS DE UN ABOGADO, ESTA OFICINA PUEDE DARLE INFORMACION SOBRE AGENCIAS QUE OFRECEN SERVICIOS LEGALES A PERSONAS ELEGIBLES PARA UNA CUOTA REDUCIDA O GRATIS.

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[Pa.B. Doc. No. 15-995. Filed for public inspection May 29, 2015, 9:00 a.m.]

YORK COUNTY

Amending Local Rule of Civil Procedure 1971 and  
Renumbering It as 1940.4; 2015-MI-000070-55

Administrative Order Amending York County  
Local Rule of Civil Procedure 1971 and  
Renumbering It as 1940.4

And Now, this 7th day of May, 2015, it is *Ordered* that York County Local Rule of Civil Procedure 1971 is hereby amended as follows, and renumbered as 1940.4 to be keyed to the number of the Pennsylvania Rule of Civil Procedure to which it corresponds, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

STEPHEN P. LINEBAUGH,  
*President Judge*

YCCiv. [ 1971 ] 1940.4. **Minimum Qualifications of the Mediator:** Selection of Mediators; Training.

(A) Prior to the last day of each calendar year, the York County Bar Association Family Law Section shall present to the President Judge a list of attorneys authorized to practice before the York County Court of Common Pleas, **or other qualified professionals**, who have agreed to serve as mediators for cases eligible for mediation under YCCiv. 1970. The President Judge, in consultation with the Supervising Judge of the Family Court may strike names from the list and shall promptly appoint the mediators and set their fees by administrative order. A copy of the administrative order shall promptly be forwarded to the York County Bar Association.

(B) Mediation Training Requirements: Persons selected as mediators for cases submitted under YCCiv. 1970 must have fulfilled the requirements of a recognized organization of family mediators, (which shall include at least forty (40) hours of approved training in family law mediation), or have received thirty (30) hours of Custody Mediation Training approved by the York County Family Court Division [ , **plus be a practicing family law attorney or custody conciliator** ].

(C) No person shall serve as a mediator in case where the mediator or any member of his or her firm:

- (1) Previously or currently represents one or more parties; or
- (2) Is personally acquainted with or related to one or more of the parties; or
- (3) Has personal knowledge or familiarity with the case; or
- (4) Has been or may be called as a witness in the case; or
- (5) Has participated as a conciliator or master in the case.

[Pa.B. Doc. No. 15-996. Filed for public inspection May 29, 2015, 9:00 a.m.]

# SUPREME COURT

## Establishment of Committee on Court Reporting and Transcripts and Appointment of Initial Members; No. 444 Judicial Administration Doc.

### Order

#### *Per Curiam*

*And Now*, this 12th day of May, 2015, it is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that the Court establishes the Committee on Court Reporting and Transcripts.

The Committee shall consist of the following members appointed by the Supreme Court of Pennsylvania, one of whom shall be designated as Chair and one of whom shall be designated as Vice-Chair:

- (1) One representative of the Superior Court of Pennsylvania;
- (2) One representative of the Commonwealth Court of Pennsylvania;
- (3) Two president judges of the courts of common pleas chosen from among the judicial districts of the Commonwealth;
- (4) The district court administrator of the Philadelphia County Court of Common Pleas;
- (5) The district court administrator of the Allegheny County Court of Common Pleas;
- (6) Two district court administrators chosen from among the judicial districts of the Commonwealth other than Philadelphia and Allegheny;
- (7) Two providers of court reporting services representing the various methods currently in usage within Pennsylvania; and
- (8) Two members of the Pennsylvania Bar.

Initial appointments shall be for one-, two- or three-year terms, and these members may serve one additional three-year term. Thereafter appointments shall be for three years and members shall serve no more than two consecutive three-year terms. A replacement appointee shall serve for the balance of the unexpired term.

The Committee shall review current rules and practices, and, upon concurrence of the Court Administrator,

recommend revisions to the Uniform Rules Governing Court Reporting and Transcripts. The Administrative Office shall provide staff support to the Committee.

The initial Committee members and their terms are as follows:

#### *Term expiring June 1, 2016:*

The Honorable Stephen G. Baratta  
President Judge, Court of Common Pleas of Northampton County

Joseph H. Evers  
District Court Administrator, Philadelphia County

Joseph D. Seletyn, Esq.  
Prothonotary, Superior Court of Pennsylvania

Kristin W. Brown, Esq.  
Prothonotary, Commonwealth Court of Pennsylvania

#### *Term expiring June 1, 2017:*

The Honorable Maureen A. Skerda  
President Judge, Court of Common Pleas of Warren & Forest Counties

Gerald C. Montella, Esq.  
District Court Administrator, Delaware County

Cheryl Hansberry  
Official Court Reporter, Dauphin County

Samuel Milkes, Esq.

#### *Term expiring June 1, 2018:*

Claire C. Capristo, Esq.  
District Court Administrator, Allegheny County

Tami B. Kline  
District Court Administrator, Columbia & Montour Counties

Melissa Keating  
Court Reporter, Mercer County

Chena L. Glenn-Hart, Esq.

The Honorable Stephen Baratta is hereby designated as Chair, and Chena Glenn-Hart is designated as Vice-Chair, of the Committee.

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

[Pa.B. Doc. No. 15-997. Filed for public inspection May 29, 2015, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

#### [ 40 PA. CODE CH. 3 ]

#### Breweries

The Liquor Control Board (Board), under the authority of sections 207(i) and 446(a)(1) of the Liquor Code (47 P. S. §§ 2-207(i) and 4-446(a)(1)), adds § 3.93 (relating to breweries).

#### Summary

The purpose of § 3.93 is to clarify the privileges of breweries with regard to on-premises consumption of the malt or brewed beverages (beer) produced and owned by the brewery. Recent changes to the Liquor Code (47 P. S. §§ 1-101—10-1001) prompt the need for this final-form rulemaking.

Formerly, and for many years, section 440 of the Liquor Code (47 P. S. § 4-440) prohibited manufacturers from offering beer for on-premises consumption:

*No manufacturer shall sell any malt or brewed beverages for consumption on the premises where sold . . . nor shall any manufacturer maintain or operate within the Commonwealth any place or places other than the place or places covered by his or its license where malt or brewed beverages are sold or where orders are taken.*

(Emphasis added.)

The act of February 18, 1998 (P. L. 162, No. 25) (Act 25) created the brewery pub license, whereby a brewery could operate a restaurant or brewery pub on the licensed premise. See section 446(a)(2) of the Liquor Code. When Act 25 was enacted, the only location where a brewery could sell its own beer for on-premises consumption was by obtaining a license for a brewery pub. The brewery pub was to be operated under the conditions and regulations as the Board deemed appropriate. Ultimately, those conditions were codified in § 3.92 (relating to brewery pubs).

The act of December 22, 2011 (P. L. 530, No. 113) (Act 113) triggered the need for this final-form rulemaking. Act 113 amended section 440 of the Liquor Code, allowing a brewery to permit on-premises consumption:

*A manufacturer may sell malt or brewed beverages produced and owned by the manufacturer to individuals on the licensed premises for consumption on the licensed premises where sold only if it complies with the conditions and regulations placed upon holders of brewery licenses under section 446(a)(1).*

(Emphasis added.)

The reference to section 446(a)(1) of the Liquor Code is significant to this final-form rulemaking because it provides the Board with the specific authority to clarify under what circumstances a brewery may sell for on-premises consumption. Section 446(a)(1) of the Liquor Code states that holders of a brewery license may “[s]ell malt or brewed beverages produced and owned by the brewery under such conditions and regulations as the board may enforce, to individuals for consumption on the licensed premises in any container or package of any

volume and to hotel, restaurant, club and public service liquor licensees.” (Emphasis added.)

Although section 446(a)(1) of the Liquor Code now provides that breweries are permitted to offer beer for on-premises consumption, they may only do so “under such conditions and regulations as the board may enforce. . . .” Because the regulations did not address consumption on a brewery’s premises in the absence of a brewery pub license, there has been confusion in the industry in this regard. The purpose of this final-form rulemaking is to provide the industry with guidance as to the lawful consumption of beer on a brewery’s premises.

#### Affected Parties

As of January 15, 2015, there were 169 breweries with active licenses issued by the Board. Approximately 1/3 of these breweries also hold retail licenses, such as a restaurant liquor license, which allow them to sell any type of liquor or beer. Another 1/3 of these brewers also hold brewery pub licenses, which allow a brewery to sell its own beer for consumption on the brewery pub premises. Therefore, this final-form rulemaking most directly affects the final 1/3 of breweries that, without this final-form rulemaking, may not allow patrons to consume beer on the licensed premises.

In addition, in response to comments received from the Brewers of Pennsylvania and the Independent Regulatory Review Commission (IRRC), this final-form rulemaking states clearly that a brewery may offer tastings, for on-premises consumption, of the malt or brewed beverages the brewery has produced and is owned by the brewery. This final-form rulemaking, therefore, may benefit every licensed brewery in this Commonwealth.

#### Paperwork Requirements

The final-form rulemaking seeks to clarify the privileges inherent with the issuance of a brewery license. Therefore, additional paperwork on behalf of a brewery licensee is not required. In fact, as a result of this final-form rulemaking, some breweries may decide to discontinue holding a brewery pub license. This decision would result in less paperwork for that brewery, as the additional brewery pub license paperwork would not need to be filed.

#### Fiscal Impact

The brewery industry provides a significant fiscal impact on the economy in this Commonwealth. The Brewers Association, a nonprofit organization dedicated to America’s craft brewers, determined that small and independent American craft brewers contributed \$33.9 billion to the United States economy in 2012. See [www.brewersassociation.org/statistics/economic-impact-data/](http://www.brewersassociation.org/statistics/economic-impact-data/). That figure is calculated from the total impact of craft-brewed beer moving through the three-tier system (breweries, wholesalers and retailers) and all nonbeer products, such as food and merchandise sold by brewpubs and breweries. According to the Brewers Association, the craft brewing industry also provided more than 360,000 jobs, including 108,440 jobs at breweries and brewpubs.

In 2012, this Commonwealth ranked in the top five states (bested only by California, Texas and New York) when looking at the impact of the craft brewing industry on a state’s economy. The Brewers Association calculated the economic impact of craft brewers in this Commonwealth to be \$2 billion in 2012.

The final-form rulemaking provides meaningful support to this important industry. For example, in early 2012, the Commonwealth of Virginia passed a bill allowing breweries to sell beer for on-premises consumption. In the 8 years before the passage of this bill, the number of breweries increased an average of 2.7 breweries a year. In the 2 years after the passage of the bill, the number of breweries increased by 33, for an average of 16.5 breweries a year.

The final-form rulemaking can also have a positive fiscal impact not only on the number of breweries, but also with production volumes. In 2013, states that allowed on-premises consumption by breweries had greater production volumes (2.8 gallons produced per adult resident over 21 years of age) than states that do not allow on-premises consumption (1/2 gallon produced per adult resident over 21 years of age).

*Effective Date*

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

*Contact Person*

Comments should be addressed to Rodrigo J. Diaz, Executive Deputy Chief Counsel, or Norina Blynn, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 28, 2014, the Board submitted a copy of the notice of proposed rulemaking, published at 44 Pa.B. 7075 (November 8, 2014), to IRRC and the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees and the public. The Board received a comment from The Brewers of Pennsylvania and a comment from IRRC, the responses to which are set forth in a separate document.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on April 15, 2015, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 16, 2015, and approved the final-form rulemaking.

*Findings*

The Board finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

(3) The revisions that were made to this final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 44 Pa.B. 7075.

*Order*

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

(a) The regulations of the Board, 40 Pa. Code Chapter 3, are amended by adding § 3.93 to read as set forth in Annex A.

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

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

TIM HOLDEN,  
*Chairperson*

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

**Fiscal Note:** Fiscal Note 54-80 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 40. LIQUOR**

**PART I. LIQUOR CONTROL BOARD**

**CHAPTER 3. LICENSE APPLICATIONS**

**Subchapter J. MALT OR BREWED BEVERAGE MANUFACTURERS**

**§ 3.93. Breweries.**

(a) The holder of a brewery license may not allow patrons to consume alcohol on the licensed premises except as set forth in this section.

(b) If the holder of a brewery license has obtained a brewery pub, restaurant liquor, eating place retail dispenser or hotel license for use on the licensed premises, it may allow on-premises consumption of alcohol on the licensed premises in conformity with the requirements of the brewery pub, restaurant liquor, eating place retail dispenser or hotel license.

(c) If the holder of a brewery license has not obtained a brewery pub, restaurant liquor, eating place retail dispenser or hotel license for use on the licensed premises, it may allow on-premises consumption of alcohol on the licensed premises only under the following conditions:

(1) Consumption may occur between 10 a.m. and midnight.

(2) The only alcohol that may be consumed on the licensed premises is the malt or brewed beverages produced and owned by the brewery.

(3) The brewery must have at least ten seats on the licensed premises for use by patrons while they are consuming alcohol.

(4) The brewery shall make food available to each patron who is consuming alcohol on the licensed premises while that person is consuming alcohol. Food must, at a minimum, consist of potato chips, pretzels and similar foods. Food may be prepared by the brewery or by a third party.

(5) The holder of a brewery license may offer tastings of malt or brewed beverages produced and owned by the brewery in accordance with §§ 13.201 and 13.211 (relating to definitions; and tasting events).

[Pa.B. Doc. No. 15-998. Filed for public inspection May 29, 2015, 9:00 a.m.]



# Title 58—RECREATION

## GAME COMMISSION [ 58 PA. CODE CH. 135 ]

### Lands and Buildings; State Game Lands

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to §§ 135.2 and 135.41 (relating to unlawful actions; and State game lands) to require that persons using portable hunting blinds or stands on State game lands or cooperative access properties mark their blinds or stands with a tag bearing their name and address or a number issued by the Commission.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1374 (March 21, 2015).

#### 1. Purpose and Authority

The Commission has historically permitted the placement and use of portable hunting blinds and stands on State game lands and continued support for their allowance has not diminished. However, the Commission has identified that this allowance has, in certain instances, resulted in the unintended consequence of some portable hunting blinds and stands on State game lands seemingly becoming permanent fixtures due to long-term placement by hunters. While the Commission continues to support the placement and use of portable hunting blinds and stands on State game lands, it amends § 135.41 to require that persons using portable hunting blinds or stands must mark their blinds or stands with a tag bearing their name and address or a number issued by the Commission. The Commission is also amending § 135.2 to extend the application of these requirements to portable hunting blinds or stands on cooperative access properties that are open to public hunting.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations . . . for its use and protection as necessary to properly manage these lands or waters.” The amendments to §§ 135.2 and 135.41 are adopted under this authority.

#### 2. Regulatory Requirements

The final-form rulemaking amends §§ 135.2 and 135.41 to require that persons using portable hunting blinds or stands on State game lands or cooperative access properties mark their blinds or stands with a tag bearing their name and address or a number issued by the Commission.

#### 3. Persons Affected

Persons wishing to use portable hunting blinds or stands on State game lands or cooperative access properties will be affected by the final-form rulemaking.

#### 4. Comment and Response Summary

The Commission received one comment in support of and one comment in opposition to the final-form rulemaking.

#### 5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

#### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 135, are amended by amending §§ 135.2 and 135.41 to read as set forth at 45 Pa.B. 1374.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1374 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-379 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 15-999. Filed for public inspection May 29, 2015, 9:00 a.m.]

## GAME COMMISSION [ 58 PA. CODE CH. 139 ] Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2015-2016 hunting/trapping license year.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1375 (March 21, 2015).

### 1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission amends § 139.4 to provide updated seasons and bag limits for the 2015-2016 license year. The 2015-2016 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Changes to small game seasons include opening the bobwhite quail season Statewide except for Wildlife Management Unit (WMU) 5A where quail hunting will remain closed. A recently completed quail status report concluded that the bobwhite is extirpated from the wild and therefore there is not a biological basis for prohibiting hunting. The Commission kept WMU 5A closed to quail hunting in the event restoration efforts are targeted in this WMU in the coming year. The Commission also expanded the crow hunting season to include an additional weekend through April 10 to take full advantage of the allotted days offered under the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712). Lastly, the Commission extended the closure dates of the late-season squirrel, rabbit and ring-necked pheasant seasons to the last day in February.

In regard to wild turkey seasons, 2014 marked the final year of data collection for the hen harvest and survival study. Preliminary analyses show an increase in harvest rate with a 1-week fall season increase, but further analyses are needed to determine the significance of the increase at the population level and to guide revision of criteria for determining fall season length. However, finalizing and adopting a new structured process for fall season recommendations by the April 2015 Commission meeting was not feasible. Therefore, this year's recommendations continue to use the current fall season recommendation process specified, and approved, in the Wild Turkey Management Plan. The Commission kept the same season structure as in 2014 for WMUs 2C, 2F, 2G and 2H. The Commission also decreased the fall season in WMUs 2E, 4A, 4B, 4D and 3D, from 3 weeks + 3-day Thanksgiving season to 2 weeks + 3-day Thanksgiving season. Both the spring harvest density and summer sighting index have declined. These units have some of the highest fall turkey hunter densities in this Commonwealth and, in accordance with the Wild Turkey Management Plan, a decrease in season length was recommended.

Regarding white-tailed deer seasons, the Commission adjusted WMUs 1A, 1B, 3A and 3D from a concurrent antlered/antlerless white-tailed deer season to a split antlered/antlerless white-tailed deer season. The Commission also ran the deer archery season in WMUs 2B, 5C and 5D from September 19 through November 28. Based on field data from marked deer in WMU 5C, antlered harvest rates are lower than Statewide averages. As a result, antlered harvest rates could increase without negative biological consequences. In addition, this change will simplify archery regulations in these WMUs.

Concerning furbearer seasons, the Commission created a river otter season in accordance with the strategies in the River Otter Management Plan. An otter trapping permit will be required to take a season limit of one otter.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the commis-

sion to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking. . . .” The amendments to § 139.4 are adopted under this authority.

### 2. Regulatory Requirements

The final-form rulemaking amends § 139.4 by establishing when and where it is lawful to hunt and trap various game species and also place limits on the numbers that can be legally taken during the 2015-2016 hunting/trapping license year.

### 3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2015-2016 hunting/trapping license year will be affected by the final-form rulemaking.

### 4. Comment and Response Summary

The Commission received a total of 270 official comments concerning the final-form rulemaking. The comments received concerned the following subtopics.

*Deer seasons.* Thirty-nine comments were received concerning this subtopic: 1 supported opening the regular firearms deer season on the Saturday after Thanksgiving; 1 supported opening the regular firearms deer season on the Friday after Thanksgiving; 1 opposed the extended archery deer season in WMU 2B; 10 supported and having concurrent regular firearms deer seasons Statewide; 2 supported the concurrent regular firearms deer season in WMU 1B; 1 supported having concurrent regular firearms deer seasons in the northcentral Pennsylvania; 2 supported and 3 opposed a split regular firearms deer season in WMU 1A; 1 opposed a split regular firearms deer season in WMU 3D; 4 opposed a split regular firearms deer season in WMU 3A; 1 supported a split regular firearms deer season in the Tioga County area; 1 supported a split regular firearms deer season in WMU 5A; 1 supported a split regular firearms deer season in WMU 2B; 1 supported a split regular firearms deer season in WMU 5A; 3 supported a 3-day antlerless deer season; 1 supported extending antlered deer season in special regulation areas; 1 supported shortening antlerless deer seasons; 1 supported closing antlerless deer hunting seasons; 1 supported extending the archery deer season; 1 supported shortening archery deer season in WMU 2B; and 1 supported an archery deer season in WMU 2B running from September 29 through November 28.

*Bear seasons.* Thirteen comments were received concerning this subtopic: 1 supported creating an extended bear season in every WMU that maintained concurrent regular firearms deer seasons; 4 supported concurrent archery deer and archery bear seasons; 2 supported concurrent regular firearms deer and bear seasons; 1 supported a concurrent special firearms antlered deer and bear season from October 22 through 24; 1 supported a flintlock bear season; 1 opposed a flintlock bear season during the archery deer season; 2 supported the expansion of archery bear season; and 1 supported a spring bear season.

*Small game seasons.* Five comments were received concerning this subtopic: one supported early squirrel season except during archery deer season; one opposed killing groundhogs, rabbits, squirrels and other beautiful animals; and three supported keeping small game season open until end of February.

*Turkey seasons.* Two comments were received concerning this subtopic: one opposed a 2-week fall turkey season; and one supported an opening season date that did not change.

*Furbearer hunting/trapping seasons.* A total of 211 comments were received concerning this subtopic: 182 opposed an open otter trapping season; 3 opposed an open otter hunting season; 3 opposed killing otters; and 23 opposed any open trapping seasons.

5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

The effective dates of the final-form rulemaking are July 1, 2015, to June 30, 2016.

7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by amending § 139.4 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order will be effective from July 1, 2015, to June 30, 2016.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-374 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 139. SEASONS AND BAG LIMITS**

**§ 139.4. Seasons and bag limits for the license year.**

**(SEASONS AND BAG LIMITS TABLE)  
2015-2016 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrel—(Combined species) Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 16	6	18
Squirrel—(Combined species)	Oct. 17	Nov. 28	6	18
	and			
	Dec. 14	Dec. 24		
	and			
	Dec. 26	Feb. 29, 2016		
Ruffed Grouse	Oct. 17	Nov. 28	2	6
	and			
	Dec. 14	Dec. 24		
	and			
	Dec. 26	Jan. 23, 2016		

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<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Rabbit, Cottontail— Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 17	4	12
Rabbit, Cottontail	Oct. 24	Nov. 28	4	12
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 29, 2016		
Ring-necked Pheasant—There is no open season for the taking of pheasants in any area designated as a wild pheasant recovery area within any wildlife management unit.				
Ring-necked Pheasant—Male only in WMUs 2A, 2C, 4C, 4E, 5A and 5B Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 17	2	6
Ring-necked Pheasant—Male or female combined in WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 10	Oct. 17	2	6
Ring-necked Pheasant—Male only in WMUs 2A, 2C, 4C, 4E, 5A and 5B	Oct. 24	Nov. 28	2	6
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 29, 2016		
Ring-necked Pheasant—Male or female combined in WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D	Oct. 24	Nov. 28	2	6
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 29, 2016		
Bobwhite Quail—The hunting and taking of bobwhite quail is permitted in all WMUs except in WMU 5A where the season is closed.	Oct. 24	Nov. 28	4	12
Hare (Snowshoe Rabbit) or Varying Hares WMUs 3B, 3C and 3D	Dec. 26	Dec. 29	1	3
WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 4A, 4B, 4C, 4D, 4E, 5A, 5B, 5C and 5D	Dec. 26	Jan. 1, 2016	1	3
Woodchuck (Groundhog)	No closed season except during the regular firearms deer seasons. Hunting on Sundays is prohibited.		Unlimited	
Porcupine	Sept. 1	March 31, 2016	3	10
<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Fall (Male or Female)			1	1
WMU 2B (Shotgun, Bow and Arrow only)	Oct. 31	Nov. 20		
	Nov. 26	Nov. 28		

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
WMU 1B	Oct. 31	Nov. 7		
	Nov. 26	Nov. 28		
WMUs 1A, 2A, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B and 4D	Oct. 31	Nov. 14		
	Nov. 26	Nov. 28		
WMUs 2C, 4C and 4E	Oct. 31	Nov. 20		
	Nov. 26	Nov. 28		
WMU 5A	Nov. 5	Nov. 7		
WMUs 5B, 5C and 5D	Closed to fall turkey hunting			
Turkey, Spring (Statewide) Youth Hunt <sup>1</sup> Bearded Bird only Eligible junior hunters only with the required license and when properly accompanied	April 23, 2016		1	1
Turkey, Spring (Statewide) <sup>1</sup> Bearded Bird only	April 30, 2016	May 14, 2016	1	2
	May 16, 2016	May 31, 2016	May be hunted 1/2 hour before sunrise to 12 noon	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset

#### MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about August 27 and September 28 of each year.

Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Crow (Hunting permitted on Friday, Saturday and Sunday only)	July 3	April 10, 2016	Unlimited	
Starling and English Sparrow	No closed season except during the regular firearms deer seasons.		Unlimited	

#### FALCONRY

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrel—(Combined species)	Sept. 1	Mar. 31, 2016	6	18
Quail	Sept. 1	Mar. 31, 2016	4	12
Ruffed Grouse	Sept. 1	Mar. 31, 2016	2	6
Cottontail Rabbit	Sept. 1	Mar. 31, 2016	4	12
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2016	1	3
Ring-necked Pheasant—Male and Female—(Combined)	Sept. 1	Mar. 31, 2016	2	6

Migratory Game Bird—Seasons and bag limits shall be in accordance with Federal regulations.

WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered and Antlerless) <sup>2</sup> WMUs 2B, 5C and 5D	Sept. 19 and Dec. 26	Nov. 28 and Jan. 23, 2016	An antlered, and an antlerless deer with each required antlerless license.
Deer, Archery (Antlered and Antlerless) <sup>2</sup> (Statewide)	Oct. 3 and Dec. 26	Nov. 14 and Jan. 9, 2016	One antlered, and an antlerless deer with each required antlerless license.
Deer, Muzzleloading (Antlerless only) (Statewide)	Oct. 17	Oct. 24	An antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) (Statewide) Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind) and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard, with required antlerless license	Oct. 22	Oct. 24	An antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 2B, 5A, 5B, 5C and 5D	Nov. 30	Dec. 12	One antlered, and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered only) <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Nov. 30	Dec. 4	One antlered deer.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 5	Dec. 12	One antlered, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> (Statewide)	Dec. 26	Jan. 9, 2016	One antlered, or one antlerless—plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> WMUs 2B, 5C and 5D	Dec. 26	Jan. 23, 2016	One antlered, or one antlerless—plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 23, 2016	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

BLACK BEAR

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, Archery <sup>4</sup> (Statewide)	Nov. 16	Nov. 20	1	1
Bear, Archery <sup>4</sup> WMUs 2B, 5C and 5D	Sept. 19	Nov. 14	1	1

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, Archery <sup>4</sup> WMU 5B	Oct. 3	Nov. 14	1	1
Bear, Muzzleloader <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Oct. 17	Oct. 24	1	1
Bear, Special Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D Junior and Senior License holders, disabled and Pennsylvania residents on active duty in armed services	Oct. 22	Oct. 24	1	1
Bear, Regular Firearms <sup>4</sup> (Statewide)	Nov. 21	Nov. 25	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 2C, 4B, 4C, 4D and 4E	Dec. 2	Dec. 5	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Nov. 30	Dec. 12	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 3A, 3B, 3C and 3D	Nov. 30	Dec. 5	1	1

**ELK**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Elk, Regular <sup>5</sup> (Antlered and Antlerless)	Nov. 2	Nov. 7	1	One elk with required license
Elk, Extended <sup>5</sup> (Antlered and Antlerless)	Nov. 9	Nov. 14	1	One elk with required license
Elk, Special Conservation Tag <sup>5</sup> (Antlered and Antlerless)	Sept. 1	Nov. 7	1	One elk with required license

**FURTAKING—TRAPPING**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Mink and Muskrat (Statewide)	Nov. 21	Jan. 10, 2016	Unlimited	
Beaver (Statewide)	Dec. 26	Mar. 31, 2016		
WMUs 1A, 1B and 3C (Combined)			20	40
WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
Coyote, Fox, Opossum, Raccoon, Skunk, Weasel—(Statewide)	Oct. 25	Feb. 21, 2016	Unlimited	
Coyote and Fox—(Statewide) (Cable restraint devices may be used)	Dec. 26	Feb. 21, 2016	Unlimited	
Bobcat (with appropriate permit) WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 19	Jan. 10, 2016	1	1
Fisher (with appropriate permit) WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4D and 4E	Dec. 19	Dec. 24	1	1
River Otter (with appropriate permit) <sup>6</sup> WMUs 3C and 3D	Feb. 21, 2016	Feb. 23, 2016	1	1

FURTAKING—HUNTING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyote—(Statewide)		Outside of any big game season may be taken with a hunting license or a furtaker’s license and without wearing orange.	Unlimited	
Coyote—(During any big game season)		May be taken while lawfully hunting big game or with a furtaker’s license.		
Opossum, Striped Skunk, Weasel (Statewide)		No closed season.		
Raccoon and Fox—(Statewide)	Oct. 24	Feb. 20, 2016	Unlimited	
Bobcat (with appropriate permit) WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 16, 2016	Feb. 9, 2016	1	1

No open seasons on other wild birds or wild mammals.

<sup>1</sup> Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of two gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>2</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>3</sup> Includes persons who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>4</sup> Only one bear may be taken during the hunting license year.

<sup>5</sup> Only one elk may be taken during the hunting license year.

<sup>6</sup> Otter season may be extended up to 5 additional individual days beyond the listed last day of the otter season in the event the harvest quota is not met.

[Pa.B. Doc. No. 15-1000. Filed for public inspection May 29, 2015, 9:00 a.m.]

**GAME COMMISSION**  
**[ 58 PA. CODE CH. 139 ]**

**Seasons and Bag Limits; Wildlife Management Units**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to § 139.17 (relating to wildlife management units) to expand Wildlife Management Unit (WMU) 5D north and west into WMU 5C to cover more developed urban areas.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1381 (March 21, 2015).

1. *Purpose and Authority*

A uniform system of WMUs was implemented in 2003 to replace the system of multiple, species-specific management units. The primary objective of this new WMU system was to develop and implement wildlife management decisions on a system of more homogenous units based on physiographic, land cover and use, human population density and land ownership. WMU boundaries were defined using readily recognizable features on the landscape rather than hard to identify political boundaries. In 2008, the Commission conducted a 5-year evaluation of the structure of the WMU system which resulted

in the development and implementation of four WMU map revisions. The Commission has again conducted an evaluation of the structure of the WMU system and amends § 139.17 to expand WMU 5D north and west into WMU 5C to cover more developed urban areas.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the Commission to “[d]efine geographic limitations or restrictions.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 139.17 are adopted under this authority.

2. *Regulatory Requirements*

The final-form rulemaking amends § 139.17 to expand WMU 5D north and west into WMU 5C to cover more developed urban areas.

3. *Persons Affected*

Persons wishing to hunt or trap game and wildlife in WMUs 5C and 5D may be affected by the final-form rulemaking.



#### 4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

#### 5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

#### 6. *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### *Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### *Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by amending § 139.17 to read as set forth at 45 Pa.B. 1381.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1381 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-376 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 15-1001. Filed for public inspection May 29, 2015, 9:00 a.m.]

**GAME COMMISSION**  
**[ 58 PA. CODE CH. 141 ]**  
**Hunting and Trapping; Big Game**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to § 141.45 (relating to turkey) by deleting the reference to Wildlife Management Units (WMU) 1A, 1B and 2A in the provision prohibiting use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition to maintain continuity between these provisions.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1369 (March 21, 2015).

#### 1. *Purpose and Authority*

The Commission's 2015-2016 seasons and bag limits proposal identifies only WMU 2B as a shotgun and archery only area. See the final-form rulemaking published at 45 Pa.B. 2596 (May 30, 2015). Furthermore, WMUs 5B, 5C and 5D remain closed to fall turkey hunting. All remaining WMUs are currently organized to permit use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition. The Commission amends § 141.45 by deleting the reference to WMUs 1A, 1B and 2A in the provision prohibiting use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition to maintain continuity between these provisions.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to "promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used." The amendments to § 141.45 are adopted under this authority.

#### 2. *Regulatory Requirements*

The final-form rulemaking amends § 141.45 by deleting the reference to WMUs 1A, 1B and 2A in the provision prohibiting use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition to maintain continuity between these provisions.

#### 3. *Persons Affected*

Persons wishing to hunt wild turkey through the use of manually operated centerfire, rimfire or muzzleloading firearms using single projectile ammunition during the fall season in WMUs 1A, 1B and 2A will be affected by the final-form rulemaking.

#### 4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

#### 5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

#### 6. *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### *Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.45 to read as set forth at 45 Pa.B. 1369.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1369 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-380 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 15-1002. Filed for public inspection May 29, 2015, 9:00 a.m.]

**GAME COMMISSION**  
**[ 58 PA. CODE CH. 141 ]**  
**Hunting and Trapping; Furbearers**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to §§ 141.63 and 141.66 (relating to definitions; and cable restraints) to redefine “cable restraints,” identify a list of approved locks and clarify that furtakers who possess a valid bobcat permit could only utilize an incidentally caught bobcat during the established bobcat trapping season.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1630 (April 4, 2015).

1. *Purpose and Authority*

The amendments to §§ 141.63 and 141.66 are designed to clarify the legal definition and use of cable restraints in this Commonwealth. The former definition of “cable restraint” in § 141.63 required the use of “relaxing locks” in cable restraint construction. The term “relaxing lock” has caused confusion for trappers and enforcement personnel due to varying interpretations of lock designs that comply with the regulation. The amendment to § 141.63 allows all lock designs approved by the Commission. The National trap testing program, administered by the Association of Fish & Wildlife Agencies, has been conducting field testing on cable restraints and has currently identified six lock designs that have performed at acceptable levels in terms of efficiency, selectivity and animal welfare criteria. By maintaining a list of approved lock designs, the Commission will be able to regularly incorporate results from ongoing cable restraint research. Additionally, the amendment to § 141.66 specifies that furtak-

ers who possess a valid bobcat permit could only utilize an incidentally caught bobcat during the established bobcat trapping season.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to §§ 141.63 and 141.66 are adopted under this authority.

2. *Regulatory Requirements*

The final-form rulemaking amends §§ 141.63 and 141.66 to redefine “cable restraints,” identify a list of approved locks and clarify that furtakers who possess a valid bobcat permit could only utilize an incidentally caught bobcat during the established bobcat trapping season.

3. *Persons Affected*

Persons wishing to utilize cable restraints to trap authorized species of furbearers within this Commonwealth will be affected by the final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending §§ 141.63 and 141.66 to read as set forth at 45 Pa.B. 1630.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1630 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-378 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 15-1003. Filed for public inspection May 29, 2015, 9:00 a.m.]

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**GAME COMMISSION**  
**[ 58 PA. CODE CH. 141 ]**  
**Hunting and Trapping; Hunting Hours**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to Chapter 141, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2015-2016 hunting/trapping license year.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1369 (March 21, 2015).

1. *Purpose and Authority*

Each year there is a shift in calendar days for each month. As a result of this occurrence, the time tables in Appendix G must be amended and updated on an annual basis to accurately reflect the upcoming year's dates and hours for legal hunting. The Commission amends Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2015-2016 hunting/trapping license year.

Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to Appendix G are adopted under this authority.

2. *Regulatory Requirements*

The final-form rulemaking amends Appendix G by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2015-2016 hunting/trapping license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2015-2016 hunting/trapping license year will be affected by the final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

The effective dates of the final-form rulemaking are July 1, 2015, to June 30, 2016.

7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending Appendix G to read as set forth at 45 Pa.B. 1369.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1369 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order will be effective from July 1, 2015, to June 30, 2016.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-382 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 15-1004. Filed for public inspection May 29, 2015, 9:00 a.m.]

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**GAME COMMISSION**  
**[ 58 PA. CODE CHS. 141 AND 147 ]**  
**Hunting and Trapping; Special Permits**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to §§ 141.1 and 147.681—147.683 to expand the Commission's limited baiting authorization by allowing use of the deer attractant permit on township and municipal property.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1371 (March 21, 2015).

1. *Purpose and Authority*

Formerly, the deer attractant permit was only available for use on private property located within the southeast special regulations area. The Commission amends §§ 141.1 and 147.681—147.683 to expand the Commission’s limited baiting authorization by allowing use of the deer attractant permit on township and municipal property.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to §§ 141.1 and 147.681—147.683 are adopted under this authority.

2. *Regulatory Requirements*

The final-form rulemaking amends §§ 141.1 and 147.681—147.683 to expand the Commission’s limited baiting authorization by allowing use of the deer attractant permit on township and municipal property.

3. *Persons Affected*

Persons wishing to hunt white-tailed deer in the southeast special regulations area may be affected by the final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 141 and 147, are amended by amending §§ 141.1 and 147.681—147.683 to read as set forth at 45 Pa.B. 1371.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1371 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-377 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 15-1005. Filed for public inspection May 29, 2015, 9:00 a.m.]

**GAME COMMISSION**  
**[ 58 PA. CODE CHS. 141 AND 147 ]**  
**Hunting and Trapping; Special Permits**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to §§ 141.62 and 147.701 (relating to beaver and otter trapping; and general) to establish device type and number limitations for beaver and otter trappers in Wildlife Management Units (WMU) with an open otter season and also establish otter trapping permit, tagging and reporting requirements for this new season.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1372 (March 21, 2015).

1. *Purpose and Authority*

The Commission adopted a limited river otter season for the 2015-2016 trapping license year. See the final-form rulemaking published at 45 Pa.B. 2596 (May 30, 2015). To implement this new trapping opportunity, the Commission amends § 141.62 to establish device type and number limitations for beaver and otter trappers in WMUs with an open otter season and also amends § 147.701 to establish otter trapping permit, tagging and reporting requirements for this new season.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which

may be performed under authority of any permit issued.” The amendments to §§ 141.62 and 147.701 are adopted under this authority.

### 2. *Regulatory Requirements*

The final-form rulemaking amends §§ 141.62 and 147.701 to establish device type and number limitations for beaver and otter trappers in WMUs with an open otter season and also establish otter trapping permit, tagging and reporting requirements for this new season.

### 3. *Persons Affected*

Persons wishing to trap beaver or river otter within this Commonwealth will be affected by the final-form rulemaking.

### 4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

### 5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

### 6. *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

### 7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

### *Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

### *Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 141 and 147, are amended by amending §§ 141.62 and 147.701 to read as set forth at 45 Pa.B. 1372.

(b) The Executive Director of the Commission shall certify this order and 45 Pa.B. 1372 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-375 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 15-1006. Filed for public inspection May 29, 2015, 9:00 a.m.]

## GAME COMMISSION

[ 58 PA. CODE CH. 147 ]

### Special Permits; Mentored Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 10, 2015, meeting, adopted amendments to § 147.804 (relating to general) by eliminating the issuance of antlered deer and spring turkey harvest tags to mentored youth under 7 years of age at the time of application with their mentored permit, but allowing mentors to transfer antlered deer and spring turkey harvest tags issued to them to these younger youth.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 45 Pa.B. 1631 (April 4, 2015).

#### 1. *Purpose and Authority*

The Commission received extensive public comment regarding concern over the appropriateness of young children’s abilities to utilize high-powered firearms to harvest big game, as well as allegations of adults utilizing the harvest tags of mentored youth unlawfully. Wildlife Conservation Officers have encountered evidence of the allegations in several enforcement operations this past hunting season. The Commission amends § 147.804 by eliminating the issuance of antlered deer and spring turkey harvest tags to mentored youth under 7 years of age at the time of application with their mentored permit, but allowing mentors to transfer antlered deer and spring turkey harvest tags issued to them to these younger youth.

Section 2701(a) of the code (relating to license requirements) states that “[e]xcept in defense of person or property or pursuant to exemptions authorized in this title or by regulation of the commission for implementing a mentored hunting program, every person, prior to engaging in any of the privileges granted by this title, shall first obtain the applicable license subject to any conditions or other requirements imposed by this title.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 147.804 are adopted under this authority.

#### 2. *Regulatory Requirements*

The final-form rulemaking amends § 147.804 by eliminating the issuance of antlered deer and spring turkey harvest tags to mentored youth under 7 years of age at the time of application with their mentored permit, but allowing mentors to transfer antlered deer and spring turkey harvest tags issued to them to these younger youth.

3. *Persons Affected*

Persons under 7 years of age at the time of application wishing to hunt wild turkey or white-tailed deer under the mentored youth hunting program may be affected by the final-form rulemaking.

4. *Comment and Response Summary*

The Commission received a total of 16 comments in support and 33 comments in opposition of the final-form rulemaking.

5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding the final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.804 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-381 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 147. SPECIAL PERMITS**

**Subchapter X. MENTORED HUNTING PROGRAM PERMIT**

**§ 147.804. General.**

(a) *License required.* A mentor shall possess a valid Pennsylvania hunting license or qualify for license and

fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) prior to engaging in any mentored hunting activities.

(b) *Permit required.* A mentored youth or mentored adult shall possess a valid applicable mentored hunting permit prior to engaging in any mentored hunting activities.

(c) *Species limitation.*

(1) A mentored youth's hunting eligibility is restricted to the following species: squirrel, woodchuck, coyote, deer and wild turkey. Except as provided in this paragraph, mentored youth hunting permits will be issued with an antlered deer harvest tag and a spring turkey harvest tag. Harvest tags will not be issued to mentored youth applicants who are under 7 years of age at the time of application.

(2) A mentored adult's hunting eligibility is restricted to the following species: squirrel, ruffed grouse, rabbit, pheasant, bobwhite quail, hares, porcupine, woodchuck, crow, coyote, antlerless deer and wild turkey. Mentored adult hunting permits will be issued with a spring turkey harvest tag.

(d) *Seasons and bag limits.* A mentored youth's and mentored adult's hunting eligibility is further constrained by applicable hunting seasons, daily limits, field possession limits and season limits provided in § 139.4 (relating to seasons and bag limits for the license year).

(e) *Applicability of junior seasons and antler restrictions.* A mentored youth is eligible to hunt during any special youth hunting seasons that apply to any species specified in subsection (c) and are subject to the same antler restrictions that apply to junior license holders in § 131.2 (relating to definitions).

(f) *Tagging requirements.* Mentored youth and mentored adults shall tag and report all big game harvested in the manner provided in section 2323 of the act (relating to tagging and reporting big game kills).

(g) *Transfer of an antlerless license.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act (relating to unlawful acts concerning licenses), mentors are authorized to transfer antlerless licenses issued to them to an eligible mentored youth or mentored adult. The antlerless license shall be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the antlerless license may not occur until after the mentored youth or mentored adult has harvested the antlerless deer, but before tagging the carcass. A mentored youth or mentored adult may receive by transfer no more than one antlerless deer license each license year. Mentored youth and mentored adults are ineligible to make direct application for an antlerless license.

(h) *Transfer of a fall turkey tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer fall turkey tags issued to them to an eligible mentored youth or mentored adult. The fall turkey tag shall be valid and in the possession of the mentor at all times while hunting fall turkey. The transfer of the fall turkey tag may not occur until after the mentored youth or mentored adult has harvested the fall turkey, but before tagging the carcass. A mentored youth or mentored adult may not receive by transfer more than one fall turkey tag each license year.

(i) *Transfer of a Deer Management Assistance Program harvest permit.* Notwithstanding the prohibitions in § 147.676(2) and (3) (relating to unlawful acts), mentors are authorized to transfer Deer Management Assistance Program (DMAP) harvest permits issued to them to an eligible mentored youth or mentored adult. The DMAP harvest permit must be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the DMAP harvest permit may not occur until after the mentored youth or mentored adult has harvested the antlerless deer, but before tagging the carcass. A mentored youth or mentored adult may not receive by transfer more than one DMAP harvest permit each license year. Mentored youth and mentored adults are ineligible to make direct application for a DMAP harvest permit.

(j) *Transfer of an antlered deer harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer antlered deer harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The antlered deer harvest tag shall be valid and in the possession of the mentor at all times while hunting

antlered deer. The transfer of the antlered deer harvest tag may not occur until after the mentored youth has harvested the antlered deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one antlered deer harvest tag each license year.

(k) *Transfer of a spring turkey harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer spring turkey harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The spring turkey harvest tag shall be valid and in the possession of the mentor at all times while hunting spring turkey. The transfer of the spring turkey harvest tag may not occur until after the mentored youth has harvested the spring turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one spring turkey harvest tag each license year.

[Pa.B. Doc. No. 15-1007. Filed for public inspection May 29, 2015, 9:00 a.m.]

# PROPOSED RULEMAKING

## DELAWARE RIVER BASIN COMMISSION

[ 25 PA. CODE CH. 901 ]

### Proposed Amendments to the Rules of Practice and Procedure to Allow Each Signatory Party and the Commission to Administer a Single Process for the Review and Adjudication of Projects; Public Hearing

The Delaware River Basin Commission (“DRBC” or “Commission”) is a federal interstate compact agency charged with managing the water resources of the Delaware River Basin without regard for political boundaries. Its commissioners are the governors of the four basin states—Pennsylvania, New Jersey, New York, and Delaware—and a federal representative, the North Atlantic Division Commander of the U.S. Army Corps of Engineers.

*Summary:* The Commission will hold a public hearing to receive comments on proposed amendments to its *Administrative Manual Part III—Rules of Practice and Procedure* (18 C.F.R. Part 401) to provide for DRBC and each of the parties to the Delaware River Basin Compact (United States Public Law 87-328, Approved September 27, 1961, 75 Statutes at Large 688; and Pennsylvania Acts of 1961, Act No. 268, Approved July 7, 1961) (“the Compact”)—Pennsylvania, New Jersey, Delaware, New York and the federal government (“Signatory Parties”)—to coordinate and collaborate in the administration of a single process for the review and adjudication of projects. The program, called “One Process/One Permit,” (also herein, “the Program”) will allow DRBC and administrative agencies of the Signatory Parties participating in the Program to incorporate the requirements and determinations of both DRBC and the Signatory Party agency into a single permit or other approval instrument.

*Dates:* The public hearing will start on or around 2:00 P.M. on Tuesday, June 9, 2015, during the Commission’s regularly scheduled public hearing. The hearing will continue until all those wishing to testify have had an opportunity to do so. Depending upon the number of people wishing to speak, the hearing officer may impose time limits on speakers. Written comments will be accepted by any of the means described below and must be received by 5:00 P.M. on Wednesday, July 1, 2015. More information regarding the procedures for the hearing and comments is set forth in the section “Oral Testimony and Written Comments.”

*Addresses:* The public hearing will be held at the Washington Crossing Historic Park Visitor’s Center at 1112 River Road in Washington Crossing, Pennsylvania. Please check [washingtoncrossingpark.org/contact/](http://washingtoncrossingpark.org/contact/) for directions, as Internet mapping services provide unreliable directions to this location.

*Oral Testimony and Written Comments:* Persons wishing to testify at the hearing are asked to register in advance by contacting Paula Schmitt at 609-883-9500, ext. 224 or [paula.schmitt@drbc.state.nj.us](mailto:paula.schmitt@drbc.state.nj.us). Written comments may be submitted as follows: If by email (preferred), to [paula.schmitt@drbc.state.nj.us](mailto:paula.schmitt@drbc.state.nj.us); by fax, to Commission Secretary at 609-883-9522; by U.S. Mail, to Commission Secretary, DRBC, P. O. Box 7360, West Tren-

ton, NJ 08628-0360; or by overnight mail, to Commission Secretary, DRBC, 25 State Police Drive, West Trenton, NJ 08628-0360. Comments also may be delivered by hand at any time during DRBC’s regular office hours (Monday through Friday, 8:30 A.M. through 5:00 P.M. except on national holidays) until the close of the comment period. In all cases, please include the commenter’s name, address and affiliation, if any, in the comment document and “One Process/One Permit” or “OPOP” in the subject line.

*For Further Information:* The rule text is available on the DRBC website, DRBC.net. Also posted to the website are an extensive FAQ document; DRBC Resolution No. 2015-4, authorizing the Executive Director to initiate rulemaking and enter into an administrative agreement with the New Jersey Department of Environmental Protection (NJDEP) for demonstration of the Program; and the administrative agreement between DRBC and the NJDEP to provide for the demonstration program, which includes provisions for fully implementing One Process/One Permit once a final rule has been adopted. Detailed procedures of the DRBC for public hearings, public meetings and “Public Dialogue” are available on the web at: <http://www.state.nj.us/drbc/library/documents/procedures120414.pdf>. For further information, please contact Commission Secretary Pamela M. Bush, 609-477-7203.

#### *Supplementary Information*

*Background.* Because DRBC and its Signatory Parties share common water resource management objectives, sponsors of many water resource-related projects in the Delaware River Basin are currently required to apply to both the DRBC and a state agency, among others, for approvals. The proposed rule provides for DRBC and the administrative agencies of the Signatory Parties to identify regulatory programs that by mutual agreement will be managed through a single process resulting in one decision or approval. Agreements between DRBC and federal agencies are possible under the rule, but none are currently contemplated.

One Process/One Permit is intended to promote inter-agency cooperation and collaboration on shared mission objectives, achieve regulatory program efficiencies, avoid unnecessary duplication of effort, and reduce the potential for confusion on the part of regulated entities and the public. The regulatory standards and authorities of the DRBC and each of its Signatory Parties are expressly preserved by the Program, including in the proposed rule. The more protective of the applicable DRBC or Signatory Party agency’s requirements will be included in each permit or approval issued under the Program.

The proposed rule provides for DRBC and each Signatory Party agency choosing to implement One Process/One Permit to enter into an administrative agreement that identifies the types of projects and approvals to be covered. Initially, the Program is expected to be implemented for (a) withdrawals of basin waters subject to both DRBC review and state allocation programs; and (b) wastewater discharges subject to DRBC review and the state-administered National Pollutant Discharge Elimination System (NPDES) program. For water withdrawals, the lead agency under One Process/One Permit may be the state or the DRBC, depending upon current state programs. The delegated state environmental agencies will be lead agencies for the review of wastewater dis-



charges. Other regulatory programs, such as programs relating to floodplain management, could be included in the future. All administrative agreements between DRBC and agencies of the Signatory Parties for implementing One Process/One Permit will be subject to Commission approval following a public hearing.

*Authority.* Sections 1.5 and 3.9 of the Compact and existing DRBC rules allow and encourage the Commission to use the agencies of the Signatory Parties wherever feasible and advantageous consistent with the Compact. Accordingly, under the proposed rule, permits issued by Signatory Party agencies may include a finding required by Section 3.8 of the Compact. Specifically, after the rule and amended agreements are in place, based on the appropriate level of review and a recommendation by the DRBC staff, approvals issued under the Program may include the finding that when operated in accordance with the terms and conditions of the approval, the activities regulated by the approval will not substantially impair or conflict with DRBC's comprehensive plan.

*Operation of the Program.* Under the proposed rule, an application for initial approval, renewal or revision of project activities subject to the One Process/One Permit program will be filed only with the lead agency. This does not mean that the DRBC or others will not be involved in the review of applications for new and renewal water withdrawal and discharge projects. Rather, DRBC and the Signatory Party agency will follow a single process, and reviews will be performed more efficiently and more collaboratively.

Consistent with the proposed rule, the agreements between DRBC and Signatory Party agencies will provide for a level of DRBC review appropriate to the circumstances. Some reviews, such as those for simple and standard renewals of existing permits, may be significantly streamlined or subject to inter-agency notifications only. Others, including to implement standards for which the DRBC staff have special expertise, will involve substantial DRBC staff effort. For example, under the wastewater discharge program, DRBC staff will continue to perform modeling to determine "No Measurable Change" requirements for the Commission's Special Protection Waters program and to calculate an alternative mixing zone for a discharge of treated industrial wastewater to the Delaware Estuary. For certain projects, DRBC staff also will continue to identify conditions of approval to ensure that projects subject to review under the Compact and implementing regulations do not impair or conflict with the Commission's comprehensive plan. The purpose of One Process/One Permit is to eliminate unnecessary effort, not to eliminate effort needed to fully review a project under all applicable standards and rules. Under the Program, each party continues to recognize the authority of the other to promulgate rules, regulations and standards. The rule does not change that authority.

Notably, a separate DRBC review and decision for water withdrawal and discharge activities will still be required in certain cases, such as when a new project must be incorporated into the Commission's comprehensive plan. Both parties also will retain the right to act separately, such as in the instances, anticipated to be rare, where the parties cannot agree on the terms and conditions of approval. Certain categories of projects that are subject to DRBC review will not be covered by the Program, and the Executive Director and Commissioners will have the ability to remove a project from the Program. However, the objective of One Process/One Permit is to encompass most, if not all, elements of the review and approval for covered projects.

The proposed rule does not modify the existing project review fee schedule of the DRBC or that of any Signatory Party agency. Although One Process/One Permit is expected to improve process efficiency, in many instances as described above, the DRBC will devote significant resources and work effort to review projects and support its regulatory programs. Accordingly, the DRBC regulatory program will continue for the present to be supported by its existing regulatory program fees. The Commission's fee schedule set forth in Resolution No. 2009-2 will remain in effect unless and until the Commission amends it through rulemaking or a comparable public process. Under One Process/One Permit, all DRBC fees applicable under current practices will continue to be paid directly to the Commission.

The proposed rule provides that persons aggrieved by the final action of a state agency on behalf of the Commission under One Process/One Permit must exhaust their administrative remedies under the law of the Signatory Party agency that issued the decision.

*New Jersey Demonstration Program.* By Resolution No. 2015-4 approved by the Commission on March 11, 2015, DRBC and NJDEP have agreed to "practice" using new collaborative processes between the two agencies for the review of wastewater discharge applications, pending the adoption of a new rule such as the one proposed today. The agreement between DRBC and NJDEP provides for the demonstration program and sets forth provisions needed to fully implement One Process/One Permit once a final rule has been adopted. In the event that a project reviewed under the New Jersey Demonstration Program reaches the stage where it is ready for final approval before DRBC has adopted a final rule, the application will be acted upon by DRBC and the NJDEP independently. As explained above, additional information about the New Jersey Demonstration Program is available on the Commission's website.

*Preservation of the 1954 Supreme Court Decree.* In accordance with Sections 3.3(a) and 3.5 of the Compact, the proposed rule expressly provides that it does not grant authority to any Signatory Party agency to impair, diminish or otherwise adversely affect the diversions, compensating releases, rights, conditions, obligations and provisions for administration thereof provided in the United States Supreme Court decree in *New Jersey v. New York*, 347 U.S. 995 (1954) ("Decree"). The rule further reiterates that any such action may be taken only by the Commission with the unanimous consent of the parties to the Decree or upon unanimous consent of the members of the Commission following a declaration of a state of emergency in accordance with Section 3.3(a) of the Compact.

*No Effect on Section 401 State Water Quality Certification Programs.* The proposed rule also does not affect the authority of Signatory Party states to issue water quality certifications under Section 401 of the Clean Water Act.

Dated: May 12, 2015

PAMELA M. BUSH, Esq.,  
Secretary

**Fiscal Note:** 68-58. No fiscal impact; (8) recommends adoption.

*Text of proposed amendments:*

It is proposed to amend Article 3 of the *Administrative Manual—Rules of Practice and Procedure* with the addition of the following section:

### 2.3.11 One Permit Program

A. *Purpose.* The purpose of the One Permit Program set forth in this Section is to provide for the environmental agency and/or other administrative agency of a Signatory Party (“Signatory Party Agency”) and the Commission to coordinate and collaborate in the administration of a single process for the review and adjudication of projects. The One Permit Program will incorporate, where appropriate, the Signatory Party Agency and Commission requirements and determinations in a single permit or other approval instrument.

B. *Scope.* This Section applies to all projects that: are reviewable under the Compact; meet the thresholds for review set forth in Section 2.3.5 of these Rules of Practice and Procedure; are subject to review by a Signatory Party Agency under its own statutory authorities; and are within categories of projects that have been identified in a duly adopted Administrative Agreement between the Commission and a Signatory Party Agency under this Section 2.3.11 of the Rules.

C. *Regulatory Programs.* A Signatory Party Agency or the Commission may at any time propose to the other that a regulatory program be administered within the Basin under the One Permit Program. Regulatory programs eligible for administration under the One Permit Program include but are not limited to those concerning: basin discharges, basin water withdrawals, and basin flood plain requirements.

D. *Procedure.* The categories of projects covered and the procedures for processing applications under the One Permit Program shall be set forth in one or more Administrative Agreements between the Commission and the Signatory Party Agency that have been adopted by the Commission following a duly noticed public hearing and are in form and substance acceptable to the Commission and the Signatory Party Agency, consistent with the following:

1. Except as provided in subsection 2.3.11.E of these Rules or in an Administrative Agreement that has been duly executed by the Commission and the Signatory Party Agency under this Section, an application for initial approval, renewal or revision of any project subject to the One Permit Program shall be filed only with the Signatory Party Agency.

2. Notice that the project sponsor has filed an application with the Signatory Party Agency shall be provided to the Commission in the manner specified in the applicable Administrative Agreement.

3. The Signatory Party Agency receiving the application shall for those categories of projects identified in the Administrative Agreement as requiring Commission input, solicit the recommendation of the Commission staff as to any conditions of approval that may be necessary or appropriate to include in the project review determination under § 3.8 of the Compact. The process for solicitation of the recommendation by Commission staff shall be as defined within the applicable Administrative Agreement.

4. Unless the Signatory Party Agency disapproves the project or the Administrative Agreement provides for separate Commission action under § 3.8 of the Compact, the Signatory Party Agency shall make the project review determination under § 3.8 of the Compact as to the regulatory program covered by the Signatory Party Agency’s approval and include the determination and any associated conditions of approval within the permit or other approval instrument that it issues to the project sponsor.

5. The Commission will maintain a list of all projects being administered pursuant to the Program.

E. *Comprehensive Plan Projects.* Articles 11 and 13 of the Compact require certain projects to be included in the Comprehensive Plan. To add a project not yet included in the Comprehensive Plan, the project sponsor shall submit a separate application to the Commission before initiating project design. If following its review and public hearing the Commission approves the addition of the project to the Comprehensive Plan, the Commission’s approval will include such project requirements as are necessary under the Compact and Commission regulations. All other project approvals that may be required from the Signatory Party Agency or the Commission under regulatory programs administered pursuant to this Section may be issued through the One Permit Program. An application for renewal of a project in the Comprehensive Plan that does not change the project so substantially as to render it a new and different project may be submitted only to the Signatory Party Agency unless otherwise specified in the Administrative Agreement.

F. *Retention of Commission Review and Enforcement Authorities.* Notwithstanding any other provision of this Section 2.3.11, any Commissioner or the Executive Director may designate for Commission review any project that is reviewable under the Compact. Nothing in this Section 2.3.11 shall limit the authority of the Commission to exercise its review authority under the Compact and applicable Commission regulations. Similarly, although Administrative Agreements executed pursuant to this Section may include collaborative and cooperative compliance and enforcement procedures, nothing in this Section 2.3.11 shall limit the authority of the Commission to exercise its enforcement authority under the Compact and applicable regulations.

G. *Exhaustion of Signatory Party Administrative Remedies Prerequisite to Appeal.* Before commencing an action in a court of appropriate jurisdiction challenging any final action taken by a Signatory Party Agency on behalf of the Commission, the appellant must first exhaust its administrative remedies under the law of the Signatory Party whose agency issued the decision at issue.

H. *Fees.* The Commission shall establish and maintain a schedule of fees for any or all of the services it renders pursuant to this Section 2.3.11. Project sponsors shall pay such fees, if any, directly to the Commission in accordance with such schedule and applicable rules.

I. *Termination of existing Commission docket.* At such time as the Signatory Party Agency makes the Project Review Determination and issues a permit or other approval instrument to a project sponsor in accordance with this Section 2.3.11, the Executive Director is authorized to terminate in whole or in part any Commission docket then in effect with respect to such project, provided that such termination shall not serve to remove a project from or otherwise modify the Comprehensive Plan.

J. *Modification of Rules of Practice and Procedure to Conform to this Section.* Any project subject to the One Permit Program shall be governed by this Section 2.3.11 and not Sections 2.1.4, 2.1.5, 2.1.6, 2.1.8, 2.3.4 A, C and E, 2.3.6, 2.3.7 and Article 6 where they are inconsistent with the procedures provided in this Section.

*K. No Interference with Supreme Court Decree.* In accordance with Sections 3.3(a) and 3.5 of the Compact, nothing in this Section 2.3.11 shall grant the authority to any Signatory Party Agency to impair, diminish or otherwise adversely affect the diversions, compensating releases, rights, conditions, obligations and provisions for administration thereof provided in the United States Supreme Court decree in *New Jersey v. New York*, 347 U.S. 995 (1954) (“Decree”). Any such action shall be taken only by the Commission with the unanimous consent of the parties to the Decree or upon unanimous consent of the members of the Commission following a declaration of a state of emergency in accordance with Section 3.3(a) of the Compact.

[Pa.B. Doc. No. 15-1008. Filed for public inspection May 29, 2015, 9:00 a.m.]

## LIQUOR CONTROL BOARD

[ 40 PA. CODE CH. 7 ]

### Right to Occupy

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P.S. § 2-207(i)), proposes to amend §§ 7.2 and 7.4 (relating to transfers of ownership; and transfers of ownership and location).

#### Summary

The Board’s regulations require an applicant to establish its right to occupy the proposed licensed premises. While this is typically done through a lease or deed, some entities have acquired the right to occupy a premises through a contract between it and the owner of the premises. Sections 7.2 and 7.4 are proposed to be amended to reflect the fact that the right to occupy may be obtained through a means other than a lease or deed.

The principal beneficiaries will be those entities involved in the ownership and operation of hotels. Management companies typically operate a chain of hotels under a common name on behalf of different real estate holders. However, they typically occupy the premises under a management agreement with the real estate owner rather than with a deed or lease. Since §§ 7.2 and 7.4 contemplate that the licensee will have a lease or deed to the premises, the real estate owner typically applies for the license in his name and list the actual operator of the hotel as a management company.

While management companies are permitted under the Liquor Code (47 P.S. §§ 1-101—10-1001), the management agreement between the parties are subject to the Board’s review and the agreements must clearly state that the final decision making authority rests with the license holder, not the management company. This requirement in the Liquor Code often results in the Board refusing to approve the management agreement until it is modified to give the real estate owner/license the ultimate authority.

While applicants will ultimately comply with the Board’s directive, they have made it clear that giving the real estate owner rather than the actual operator the final decision making authority in the operation of the hotel is not how they would prefer to conduct their affairs. Allowing the management agreement to be the basis for the hotel operator’s proof that it has the right to occupy the premises will allow the management company

to apply for the liquor license in its own name and would be more consistent with the parties’ desired business relationship.

#### Affected Parties

Affected parties include future applicants for a liquor license whose right to occupy the proposed licensed premises is based on something other than a deed or lease.

#### Paperwork Requirements

The proposed rulemaking will not require additional paperwork to be filed.

#### Fiscal Impact

The proposed rulemaking may result in a hotel operator applying for a liquor license in its own name, rather than being listed as the management company for a different applicant. In those circumstances, there would not be a need to have a management company and the license would save itself the \$350 fee that is required when a licensee uses a management company.

#### Effective Date

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

#### Public Comments

Interested persons are invited to submit written comments about the proposed rulemaking to Rodrigo Diaz, Executive Deputy Chief Counsel, or Norina Blynn, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001 within 30 days after publication in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Public comments will be posted on the Independent Regulatory Review Commission’s (IRRC) web site. Personal information will not be redacted from the public comments received.

#### Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 5, 2015, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. A copy of this material is available to the public upon request.

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

TIM HOLDEN,  
*Chairperson*

**Fiscal Note:** 54-84. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 40. LIQUOR

## PART I. LIQUOR CONTROL BOARD

CHAPTER 7. TRANSFER, EXTENSION,  
SURRENDER, EXCHANGE AND SUSPENSION OF  
LICENSES

## Subchapter A. TRANSFER OF LICENSES

## § 7.2. Transfers of ownership.

When an application is filed for transfer of a license from one person to another, a bill of sale of the business or fixtures shall be executed by the licensee and shall be exhibited to the Board or its representative. The purchase price of the business, either in the form of cash or legal obligation as security for the purchase price, shall be placed in escrow with an attorney or financial institution, to be paid to the original licensee upon the approval of the transfer by the Board. The actual transfer of ownership of the business may not pass until approval of the transfer of license has been given. The transferee shall exhibit a deed or lease for the premises, **[ or ]** bill of sale **[ , or both ]** **or other written proof of its right to occupy the proposed premises**, as the case may be. The license may not change hands until the license transfer has been approved by the Board and the original

licensee may continue the operation of the business and may sell liquor or malt or brewed beverages until formal approval of the transfer is given. If the original licensee does not continue operation of the business under the license, no liquor or malt or brewed beverages may be sold and the license shall be surrendered to the Board until the transfer is approved.

## § 7.4. Transfers of ownership and location.

When a transfer involves a change of both location and ownership, the new establishment, if retail liquor or retail dispenser, shall be ready for operation before the license transfer will be approved. The new applicant shall satisfy the Board that he is the owner **[ or lessee of ], lessee or otherwise has the right to occupy and use** the premises, the fixtures and equipment therein. Liquor or malt or brewed beverages may not be sold by the applicant until the transfer of the license has been approved. The transferor, provided his fixtures and equipment are not involved in the transfer, may continue to operate at his original place of business until notified that the transfer of the license to the applicant has been approved, at which time the license and Wholesale Purchase Permit Card, if any, shall be surrendered by the transferor to the Board.

[Pa.B. Doc. No. 15-1009. Filed for public inspection May 29, 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 May 19, 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

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-18-2015	Andover Bancorp, Inc. Andover Ashtabula County, OH  Application for approval to acquire 100% of Community National Bank of Northwestern Pennsylvania, Albion.	Filed

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-14-2015	PeoplesBank, A Codorus Valley Company York York County	One Market Way West York York County	Filed
5-15-2015	Orrstown Bank Shippensburg Cumberland County	2098 Spring Valley Road Lancaster Lancaster County	Approved

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
5-14-2015	Milestone Bank Doylestown Bucks County  Amendment to Article I of the institution's Articles of Incorporation provides for a change in name from Milestone Bank to Covenant Bank.	Filed

### CREDIT UNIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-15-2015	Lancaster Red Rose Credit Union Lancaster Lancaster County  Application for approval to merge Lancaster Press Federal Credit Union of Lancaster, Lancaster, with and into Lancaster Red Rose Credit Union, Lancaster.	Filed

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. 15-1010. Filed for public inspection May 29, 2015, 9:00 a.m.]

# DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

## Summary Notice for the Draft Substantial Amendment to the 2014-2018 Consolidated Plan and 2014 Action Plan and Availability of the 2015 Action Plan

The Department of Community and Economic Development (Department) proposes to amend the 2014-2018 Consolidated Plan and 2014 Action Plan (Plan) and adopt the Commonwealth's Federal Fiscal Year (FFY) 2015 Action Plan. The Plan is submitted to the United States Department of Housing and Urban Development (HUD) as the annual application for Federal funds administered by the Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnership (HOME), the Emergency Solutions Grant (ESG) programs, Community Development Block Grant—Disaster Recovery (CDBG-DR) and Neighborhood Stabilization Program (NSP). The Department of Health administers the Housing Opportunities for Persons with AIDS (HOPWA) program, which is also included in the Plan.

This summary is designed to provide an opportunity for citizens, local governmental officials and interested organizations of this Commonwealth to comment about the Plan. Comments may be electronically submitted to RA-DCEDcdbg&homequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Community Financing, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Electronic and written comments must be received by close of business at 4 p.m. on June 29, 2015, to be included as testimony in the Plan.

### *Purpose*

The Plan takes the strategy developed in the Consolidated Plan and applies it to the administration of the CDBG, HOME, ESG, CDBG-DR, NSP and HOPWA programs for 2015. HUD must approve the Plan for the Commonwealth to receive funding under the identified HUD programs.

### *Content*

The Substantial Amendment for the Consolidated Plan for FFY 2014-2018 and the 2014 Plan will include changes in the Method of Distribution for the HOME Program and addition of a new region under the HOPWA administration. In addition the Citizen Participation Plan process is being updated to meet the needs of the electronic age of communication and eliminating the often costly and less effective newspaper advertising. The 2015 Plan will include the Methods of Distribution for all Federal programs, as well as the goals and outcomes expected during the 2015 calendar year. Besides the Department's web site, the approved Plan will be able to be viewed on HUD's web site at [www.HUD.gov](http://www.HUD.gov).

### *Public Review*

The Substantial Amendment to the Consolidated Plan for 2014-2018 and the 2014 Plan along with the 2015 Plan are available on the web or in hardcopy for public comment May 30, 2015, through June 29, 2015, at the following locations:

1. County Offices, the Department's regional offices, and this Commonwealth's 27 district libraries: Call (717) 720-7404 for the locations.

CD copies of the Substantial Amendment or Plan, or both, can be obtained by calling (717) 720-7404.

2. The Draft Substantial Amendment and 2015 Plan can be viewed on the web at [www.newPA.com](http://www.newPA.com). The final plan will be made available again at these same locations following HUD approval.

### *Written Comments*

Comments may be electronically submitted to RA-DCEDcdbg&homequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Community Financing, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by close of business at 4 p.m. on June 30, 2014, to be included as testimony in the Plan.

### *Public Hearings*

Public hearings were held to take citizen comments on the needs, discuss the proposed substantial amendment to the 2014-2018 Consolidated Plan and 2014 Plan and possible uses of the 2015 funds. The onsite meetings were held in the Department's respective regions and on the dates listed as follows:

Area: Northwest/Southwest

Date: January 7, 2015

Area: Central

Date: January 13, 2015

Area: Northeast

Date: January 12, 2015

Area Southeast—

by web-based

meeting format

Date: January 15, 2015

Another meeting is scheduled for June 17, 2015, from 1 p.m.—2 p.m. The public hearing will be conducted electronically by means of the Internet. The format will be more accessible in that persons who wish to make a comment or discuss policy may participate directly from their personal computer or from any computer location that has Internet access, such as a public library or by telephone.

Individuals or organizations may give testimony or comments by means of the Internet. Comments will be accepted about topics related to community development, housing, homelessness and economic development and the content of the Commonwealth's Substantial Amendment, Action Plan for FFY 2015 or the 2014 Consolidated Annual Performance and Evaluation Report, or both, and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Anyone who wishes to participate must register in advance. Contact Jonathan Cherry at RA-DCEDcdbg&homequestions@pa.gov to receive registration instructions for the web meeting at least 24 hours prior to the meeting date. During the hearing, if support is required, call (717) 787-5327.

Anyone who has a disability and wishes to attend the public hearing should contact Megan L. Snyder, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD (717) 346-0308, to discuss how the Department can accommodate their needs. This must be done at least 72 hours prior to the meeting.

DENNIS M. DAVIN,

*Secretary*

[Pa.B. Doc. No. 15-1011. Filed for public inspection May 29, 2015, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063851 (Sewage)	Sweet Valley MHP 26 Updyke Road Hunlock Creek, PA 18621	Luzerne County Ross Township	Lewis Run a.k.a. "Trib 28312 To Roaring Brook" (5-B)	Y

<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>
PA0061417 (IW)	Northeastern Power Company Kline Twp. Cogeneration Plant 90 Plant Road/Rt 309S Macadoo, PA 18237	Schuylkill County Kline Township	East Branch Little Schuylkill River (3-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*

**PA0044474**, Sewage, SIC Code 4952, 8051, **Brinton Manor Inc.**, 549 Baltimore Pike, Glen Mills, PA 19342-1020. Facility Name: Brinton Manor STP. This existing facility is located in Concord Township, **Delaware 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), West Branch Chester Creek, is located in State Water Plan watershed 3-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 0.013 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub>	2.71	XXX	XXX	25	XXX	50
Total Suspended Solids	3.25	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Phosphorus						
May 1 - Oct 31	0.10	XXX	XXX	1.0	XXX	2.0
Nov 1 - Apr 30	0.21	XXX	XXX	2.0	XXX	4.0

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

- Operator Notification
- Remedial Measures
- No Stormwater
- Lab Certification
- TRC 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.*

**PA0030643 A-1**, Sewage, SIC Code 4952, **Borough of Shippensburg**, 111 North Fayette Street, Shippensburg, PA 17257-0129. Facility Name: Shippensburg Borough STP. This existing facility is located in Shippensburg Borough, **Cumberland County**.

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

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



The proposed effluent limits for Outfall 001 are based on a design flow of 4.3 MGDs (Interim) and 4.95 MGDs (Final).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub> (Interim)	896	1,434	XXX	25	40	50
(Final)	1,032	Wkly Avg 1,651	XXX	25	40	50
BOD <sub>5</sub> Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids (Interim)	1,075	1,613	XXX	30	45	60
Total Suspended Solids (Final)	1,238	Wkly Avg 1,857	XXX	30	45	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31 (Interim)	78	XXX	XXX	2.2	XXX	4.4
Nov 1 - Apr 30 (Interim)	236	XXX	XXX	6.6	XXX	13.2
May 1 - Oct 31 (Final)	86	XXX	XXX	2.1	XXX	4.2
Nov 1 - Apr 30 (Final)	260	XXX	XXX	6.3	XXX	12.6
Total Phosphorus (Interim)	17.9	XXX	XXX	0.5	XXX	1.0
(Final)	20.6	XXX	XXX	0.5	XXX	1.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	60,273			
Net Total Phosphorus	Report	8,036			

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

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

- Schedule of Compliance
- Chesapeake Bay Monitoring Requirements
- Whole Effluent Toxicity Testing Requirements
- Pretreatment Program Implementation

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.

**PA0086134**, Sewage, SIC Code 6514, **David R Miller & David Schwien**, 906 And 904 Huffs Church Road, Alburdis, PA 18011. Facility Name: Miller & Schwien Residences. This proposed facility is located in District Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	20	XXX	40

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

- none

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

The EPA Waiver is in effect.

**PA0261530**, Sewage, SIC Code 6514, **Roddy A Runyan**, 1370 Waggoners Gap Road, Carlisle, PA 17013. Facility Name: Runyan Residence SRSTP. This existing facility is located in North Middleton Township, **Cumberland County**.

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

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

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

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

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

The EPA Waiver is in effect.

**PA0034754**, Sewage, SIC Code 6515, **GSP Management Co.**, PO Box 677, Morgantown, PA 19543. Facility Name: Alex Acres MHP. This existing facility is located in Halifax Township, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.012 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0

## NOTICES

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual	Minimum	Average Monthly		
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Total Phosphorus	Report	Report	XXX	Geo Mean Report	XXX	XXX

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

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.

**PA0002135**, IW, SIC Code 2911, **Calumet Penreco, LLC**, 138 Petrolia Street, Karns City, PA 16041-9222. Facility Name: Calumet Penreco. This existing facility is located in Karns City Borough, **Butler County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste, treated stormwater, and untreated stormwater.

The receiving stream(s), South Branch Bear Creek and Unnamed Tributary to South Branch Bear Creek, is located in State Water Plan watershed 17-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.513 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Daily Average	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Heat Rejection Rate (MBTUs/day)						
Jan 1-31	96	XXX	XXX	XXX	XXX	XXX
Feb 1-29	79	XXX	XXX	XXX	XXX	XXX
Mar 1-31	112	XXX	XXX	XXX	XXX	XXX
Apr 1-15	176	XXX	XXX	XXX	XXX	XXX
Apr 16-30	153	XXX	XXX	XXX	XXX	XXX
May 1-15	117	XXX	XXX	XXX	XXX	XXX
May 16-31	125	XXX	XXX	XXX	XXX	XXX
Jun 1-15	97	XXX	XXX	XXX	XXX	XXX
Jun 16-30	115	XXX	XXX	XXX	XXX	XXX
Jul 1-31	66	XXX	XXX	XXX	XXX	XXX
Aug 1-15	48	XXX	XXX	XXX	XXX	XXX
Aug 16-31	55	XXX	XXX	XXX	XXX	XXX
Sep 1-15	69	XXX	XXX	XXX	XXX	XXX
Sep 16-30	62	XXX	XXX	XXX	XXX	XXX
Oct 1-15	59	XXX	XXX	XXX	XXX	XXX
Oct 16-31	57	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Daily Average</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Nov 1-15	76	XXX	XXX	XXX	XXX	XXX
Nov 16-30	67	XXX	XXX	XXX	XXX	XXX
Dec 1-31	100	XXX	XXX	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	47.5	95	XXX	16	32	40
	Avg Mo					
Nov 1 - Apr 30	95	190	XXX	32	64	80
	Avg Mo					
Total Suspended Solids	Report	Report	XXX	45	135	135
	Avg Mo					
Oil and Grease	Report	XXX	XXX	15	XXX	30
	Avg Mo					
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	1,000	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	4	8	XXX	1.3	2.6	3.25
	Avg Mo					
Nov 1 - Apr 30	11.5	23	XXX	3.9	7.8	9.75
	Avg Mo					
Total Aluminum	1.43	2.86	XXX	0.62	1.24	1.55
	Avg Mo					
Total Copper	0.077	0.144	XXX	0.018	0.036	0.045
	Avg Mo					
Total Iron	4.61	9.22	XXX	2.0	4.0	5.0
	Avg Mo					
Total Lead	0.032	0.065	XXX	0.007	0.014	0.017
	Avg Mo					
Total Manganese	2.3	4.6	XXX	1.0	2.0	2.5
	Avg Mo					
Total Zinc	Report	Report	XXX	0.058	0.15	0.15
	Avg Mo					

The proposed effluent limits for Outfall 002 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average</i>		<i>Minimum</i>	<i>Average</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.000000 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</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfalls 006 and 011 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Average</i>	<i>Minimum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfalls 007—010, 012—014, 023 and 031—034 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Average</i>	<i>Minimum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfalls 020 and 022 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Average</i>	<i>Minimum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX

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

- Other Requirements
- Chemical Additives
- Requirements Applicable to Stormwater Outfalls
- Measurement of Thermal Effluent Limitations
- Requirement for the Continuation of 316(a) Thermal Variance

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 3515401**, Sewage, **Scranton City Sewer Authority Lackawanna County**, Scranton Sewer Authority Treatment Plant, Scranton, PA 18505.

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

Description of Proposed Action/Activity:

The modification of the combined sewer overflow system at CSO #37, by the installation of a four (4) foot diameter, steel-reinforced polyethylene pipe as a flow equalization structure with a 12 inch automated control valve.

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

**WQM Permit No. WQG01211503**, Sewerage, **CPR Property Rescue, LLC**, 217 Oak Lee Drive, Suite 10-408, Ranson, WV 25438.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment plant to replace a malfunctioning on-lot system at 1852 Sheepford Road, Mechanicsburg, PA 17055.

**WQM Permit No. 6711402, Amendment No. 1**, Sewerage, **York Township Water and Sewer Authority**, 190 Oak Road, Dallastown, PA 17313.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of improvements to the Honey Valley Pump Station, installation of a dual shaft grinder in the existing pump station to pump protection.

**WQM Permit No. 2299401, Amendment No. 3**, Sewerage, **Borough of Middletown**, 60 West Emaus Street, Middletown, PA 17057.

This proposed facility is located in Middletown Borough, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for upgrades to the Disinfection System including: the replacement of existing chlorine gas disinfection facilities and installation of new sodium hypochlorite equipment.

**WQM Permit No. 2815401**, Sewerage, **Antrim Township Municipal Authority**, 10655 Antrim Church Road, Greencastle, PA 17225.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of Pump Station 13 Upgrade Project: rehabilitation of pump station 13. The existing pumps will be replaced with two new dry pit submersible pumps capable of pumping 270 gpm each.

**WQM Permit No. 2815402**, Sewerage, **Antrim Township Municipal Authority**, 10655 Antrim Church Road, Greencastle, PA 17225.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Shanks Church Road Area Sanitary Sewer Project: Re-route flows from PS 5 and 25 to Williamsport Interceptor using gravity sewer to relieve flows in Shanks Church Road area. This project will consist of installing approximately 1,200 ft of 10 inch pipe from PS 25 discharge, 1,700 ft of 15 inch from PS 5 and 5,000 lf of 18 inches gravity sewer to Williamsport Interceptor.

**WQM Permit No. 6715404**, Sewerage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new Center Street gravity sewer generally along the same route as the existing sewer to alleviate hydraulic overload conditions.

**WQM Permit No. 6715405**, Sewerage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331.

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

Description of Proposed Action/Activity: Seeking permit approval for the relocation of the Colonial Hills Pumping Station to Black Rock Road.

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

**WQM Permit No. 2515403**, Sewage, **Lucinda M Smith**, 7750 Bargain Road, Erie, PA 16509.

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

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

**WQM Permit No. 1015402**, Sewage, **Bruce A Miller**, 106 Albert Drive, Prospect, PA 16052.

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

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

**WQM Permit No. WQG01201502**, Sewage, **Lisa M & Patrick K Humes**, 29860 State Highway 77, Guys Mills, PA 16327.

This proposed facility is located in Woodcock Township, **Crawford County**.

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

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


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*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>
PAI010913001(2)	Waste Management of Fairless, LLC 1000 New Ford Road Morrisville, PA 19067	Bucks	Falls Township	Delaware River WWF-MF
PAI010915005	Worthington & Shagen Custom Builder, Inc.	Bucks	Solebury Township	Aquetong Creek HQ-CWF-MF
PAI011515010	Liberty Property Limited Partnership, by its sole general partner Liberty Property Trust 500 Chesterfield Parkway Malvern, PA 19355-8707	Chester	Tredyffrin Township	Valley Creek EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913015R(6)	Brad Nesland Dorney Park & Wildwater Kingdom 3830 Dorney Park Road Allentown, PA 18104	Lehigh	South Whitehall Township	Cedar Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI-0336-07-005(2)	S & A Kreider & Sons 761 Spring Valley Road Quarryville, PA 17566	Lancaster	East Drumore Township	Jackson Run/ HQ-CWF
PAI032808004R	B2M2 LLC	Franklin	Washington Township	UNT West Branch, Antietam Creek (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.*

**PAG123592, CAFO, Sonnen Spring Farm, Malcolm J. Sonnen, 101 Sonnens Road, Richland, PA 17087.**

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

Description of Size and Scope of Proposed Operation/Activity: 261.26 AEUs Poultry (Layers) Operation.

The receiving stream, Mills Creek, is in watershed 3-C, 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.

**STATE CONSERVATION COMMISSION  
PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS  
FOR NPDES PERMITS FOR CAFOs**

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Gary Miller 2146 Powells Valley Road Halifax, PA 17032	Dauphin	0	457.93	Poultry— Layer	NA	Renewal
Richard Buser 49 Buser Farm Lane York, PA 17406	York	146	1,009.96	Swine	NA	New

**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**

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

<b>Permit No. 1015502</b> , Public Water Supply	
Applicant	<b>Pennsylvania American Water Co.</b>
Township or Borough	Butler Township
County	<b>Butler</b>
Responsible Official	David R. Kaufman



Type of Facility	Public Water Supply
Consulting Engineer	Jay Lucas, P.E. Pennsylvania American Water Co. 300 Galley Road McMurray, PA 15317
Application Received Date	May 4, 2015
Description of Action	Install a pre-fabricated booster station on Greenwood Drive, Butler County.

#### MINOR AMENDMENT

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

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

##### Application No. 364W17-MA1, Minor Amendment.

Applicant	<b>Borough of Pleasantville</b>
Township or Borough	Pleasantville Borough
Responsible Official	Harvey Long
Type of Facility	Public Water Supply
Consulting Engineer	August E. Maas, P.E. Hill Engineering, Inc. 8 Gibson Street North East, PA 16428
Application Received Date	April 10, 2015
Description of Action	Replacement pumps at Fieldmore booster pump station.

#### WATER ALLOCATIONS

#### Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

**WA 06-121D, Water Allocations. Birdsboro Municipal Authority (PWS ID No. 3060010), Berks County.** Renewal of water allocation permit for existing sources. Applicant Address: Theodore Morse, Chairman, Birdsboro Municipal Authority, PO Box 340, Birdsboro, PA 19508. Consulting Engineer: Christina Crawford MBA, P.E. Spotts, Stevens & McCoy, Inc., 1047 North Park Road, PO Box 6307, Reading, PA 19610-0307. Application Received: 6/7/2012.

**WA 44-7B, Water Allocations. The Municipal Authority of the Borough of Lewistown (PWS ID No. 4440010), Mifflin County.** Renewal of water allocation permit for existing sources. Applicant Address: Craig Bubb, Superintendent, Municipal Authority of the Borough of Lewistown, 70 Chestnut Street, Lewistown, PA 17004-2216. Consulting Engineer: Patrick J. Ward, P.E. Uni-Tec Consulting Engineers, Inc., 2007 Cato Avenue, State College, PA 16801. Application Received: 4/3/2015.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

**Cobrin Residence**, 111 Natoma Lane, Palmyra Township, **Pike County**. Quad 3 Group, Inc., 72 Glenmaura National Blvd., Moosic, PA 18507, on behalf of Koberlein Inc., 188 Beach Lake Highway, Honesdale, PA 18431, submitted a Notice of Intent to Remediate. A leaking line released an unknown amount of #2 fuel oil to a basement floor drain. The proposed future use of the property will be residential, and the proposed cleanup standard for the site is the Statewide Health Standard for soil. The Notice of Intent to Remediate was published in *The News Eagle* on April 25, 2015.

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

**Dolores Dowd Residence**, 1857 and 1859 Rockvale Road, Lancaster, PA 17602, West Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Dolores Dowd, 1859 Rockvale Road, Lancaster, PA 17602 and Amr A. Shafshak, 154 Grant Avenue, Brooklyn, NY 11208-1804, submitted a Notice of Intent to Remediate soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *LNP* on April 27, 2015.

#### MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGM026. Alcosan, Allegheny County Sanitary Authority**, 3300 Preble Avenue, Pittsburgh, PA 15233. The application for renewal for a general permit is for the beneficial use of sewage sludge incinerator ash for wholesale purposes for use as an ingredient or a component in the production of a high quality topsoil or compost material. The application was deemed administratively complete on March 19, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGM026" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

#### RESIDUAL WASTE GENERAL PERMITS

**Application Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and 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. WMGR024. Kleen-Line Parts Cleaner Service**, 24 Washington Avenue, Dravosburg, PA 15034. This general permit application is for a the processing of spent mineral spirit solvent with a flash point equal to or greater than 140 degrees and the reuse of the processed solvent by generators who produce the spent solvent. The spent solvent must be generated from cleaning grease, oil and dirt from automotive or machinery parts. The application was determined to be administratively complete by Central Office on May 5, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR024" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**General Permit Application No. WMGR098SC002. Willow Creek Environmental**, 74 Willow Creek Road, Reading, PA 19605

The Southcentral Regional Office, Waste Management Program received determination of applicability (DOA) under Residual Waste General Permit No. WMGR098 for Willow Creek Environmental, 74 Willow Creek Road, Reading, PA 19605 in Ontelaunee Township, **Berks County**. This general permit is for the beneficial use of waste foundry system sand and sand system dusts generated by ferrous metal foundries and steel foundries for use as a construction material, or as a soil amendment or soil additive. The DOA was determined to be complete on May 18, 2015.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Facilities Manager, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay service, (800) 654-5984.

**General Permit Application No. WMGR082SC001. Willow Creek Environmental**, 74 Willow Creek Road, Reading, PA 19605

The Southcentral Regional Office, Waste Management Program received determination of applicability (DOA) under Residual Waste General Permit No. WMGR082 for Willow Creek Environmental, 74 Willow Creek Road, Reading, PA 19605 in Ontelaunee Township, **Berks County**. This general permit is for processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag as a construction material. The DOA was determined to be complete on May 18, 2015.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Facilities Manager, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## 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.**

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

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

**16-149C: Clarion Laminates** (143 Fiberboard Road, Shipperville, PA 16254), for the construction of a 3rd profiling line with baghouse in Paint Township, **Clarion County**. This is a State Only facility.

**62-032K: Ellwood National Forge** (One Front Street, Irvine, PA 16329), for the modification of Furnaces 382 and 605 by replacing the burner packages and controls in Brokenstraw Township, **Warren County**. This is a Title V facility.

**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.**

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

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

**40-00129A: Moxie Freedom LLC** (612 Center Street South, Vienna, VA 22180). Notice is hereby given under 25 Pa. Code § 127.44 and 40 CFR 52.21, that the Department of Environmental Protection (Department) intends

to issue the proposed Air Quality Plan Approval 40-00129A for Moxie Freedom LLC (Permittee), (612 Center Street South, Vienna, VA 22180) for the proposes to construct, own, and operate a natural gas-fired combined-cycle power plant in Salem Township, **Luzerne County** and is soliciting comments on the above plan approval.

The Project will consist of two identical 1 x 1 power blocks, each consisting of a combustion gas turbine (CT) and a steam turbine (ST) configured in single shaft alignment, where each CT and ST train share one common electric generator. The turbine to be used for this project are Two General Electric (GE) 7HA.02 CTs, each in 1 x 1 single shaft combined-cycle power islands.

Duct burners (DB) will be installed in the heat recovery steam generators (HRSG) of the proposed new units. Each CT and duct burner will exclusively fire pipeline-quality natural gas. The HRSGs will be equipped with selective catalytic reduction (SCR) to minimize nitrogen oxide (NO<sub>x</sub>) emissions and oxidation catalysts to minimize carbon monoxide (CO) and volatile organic compound (VOC) emissions from the CTs and DBs.

The Project will also include several pieces of ancillary equipment. The list of equipment includes:

One fuel gas dew-point heater—natural gas fired, common for all CTs

Two CT inlet evaporative coolers—one for each CT (not emissions sources)

Two air-cooled condensers—one for each HRSG (not emissions sources)

One auxiliary boiler, natural gas-fired

One diesel engine powered emergency generator

One diesel engine powered fire water pump

Diesel fuel, lubricating oil, and aqueous ammonia storage tanks

The proposed facility will be a “major source” of criteria air pollutants. Moxie Freedom is applying to the Department for a Plan Approval addressing Prevention of Significant Deterioration (PSD) review and non-attainment New Source Review (NSR).

The Project, Moxie Freedom Generation Plant, once fully operational will have the capability to produce 1,050 Mega Watts (MW) of electricity which will then be distributed to the power grid for use.

The PSD regulations require specific sources of air pollution, such as the proposed Moxie Freedom Generation Plant, to satisfy four conditions before approval to construct and operate may be granted by DEP. First, all pollutants that are subject to this regulation must be controlled by best available control technology (BACT). Second, particulate and sulfur dioxide (SO<sub>2</sub>) air pollutant emissions must not cause violations of the allowable annual, 24-hour, or 3-hour air quality class increments applicable in the area where the source is to be located; nor any class increments applicable in any other areas which would be impacted by the source. Third, the maximum allowable increase in concentrations of all pollutants must not cause violation of either the national primary or secondary ambient air quality standards. Finally, the pollutant emissions from the proposed source must not adversely impact upon soils, vegetation, and visibility in the vicinity of the proposed plant site.

A preliminary review of the information submitted by Moxie Freedom, LLC indicates that the construction and operation of the plant will meet all applicable air quality requirements including the four stated above. Based upon these findings, DEP plans to approve the application and issue a permit for the construction and operation of the Moxie Freedom Generation Plant.

The following table summarizes the potential emissions from maximum operation of the facility according to the application submitted for the Department’s own analysis;

<i>Pollutant</i>	<i>Emission limit Tons/year</i>
PM <sub>10</sub>	118.00
TSP	118.00
SO <sub>2</sub>	33.00
NO <sub>x</sub>	215.00
CO	218.00
VOC	78.00
Fluoride	6.30
Total Hazardous (HAPs)	15.30

As shown in the table above Moxie Freedom LLC proposed project potential emissions of NO<sub>x</sub> and VOC exceed the NNSR major source thresholds. NNSR requirements for NO<sub>x</sub> and VOC include Lowest Achievable Emission Rate (LAER) and purchasing Emission Reduction Credits (ERC). In accordance with 25 Pa. Code § 121.1, LAER is defined as:

(i) The rate of emissions based on the following, whichever is more stringent:

(A) The most stringent emission limitation which is contained in the implementation plan of a state for the class or category of source unless the owner or operator of the proposed source demonstrates that the limitations are not achievable.

(B) The most stringent emission limitation which is achieved in practice by the class or category of source.

(ii) The application of the term may not allow a new or proposed modified source to emit a pollutant in excess of the amount allowable under an applicable new source standard of performance.

In accordance with 25 Pa. Code §§ 127.205(4) and 127.210, Moxie Freedom LLC will be required to purchase ERCs to offset the NO<sub>x</sub> and VOC emission increases associated with this project at a ratio of 1.15:1. Based on the PTE, the following table represents the required ERCs to be purchased:

ERC Calculation			
<i>Pollutant</i>	<i>PTE</i>	<i>Ratio</i>	<i>ERCs</i>
NO <sub>x</sub>	214	1.15	246.1
VOC	77.9	1.15	89.6

In accordance with the PSD rules in 40 CFR 52.21 and 25 Pa. Code § 127.83, Moxie Freedom LLC (Moxie Freedom) has conducted an air quality analysis which utilizes dispersion modeling. Moxie Freedom’s air quality analysis satisfies the requirements of the PSD rules and is consistent with the United States Environmental Protection Agency’s (EPA) Guideline on Air Quality Models (40 CFR Part 51, Appendix W) and the EPA’s air quality modeling policy and guidance.

In accordance with 40 CFR 52.21(k), Moxie Freedom’s air quality analysis demonstrates that the proposed emissions from Moxie Freedom’s facility will not cause or

contribute to air pollution in violation of the National Ambient Air Quality Standards for CO, nitrogen dioxide (NO<sub>2</sub>), particulate matter less than or equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>), or particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>). Moxie Freedom's air quality analysis demonstrates that

the proposed emissions from Moxie Freedom's facility will not cause or contribute to air pollution in violation of the increments for NO<sub>2</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub>. The degree of Class II and Class I increment consumption expected to result from the operation of Moxie Freedom's facility is provided in the following tables:

Table 1—Degree of Class II Increment Consumption from Operation of Moxie Freedom Facility

Pollutant	Averaging Period	Degree of Class II Increment Consumption		Class II Increment micrograms per cubic meter
		micrograms per cubic meter	% of Class II Increment	
NO <sub>2</sub>	Annual	< 0.73613	< 2.95 %	25
PM <sub>2.5</sub>	24-Hour	< 7.62877	< 84.77 %	9
	Annual	< 0.71032	< 17.76 %	4
PM <sub>10</sub>	24-Hour	< 7.62877	< 25.43 %	30
	Annual	< 0.71032	< 4.18 %	17

Table 2—Degree of Class I Increment Consumption from Operation of Moxie Freedom Facility

Pollutant	Averaging Period	Degree of Class I Increment Consumption		Class I Increment micrograms per cubic meter
		micrograms per cubic meter	% of Class I Increment	
NO <sub>2</sub>	Annual	< 0.00794	< 0.32 %	2.5
PM <sub>2.5</sub>	24-Hour	< 0.06681	< 3.35 %	2
	Annual	< 0.00584	< 0.59 %	1
PM <sub>10</sub>	24-Hour	< 0.06681	< 0.84 %	8
	Annual	< 0.00584	< 0.15 %	4

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

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

To assure compliance with the applicable standards, DEP will place the following conditions on the plan approval.

#### Site Level Conditions

##### Restrictions

1. The emissions from all sources and associated air cleaning devices installed and operated under this authorization shall not exceed any of the following on a 12-month rolling sum basis:

- (a) Nitrogen Oxides (NO<sub>x</sub>): 215.00 tpy
- (b) Carbon Monoxide (CO): 218.00 tpy
- (c) Sulfur Oxides (SO<sub>x</sub>): 33.00 tpy
- (d) Volatile Organic Compounds (VOC): 78.00 tpy
- (e) Particulate Matter (PM): 118.00 tpy

(f) Particulate Matter with an aerodynamic diameter less than 10 microns (PM<sub>10</sub>): 118.00 tpy

(g) Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>): 118.00 tpy

(h) Sulfuric Acid Mist (H<sub>2</sub>SO<sub>4</sub>): 25.10 tpy

(i) Ammonia (NH<sub>3</sub>): 208.00 tpy

(j) Formaldehyde (HCHO): 6.30 tpy

(k) Total Hazardous Air Pollutants (HAPs): 15.30 tpy

(l) Greenhouse Gases, expressed as Carbon Dioxide Equivalent (CO<sub>2e</sub>): 3,677,951 tpy

#### Testing Requirements

1. Performance testing shall be conducted as follows:

(a) The Permittee shall submit three copies of a pre-test protocol to the Department for review at least 45 days prior to the performance of any EPA reference method stack test. The Permittee shall submit three copies of a one-time protocol to the Department for review for the use of a portable analyzer and may repeat portable analyzer testing without additional protocol approvals provided that the same method and equipment are used. All proposed performance test methods shall be identified in the pre-test protocol and approved by the Department prior to testing.

(b) The Permittee shall notify the Regional Air Quality Manager at least 15 days prior to any performance test so that an observer may be present at the time of the test. Notification shall also be sent to the Division of Source

Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 40 CFR 60.8(a), a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program.

(d) Pursuant to 25 Pa. Code § 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

(1) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

(2) Permit number(s) and condition(s) which are the basis for the evaluation.

(3) Summary of results with respect to each applicable permit condition.

(4) Statement of compliance or non-compliance with each applicable permit condition.

(e) Pursuant to 25 Pa. Code § 139.3 all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(f) All testing shall be performed in accordance with 25 Pa. Code Chapter 139.

(g) Pursuant to 25 Pa. Code § 139.53(a)(1) and (3) all submittals, besides notifications, shall be accomplished through PSIMS\*Online available through <https://www.depgreenport.state.pa.us/ecomm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, three copies of the submittal shall be sent to the Department of Environmental Protection, Bureau of Air Quality, Division of Source Testing and Monitoring, 400 Market Street, 12th Floor Rachael Carson State Office Building, Harrisburg, PA 17105-8468 with deadlines verified through document postmarks.

(h) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the Federal, the most stringent provision, term, condition, method or rule shall be used by default.

2. The following are applicable to source tests for determining emissions from stationary sources:

(1) Performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department.

(2) The Department will consider for approval where sufficient information is provided to verify the source conditions existing at the time of the test and where adequate data is available to show the manner in which the test was conducted. Information submitted to the Department shall include, as a minimum all of the following:

(i) A thorough source description, including a description of any air cleaning devices and the flue.

(ii) Process conditions, for example, the charging rate of raw material or rate of production of final product, boiler pressure, oven temperature, and other conditions which may affect emissions from the process.

(iii) The location of the sampling ports.

(iv) Effluent characteristics, including velocity, temperature, moisture content, gas density (percentage CO, CO<sub>2</sub>, O<sub>2</sub> and N<sub>2</sub>), static and barometric pressures.

(v) Sample collection techniques employed, including procedures used, equipment descriptions and data to verify that isokinetic sampling for particulate matter collection occurred and that acceptable test conditions were met.

(vi) Laboratory procedures and results.

(vii) Calculated results.

#### Monitoring Requirements

1. Visible emissions may be measured using either of the following:

(1) A device approved by the Department and maintained to provide accurate opacity measurements.

(2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

2. The permittee shall implement a sulfur hexafluoride (SF<sub>6</sub>) leak detection program to minimize SF<sub>6</sub> leaks as follows:

(a) Circuit breakers are to be state-of-the-art sealed enclosed-pressure circuit breakers equipped with low-pressure alarms that are triggered when 10% of the SF<sub>6</sub> by weight has escaped.

(b) When alarms are triggered, the facility shall take corrective action as soon as practicable to fix the circuit breaker units to a like-new state to prevent the emission of SF<sub>6</sub> to the maximum extent possible.

#### Recordkeeping Requirements

1. The permittee shall maintain the following comprehensive and accurate records:

(a) Facility-wide emissions on a 12-month rolling basis for NO<sub>x</sub>, CO, SO<sub>x</sub>, VOC, PM, PM<sub>10</sub>, PM<sub>2.5</sub>, H<sub>2</sub>SO<sub>4</sub>, NH<sub>3</sub>, HAPs, HCHO, and CO<sub>2</sub>e.

(b) Amount of fuel used by each combustion unit, engine, and turbine on a 12-month rolling basis.

(c) Hours of operation of each source on a 12-month rolling basis.

(d) Results of facility-wide inspections including the date, time, name, and title of the observer, along with any corrective action taken as a result.

(e) Copies of the manufacturer's recommended maintenance schedule for each air source and air cleaning device.

(f) All maintenance performed on each source and air cleaning device.

(g) Copies of the current, valid purchase contract, tariff sheet, or transportation contract obtained from the natural gas supplier with the sulfur content of the natural gas.

(h) Results of the annual natural gas sulfur content analyses.

(i) Amount of sulfur hexafluoride (SF<sub>6</sub>) dielectric fluid added to each circuit breaker unit on a monthly basis.

(j) The date and time that each alarm associated with the circuit breaker is activated, the corrective action taken to remedy the problem associated with each alarm, and the date the corrective action remedied the problem.

2. All logs and required records shall be maintained on site, or at an alternative location acceptable to the Department, for a minimum of five years and shall be made available to the Department upon request.

#### Reporting Requirements

1. The annual emission report shall include all emissions information for all previously reported sources and new sources which were first operated during the preceding calendar year. Emissions data including, but not limited to the following, shall be reported: CO, NO<sub>x</sub>, particulate matter less than 10 micrometers in diameter (PM<sub>10</sub>), particulate matter less than 2.5 micrometers in diameter (PM<sub>2.5</sub>), SO<sub>2</sub>, VOCs including formaldehyde, total HAP, speciated individual HAP emissions, sulfuric acid mist (H<sub>2</sub>SO<sub>4</sub>), and greenhouse gases, expressed as CO<sub>2</sub>e. The statement shall also contain a certification by a company officer or the plant manager that the information contained in the statement is accurate.

2. Malfunction reporting shall be conducted as follows:

(a) For purpose of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions may include, but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property of the person on whose land the source is being operated.

(b) When the malfunction poses an imminent and substantial danger to the public health and safety or the environment, the notification shall be submitted to the Department no later than one hour after the incident commences.

(c) All other malfunctions that must be reported under subsection (a) shall be reported to the Department no later than the next business day.

(d) The report shall describe the:

- (1) Name and location of the facility;
- (2) Nature and cause of the malfunction or breakdown;
- (3) Time when the malfunction or breakdown was first observed;
- (4) Expected duration of excess emissions; and
- (5) Estimated rate of emissions.

(e) Malfunctions shall be reported to the Department of Environmental Protection, Office of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711, 570-826-2511.

(f) The owner or operator shall notify the Department immediately upon completion when corrective measures have been accomplished.

(g) Subsequent to the malfunction, the owner/operator shall submit a full written report to the Department including the items identified in (d) and corrective measures taken on the malfunction within 15 days, if requested.

3. The Facility is subject New Source Performance Standards from 40 CFR Part 60 Subparts Db, IIII, and KKKK and National Emission Standards for Hazardous Air Pollutants from 40 CFR Part 63 Subpart ZZZZ. In

accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications regarding the engines shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Director, Air Protection Section, Mail Code 3AP00, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19101-2029

Department of Environmental Protection, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711

4. Annual emissions reporting shall be conducted as follows:

(a) A person who owns or operates a source to which this chapter applies, and who has previously been advised by the Department to submit a source report, shall submit by March 1 of each year a source report for the preceding calendar year. The report shall include information for all previously reported sources, new sources which were first operated during the preceding calendar year and sources modified during the same period which were not previously reported.

(b) A person who receives initial notification by the Department that a source report is necessary shall submit an initial source report within 60 days after receiving the notification or by March 1 of the year following the year for which the report is required, whichever is later.

(c) A source owner or operator may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

#### Additional Requirements

1. The permittee shall comply with all applicable requirements of New Source Performance Standards from 40 CFR Part 60 Subparts Db, IIII, and KKKK and National Emission Standards for Hazardous Air Pollutants from 40 CFR Part 63 Subpart ZZZZ.

2. The permittee shall comply with all applicable requirements under 40 CFR Part 68 related to the Chemical Accident Prevention Provisions.

3. The permittee shall comply with all applicable requirements under 40 CFR Part 64 related to Compliance Assurance Monitoring.

4. The permittee shall comply with all applicable requirements under 40 CFR Parts 72—78 related to the Acid Rain Program.

5. The permittee shall comply with the cross-state air pollution rule requirements (40 CFR Part 97, Subparts AAAAA—DDDDD) by the compliance date specified in 40 CFR 97, Subparts AAAAA—DDDDD, as amended.

6. The permittee shall comply with all applicable requirements under 40 CFR Part 98 related to the Mandatory Greenhouse Gas Reporting Rule.

7. This plan approval is to allow construction and temporary operation of a combined cycle natural gas-fired power plant known as the Moxie Freedom Generation Plant by Moxie Freedom LLC located in Salem Township, Luzerne County.

8. New air contamination sources and air cleaning devices authorized for construction and temporary operation under this plan approval include:

Two (2) 3,327 MMBtus/hr 7HA.02 GE Single Shaft combined cycle combustion turbines each serving onesteam turbine generator equipped with HRSGs with supplemental 200 MMBtus/hr natural gas fired duct burners; controlled by SCR and oxidation catalysts.

One (1) 55.4 MMBtus/hr natural gas-fired auxiliary boiler.

One (1) 1,000 kW diesel-fired emergency generator engine.

One (1) 510 bhps diesel-fired emergency fire pump engine.

One (1) 14.6 MMBtus/hr gas fuel heater

9. Upon determination by the permittee that the air contamination sources and air cleaning devices covered by this plan approval are in compliance with all conditions of the plan approval, the permittee shall contact the Department's technical reviewer and schedule the Initial Operating Permit Inspection.

10. Upon completion of the Initial Operating Permit Inspection and determination by the Department that the permittee is in compliance with all conditions of the plan approval, the permittee shall submit a Title V Operating Permit application for this Facility within 120 days.

11. The permittee shall submit requests to extend the temporary operation periods at least 15 days prior to the expiration date of any authorized period of temporary operation.

12. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established pursuant to this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate.

13. Such testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required.

14. In accordance with 25 Pa. Code §§ 127.201—127.217, the permittee shall secure 247 tons per year of NO<sub>x</sub> ERCs and 90 tons per year of VOC ERCs. The ERCs shall be properly generated, certified by the Department, and processed through the registry no later than the date approved by the Department for commencement of construction of the proposed facility.

15. The Department will evaluate the actual emission rates and may revise the allowable emission limitations based upon demonstrated performance (CEMS data, stack tests results), and/or subsequently promulgated applicable requirements at any time of operation. Any revision of the allowable emission limitations shall be by minor modification provided that the revised allowable emission limitations do not exceed levels at which the LAER, BACT and best available technology (BAT) were evaluated, do not exceed the level at which the facility impacts were modeled, and that are not a result of a physical change or change in method of operation at the facility.

16. The permittee shall not permit the open burning of materials at this facility unless in accordance with 25 Pa. Code § 129.14.

#### Source Group Restrictions Restrictions

##### 1. Definitions:

(a) Startup is defined as the period beginning when fuel begins flowing to the combustion turbine and ending when the combustion process, air pollution control equipment, and associated control systems have attained normal operating conditions.

(b) Shutdown is defined as the period beginning when the combustion turbine exits DLN mode and ending when fuel flow ceases.

(c) Normal operation is defined as all times except startup and shutdown.

2. During normal operation, emissions from each combined cycle combustion turbine, Source IDs 201 and 202, shall not exceed:

##### (a) Nitrogen Oxides (NO<sub>x</sub>):

- (1) 2.0 ppmvds @ 15% O<sub>2</sub>
- (2) 24.2 lbs/hr without duct burner
- (3) 25.7 lbs/hr with duct burner

##### (b) Carbon Monoxide (CO):

- (1) 2.0 ppmvds @ 15% O<sub>2</sub>
- (2) 14.7 lbs/hr without duct burner
- (3) 15.6 lbs/hr with duct burner

##### (c) Volatile Organic Compounds (VOC):

- (1) 2.0 ppmvds @ 15% O<sub>2</sub> with duct burners
- (2) 1.0 ppmvds @ 15% O<sub>2</sub> without duct burners
- (3) 4.2 lbs/hr without duct burner
- (4) 8.93 lbs/hr with duct burner

##### (d) Total Particulate Matter (PM):

- (1) 0.0063 lb/MMBtu
- (2) 11.7 lbs/hr without duct burner
- (3) 13.9 lbs/hr with duct burner

(e) Total Particulate Matter with an aerodynamic diameter less than 10 microns (PM<sub>10</sub>):

- (1) 0.0063 lb/MMBtu
- (2) 11.7 lbs/hr without duct burner
- (3) 13.9 with duct burner

(f) Total Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>):

- (1) 0.0063 lb/MMBtu
- (2) 11.7 lbs/hr without duct burner
- (3) 13.9 lbs/hr with duct burner

##### (g) Sulfuric Acid Mist (H<sub>2</sub>SO<sub>4</sub>):

- (1) 8.60E-04 lbs/MMBtu
- (2) 2.9 lbs/hr without duct burner
- (3) 3.06 lbs/hr with duct burner

##### (h) Sulfur Dioxide (SO<sub>2</sub>):

- (1) 3.7 lbs/hr without duct burner
- (2) 3.9 lbs/hr with duct burner

##### (i) Ammonia Slip (NH<sub>3</sub>):

- (1) 5.0 ppmvds
- (2) 22.3 lbs/hr without duct burner



(3) 23.7 lbs/hr with duct burner

(j) Formaldehyde (HCHO):

(1) 0.091 ppmvd @ 15% O<sub>2</sub>

(k) Carbon Dioxide (CO<sub>2</sub>):

(1) 1,000 lbs CO<sub>2</sub>/MWh (gross) on a 12-month annual average basis.

ppmdv = parts per million volume on a dry gas basis, corrected to 15 percent O<sub>2</sub>.

ppmdv and lb/MMBtu limits based upon a 3-hour averaging time.

3. At all times, including startup and shutdown, emissions from each combined cycle combustion turbine, Source IDs 201 and 202, shall not exceed the following on a 12-month rolling basis:

(a) Nitrogen Oxides (NO<sub>x</sub>): 106.2 tpy

(b) Carbon Monoxide (CO): 105.1 tpy

(d) Volatile Organic Compounds (VOC): 38.5 tpy

(e) Total Particulate Matter (PM): 58.0 tpy

(f) Total Particulate Matter with an aerodynamic diameter less than 10 microns (PM<sub>10</sub>): 58.0 tpy

(g) Total Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>): 58.0 tpy

(h) Sulfuric Acid Mist (H<sub>2</sub>SO<sub>4</sub>): 12.5 tpy

(c) Sulfur Oxides (SO<sub>x</sub>): 16.0 tpy

(i) Ammonia (NH<sub>3</sub>): 103.3 tpy

(j) Lead (Pb): 0.007 tpy

(k) Greenhouse Gases, expressed as Carbon Dioxide Equivalent (CO<sub>2</sub>e): 1,828,492 tpy

(l) Total HAPs: 7.6 tpy

4. The permittee may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

(a) Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.

(b) Equal to or greater than 10% for a period or periods aggregating more than 6 minutes during startup and shutdown.

5. Average fuel sulfur content shall not exceed 0.40 gr/100 scf natural gas on a monthly basis

6. Startups and shutdowns:

(a) The durations of startups and shutdowns shall be minimized to the maximum extent possible.

(b) Total startup and shutdown duration for each combined cycle combustion turbine shall not exceed the following:

For Mid-Range Dispatch

(i) Mid Range Cold Startups 5 hours in any consecutive 12-month period.

(ii) Mid Range Warm Startups 50 hours in any consecutive 12-month period.

(iii) Mid Range Hot Startups 155 hours in any consecutive 12-month period.

(iv) Mid Range shutdowns 220 hours in any consecutive 12-month period.

For Baseload—assumes no lag between CT starts

(i) Baseload Cold Startups 5 hours in any consecutive 12-month period.

(ii) Baseload Warm Startups 25 hours in any consecutive 12-month period.

(iii) Baseload Hot Startups 50 hours in any consecutive 12-month period.

(iv) Baseload shutdowns 80 hours in any consecutive 12-month period.

(c) Each startup event shall not exceed one hour in duration.

(d) Each shutdown shall not exceed one half hour in duration.

Testing Requirements

1. Within 180 days after initial startup, the permittee shall conduct EPA reference method stack testing for NO<sub>x</sub>, CO, VOC (with and without duct burners), formaldehyde, PM (filterable and condensable), sulfuric acid mist, SO<sub>2</sub>, and ammonia slip in accordance with the requirements of 25 Pa. Code Chapter 139.

2. The permittee shall conduct subsequent EPA reference method stack testing for VOC, formaldehyde and PM (filterable and condensable) no less often than every two years after initial testing.

3. The permittee shall conduct Department approved CO<sub>2</sub> stack testing every 25,000 hours of operation.

Monitoring Requirements

1. Monitoring

(a) This section applies to combustion units with a rated heat input of 250 million Btus per hour or greater and with an annual average capacity factor of greater than 30%.

(b) Sources subject to this section shall install, operate and maintain continuous nitrogen oxides monitoring systems and other monitoring systems to convert data to required reporting units in compliance with Chapter 139, Subchapter C (relating to requirements for continuous in-stack monitoring for stationary sources).

(c) Sources subject to this section shall submit results on a regular schedule and in a format acceptable to the Department and in compliance with Chapter 139, Subchapter C.

(d) Continuous nitrogen oxides monitoring systems installed under the requirements of this section shall meet the minimum data availability requirements in Chapter 139, Subchapter C.

(e) The Department may exempt a source from the requirements of subsection (b) if the Department determines that the installation of a continuous emission monitoring system would not provide accurate determination of emissions or that installation of a continuous emission monitoring system cannot be implemented by a source due to physical plant limitations or to extreme economic reasons. A source exempted from the requirements of subsection (b) shall satisfy alternative emission monitoring and reporting requirements proposed by the source and approved by the Department which provide oxides emission data that is representative of actual emissions of the source.

(f) Sources subject to this section shall comply by October 20, 1993, unless the source becomes subject to the requirements later than October 20, 1990. For sources

which become subject to the requirements after October 20, 1990, the source has 36 months from the date the source becomes subject to this section. The Department may issue orders providing a reasonable extension of time for sources that have made good faith efforts to install, operate and maintain continuous monitoring devices, but that have been unable to complete the operations within the time period provided.

2. The permittee shall install, certify, maintain and operate continuous emission monitoring systems (CEMS) for nitrogen oxides, carbon monoxide, and ammonia emissions on the exhaust of each combined-cycle powerblock in accordance with all applicable requirements specified in 25 Pa. Code Chapter 139 and the Department's Continuous Source Monitoring Manual.

(a) Initial Application (Phase I): Proposal[s] containing information as listed in the Phase I section of the Department's Continuous Source Monitoring Manual for the CEMS[s] must be submitted at least 180 days prior to the planned initial source startup date.

(b) Performance Testing (Phase II): Testing as listed in the Phase II section of the Department's Continuous Source Monitoring Manual must be completed for the CEMS[s] no later than 180 days after initial source startup date and no later than 60 days after source achieves normal process capacity.

(c) Final Approval (Phase III): The final report of testing as listed in the Phase III section of the Department's Continuous Source Monitoring Manual must be submitted to the Bureau no later than 60 days after completion of testing.

(d) The owner or operator of the source shall not be issued an operating permit until the CEMS has received Phase III approval, in writing from the Department, when installation of a CEMS is made a condition of the plan approval. Until Phase III Department approval is obtained, operation shall be covered solely under condition of a plan approval.

3. The permittee shall continuously monitor the oxygen level in the stack effluent.

4. Pursuant to the V requirements of 25 Pa. Code §§ 127.1 and 127.12, the pressure differential across the oxidation catalyst incorporated into IDs C201B and C202B as well as the catalyst inlet and outlet temperatures shall be monitored and recorded on a continuous basis. Visual and audible alarms shall be utilized to indicate improper operation.

5. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the pressure differential across the SCR catalysts incorporated into IDs C201A and C202A as well as the catalyst inlet and outlet temperatures shall be monitored and recorded on a continuous basis. Visual and audible alarms shall be utilized to indicate improper operation.

6. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the pre-control and postcontrol nitrogen oxides (expressed as NO<sub>2</sub>) emissions from Source IDs 201 and 202 shall be monitored and recorded by the feed-forward process control loop to ensure maximum control efficiency and minimum ammonia slip. Visual and audible alarms shall be utilized to indicate improper operation.

#### Recordkeeping Requirements

1. The permittee shall maintain the following comprehensive and accurate records:

(a) Actual heat input and power output on a 12-month rolling basis.

(b) The number of startups and shutdowns and the dates each occur.

(c) Duration of each startup and shutdown event.

(d) The type of each startup (i.e. cold, warm, or hot).

(e) Duct burner hours of operation on a 12-month rolling basis.

(f) Requirements established in 25 Pa. Code § 139 Subchapter C, requirements for source monitoring for stationary sources.

(g) Requirements in the most recent version of the Department's Continuous Source Monitoring Manual.

#### Reporting Requirements

1. The permittee shall submit a complete NO<sub>x</sub> Budget permit application in accordance with 40 CFR 96.21(b)(1)(ii).

2. The permittee shall submit a complete NO<sub>x</sub> Budget permit application in accordance with 40 CFR 97.21(b)(1)(ii).

#### Work Practice Standards

1. The permittee shall operate all air cleaning devices at all times once operating parameters (temperature, flow, etc.) are sufficient for proper operation.

#### Additional Requirements

1. Each combined cycle combustion turbine (Source IDs 201 and 202) shall be equipped with DLN burners, SCR and oxidation catalysts

2. The permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart KKKK [40 CFR 60.4300—60.4420].

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval No. 40-00129A; a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on July 7, 2015 from 6—9 PM at Berwick High School, 1100 Fowler Avenue, Berwick, PA. Persons interested in commenting are invited to appear at the public hearing.

Copies of the application, air modeling analysis used in the evaluation, the Department's technical review and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Hearing Examiner, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing. This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 10 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through July 21, 2015.

The Department will address comments from the public before a final action is taken on the proposal. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, Regional Air Quality Program Manager, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Wilkes-Barre address given previously.

**40-00067A: Wyoming Valley Sanitary Authority** (P. O. Box 33A, Wilkes-Barre, PA 18703) for addition of an active carbon mercury adsorption system to comply with 40 CFR 60 Subpart Mmmm at their facility in Hanover Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Wyoming Valley Sanitary Authority (P. O. Box 33A, Wilkes-Barre, PA 18703) for addition of an active carbon mercury adsorption system to remove 95–99% of mercury from the stack final exhaust. There will be no change to the incinerator operating capacity. This change is being made to comply with 40 CFR 60 Subpart Mmmm at their facility in Hanover Township, Luzerne County. The facility currently operates under Title V Operating Permit No. 40-00067. Plan approval 40-00067A will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Plan Approval No. 40-00067A will also contain additional recordkeeping and operating re-

strictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00067A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

**39-309-081: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) for addition of natural gas as a fuel for No. 1 and No. 2 raw mills at their Whitehall Plant in Whitehall Township, **Lehigh County**.

The current emission limits for this source will not change as a result of this modification. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 39-00011. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

## PLAN APPROVAL

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### PUBLIC HEARINGS

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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*

**48-00021A: Northampton Generating Co LP** (1 Horwith Drive, Northampton, PA 18067). Notice is hereby given under 25 Pa. Code §§ 127.44(b)(5) and 127.424, that the Department of Environmental Protection (Department) is soliciting comments on the proposed Air Quality Plan Approval 48-00021A for Northampton Generating Co LP (NGC) (the Permittee), 1 Horwith Drive, Northampton, PA 18067 to revise their permit limit for lead emissions (Pb) from their circulating fluidized bed (CFB) boiler located in Northampton Borough, **Northampton County** as described in the Permittee's October 16, 2014 Plan Approval Application and any other subsequent supplemental submissions.

Plan Approval No. 48-00021A is for the revision of permit limit for lead emissions (Pb) to address the variability of lead (Pb) content in fuel inherent with the

multiple coal refuse piles that the plant currently uses in their circulating fluidized bed (CFB) boiler. The company has sampled and tested approximately 21 refuse coal piles for lead content in order to determine the base line for lead. The results were varied, ranging from 4.3 ppms to 140 ppms. NGC has used 140 ppms (highest lead found in the sample) in re-developing the lead emissions limit. Based on these sampling and findings the company has requested the Department to revise the lead (Pb) limit, when burning Tire Derived Fuel (TDF), from 0.0027 pounds per hour to 0.0588 pounds per hour. A Health Risk Assessment Model was provided to justify the revised lead emissions limit. No other operational changes were proposed by the company.

The Department's Central Office Air Quality staff reviewed the Health Risk Assessment results and concluded that for the increased lead emissions (0.0588 lb/hr = 0.00742 g/sec), the cancer risks for the baseline and TDF scenarios is 1.22 E-06. The non-cancer risks for the baseline and TDF scenarios have gone up slightly to 0.14 and 0.19, respectively, which are still below the acceptable level of 0.25.

Based on 8,760 hour per year operation and maximum of 140 ppm of lead content in coal refuse, following potential emissions are expected from the boiler.

Pb—0.258 Ton/year

No other emissions changes are expected due to this change from the facility.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval No. 48-00021A and a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on Tuesday, June 30, 2015 at 6:00 p.m. at the Northampton Community Center, located at 1601 Laubach Avenue, Northampton, PA 18067.

Persons interested in commenting are invited to appear.

Copies of the applications, the Department's technical reviews and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to

the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 5 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through July 15th, 2015.

The Department will address comments from the public before any final actions are taken on the proposals. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Wilkes-Barre address given previously.

**40-00129A: Moxie Freedom LLC** (612 Center Street South, Vienna, VA 22180). Notice is hereby given under 25 Pa. Code § 127.44 and 40 CFR 52.21, that the Department of Environmental Protection (Department) intends to issue the proposed Air Quality Plan Approval 40-00129A for Moxie Freedom LLC (Permittee), (612 Center Street South, Vienna, VA 22180) for the proposes to construct, own, and operate a natural gas-fired combined-cycle power plant in Salem Township, **Luzerne County** and is soliciting comments on the above plan approval.

The Project will consist of two identical 1 x 1 power blocks, each consisting of a combustion gas turbine (CT) and a steam turbine (ST) configured in single shaft alignment, where each CT and ST train share one common electric generator. The turbine to be used for this project are Two General Electric (GE) 7HA.02 CTs, each in 1 x 1 single shaft combined-cycle power islands.

Duct burners (DB) will be installed in the heat recovery steam generators (HRSG) of the proposed new units. Each CT and duct burner will exclusively fire pipeline-quality natural gas. The HRSGs will be equipped with selective catalytic reduction (SCR) to minimize nitrogen oxide (NO<sub>x</sub>) emissions and oxidation catalysts to minimize carbon monoxide (CO) and volatile organic compound (VOC) emissions from the CTs and DBs.

The Project will also include several pieces of ancillary equipment. The list of equipment includes:

One fuel gas dew-point heater—natural gas fired, common for all CTs

Two CT inlet evaporative coolers—one for each CT (not emissions sources)

Two air-cooled condensers—one for each HRSG (not emissions sources)

One auxiliary boiler, natural gas-fired

One diesel engine powered emergency generator

One diesel engine powered fire water pump

Diesel fuel, lubricating oil, and aqueous ammonia storage tanks

The proposed facility will be a “major source” of criteria air pollutants. Moxie Freedom is applying to the Department for a Plan Approval addressing Prevention of Significant Deterioration (PSD) review and non-attainment New Source Review (NSR).

The Project, Moxie Freedom Generation Plant, once fully operational will have the capability to produce 1,050 Mega Watts (MW) of electricity which will then be distributed to the power grid for use.

The PSD regulations require specific sources of air pollution, such as the proposed Moxie Freedom Generation Plant, to satisfy four conditions before approval to construct and operate may be granted by DEP. First, all pollutants that are subject to this regulation must be controlled by best available control technology (BACT). Second, particulate and sulfur dioxide (SO<sub>2</sub>) air pollutant emissions must not cause violations of the allowable annual, 24-hour, or 3-hour air quality class increments applicable in the area where the source is to be located; nor any class increments applicable in any other areas which would be impacted by the source. Third, the maximum allowable increase in concentrations of all pollutants must not cause violation of either the national primary or secondary ambient air quality standards. Finally, the pollutant emissions from the proposed source must not adversely impact upon soils, vegetation, and visibility in the vicinity of the proposed plant site.

A preliminary review of the information submitted by Moxie Freedom, LLC indicates that the construction and operation of the plant will meet all applicable air quality requirements including the four stated above. Based upon these findings, DEP plans to approve the application and issue a permit for the construction and operation of the Moxie Freedom Generation Plant.

The following table summarizes the potential emissions from maximum operation of the facility according to the application submitted for the Department’s own analysis;

<i>Pollutant</i>	<i>Emission limit Tons/year</i>
PM <sub>10</sub>	118.00
TSP	118.00
SO <sub>2</sub>	33.00
NO <sub>x</sub>	215.00
CO	218.00
VOC	78.00
Fluoride	6.30
Total Hazardous (HAPs)	15.30

As shown in the table above Moxie Freedom LLC proposed project potential emissions of NO<sub>x</sub> and VOC exceed the NNSR major source thresholds. NNSR requirements for NO<sub>x</sub> and VOC include Lowest Achievable Emission Rate (LAER) and purchasing Emission Reduction Credits (ERC). In accordance with 25 Pa. Code § 121.1, LAER is defined as:

(i) The rate of emissions based on the following, whichever is more stringent:

(A) The most stringent emission limitation which is contained in the implementation plan of a state for the class or category of source unless the owner or operator of the proposed source demonstrates that the limitations are not achievable.

(B) The most stringent emission limitation which is achieved in practice by the class or category of source.

(ii) The application of the term may not allow a new or proposed modified source to emit a pollutant in excess of the amount allowable under an applicable new source standard of performance.

In accordance with 25 Pa. Code §§ 127.205(4) and 127.210, Moxie Freedom LLC will be required to purchase ERCs to offset the NO<sub>x</sub> and VOC emission increases associated with this project at a ratio of 1.15:1. Based on the PTE, the following table represents the required ERCs to be purchased:

<i>ERC Calculation</i>			
<i>Pollutant</i>	<i>PTE</i>	<i>Ratio</i>	<i>ERCs</i>
NO <sub>x</sub>	214	1.15	246.1
VOC	77.9	1.15	89.6

In accordance with the PSD rules in 40 CFR 52.21 and 25 Pa. Code § 127.83, Moxie Freedom LLC (Moxie Freedom) has conducted an air quality analysis which utilizes dispersion modeling. Moxie Freedom’s air quality analysis satisfies the requirements of the PSD rules and is consistent with the United States Environmental Protection Agency’s (EPA) Guideline on Air Quality Models (40 CFR Part 51, Appendix W) and the EPA’s air quality modeling policy and guidance.

In accordance with 40 CFR 52.21(k), Moxie Freedom’s air quality analysis demonstrates that the proposed emissions from Moxie Freedom’s facility will not cause or contribute to air pollution in violation of the National Ambient Air Quality Standards for CO, nitrogen dioxide (NO<sub>2</sub>), particulate matter less than or equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>), or particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>). Moxie Freedom’s air quality analysis demonstrates that the proposed emissions from Moxie Freedom’s facility will not cause or contribute to air pollution in violation of the increments for NO<sub>2</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub>. The degree of Class II and Class I increment consumption expected to result from the operation of Moxie Freedom’s facility is provided in the following tables:

Table 1—Degree of Class II Increment Consumption from Operation of Moxie Freedom Facility

Pollutant	Averaging Period	Degree of Class II Increment Consumption		Class II Increment micrograms per cubic meter
		micrograms per cubic meter	% of Class II Increment	
NO <sub>2</sub>	Annual	< 0.73613	< 2.95 %	25
PM <sub>2.5</sub>	24-Hour	< 7.62877	< 84.77 %	9
	Annual	< 0.71032	< 17.76 %	4
PM <sub>10</sub>	24-Hour	< 7.62877	< 25.43 %	30
	Annual	< 0.71032	< 4.18 %	17

Table 2—Degree of Class I Increment Consumption from Operation of Moxie Freedom Facility

Pollutant	Averaging Period	Degree of Class I Increment Consumption		Class I Increment micrograms per cubic meter
		micrograms per cubic meter	% of Class I Increment	
NO <sub>2</sub>	Annual	< 0.00794	< 0.32 %	2.5
PM <sub>2.5</sub>	24-Hour	< 0.06681	< 3.35 %	2
	Annual	< 0.00584	< 0.59 %	1
PM <sub>10</sub>	24-Hour	< 0.06681	< 0.84 %	8
	Annual	< 0.00584	< 0.15 %	4

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

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

To assure compliance with the applicable standards, DEP will place the following conditions on the plan approval.

#### Site Level Conditions

##### Restrictions

1. The emissions from all sources and associated air cleaning devices installed and operated under this authorization shall not exceed any of the following on a 12-month rolling sum basis:

- (a) Nitrogen Oxides (NO<sub>x</sub>): 215.00 tpy
- (b) Carbon Monoxide (CO): 218.00 tpy
- (c) Sulfur Oxides (SO<sub>x</sub>): 33.00 tpy
- (d) Volatile Organic Compounds (VOC): 78.00 tpy
- (e) Particulate Matter (PM): 118.00 tpy
- (f) Particulate Matter with an aerodynamic diameter less than 10 microns (PM<sub>10</sub>): 118.00 tpy
- (g) Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>): 118.00 tpy
- (h) Sulfuric Acid Mist (H<sub>2</sub>SO<sub>4</sub>): 25.10 tpy
- (i) Ammonia (NH<sub>3</sub>): 208.00 tpy
- (j) Formaldehyde (HCHO): 6.30 tpy

(k) Total Hazardous Air Pollutants (HAPs): 15.30 tpy

(l) Greenhouse Gases, expressed as Carbon Dioxide Equivalent (CO<sub>2</sub>e): 3,677,951 tpy

#### Testing Requirements

1. Performance testing shall be conducted as follows:

(a) The Permittee shall submit three copies of a pre-test protocol to the Department for review at least 45 days prior to the performance of any EPA reference method stack test. The Permittee shall submit three copies of a one-time protocol to the Department for review for the use of a portable analyzer and may repeat portable analyzer testing without additional protocol approvals provided that the same method and equipment are used. All proposed performance test methods shall be identified in the pre-test protocol and approved by the Department prior to testing.

(b) The Permittee shall notify the Regional Air Quality Manager at least 15 days prior to any performance test so that an observer may be present at the time of the test. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 40 CFR 60.8(a), a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program.

(d) Pursuant to 25 Pa. Code § 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

(1) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

(2) Permit number(s) and condition(s) which are the basis for the evaluation.

(3) Summary of results with respect to each applicable permit condition.

(4) Statement of compliance or non-compliance with each applicable permit condition.

(e) Pursuant to 25 Pa. Code § 139.3 all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(f) All testing shall be performed in accordance with 25 Pa. Code Chapter 139.

(g) Pursuant to 25 Pa. Code § 139.53(a)(1) and (3) all submittals, besides notifications, shall be accomplished through PSIMS\*Online available through <https://www.depgreenport.state.pa.us/ecommm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, three copies of the submittal shall be sent to the Department of Environmental Protection, Bureau of Air Quality, Division of Source Testing and Monitoring, 400 Market Street, 12th Floor Rachael Carson State Office Building, Harrisburg, PA 17105-8468 with deadlines verified through document postmarks.

(h) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the Federal, the most stringent provision, term, condition, method or rule shall be used by default.

2. The following are applicable to source tests for determining emissions from stationary sources:

(1) Performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department.

(2) The Department will consider for approval where sufficient information is provided to verify the source conditions existing at the time of the test and where adequate data is available to show the manner in which the test was conducted. Information submitted to the Department shall include, as a minimum all of the following:

(i) A thorough source description, including a description of any air cleaning devices and the flue.

(ii) Process conditions, for example, the charging rate of raw material or rate of production of final product, boiler pressure, oven temperature, and other conditions which may affect emissions from the process.

(iii) The location of the sampling ports.

(iv) Effluent characteristics, including velocity, temperature, moisture content, gas density (percentage CO, CO<sub>2</sub>, O<sub>2</sub> and N<sub>2</sub>), static and barometric pressures.

(v) Sample collection techniques employed, including procedures used, equipment descriptions and data to verify that isokinetic sampling for particulate matter collection occurred and that acceptable test conditions were met.

(vi) Laboratory procedures and results.

(vii) Calculated results.

#### Monitoring Requirements

1. Visible emissions may be measured using either of the following:

(1) A device approved by the Department and maintained to provide accurate opacity measurements.

(2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

2. The permittee shall implement a sulfur hexafluoride (SF<sub>6</sub>) leak detection program to minimize SF<sub>6</sub> leaks as follows:

(a) Circuit breakers are to be state-of-the-art sealed enclosed-pressure circuit breakers equipped with low-pressure alarms that are triggered when 10% of the SF<sub>6</sub> by weight has escaped.

(b) When alarms are triggered, the facility shall take corrective action as soon as practicable to fix the circuit breaker units to a like-new state to prevent the emission of SF<sub>6</sub> to the maximum extent possible.

#### Recordkeeping Requirements

1. The permittee shall maintain the following comprehensive and accurate records:

(a) Facility-wide emissions on a 12-month rolling basis for NO<sub>x</sub>, CO, SO<sub>x</sub>, VOC, PM, PM<sub>10</sub>, PM<sub>2.5</sub>, H<sub>2</sub>SO<sub>4</sub>, NH<sub>3</sub>, HAPs, HCHO, and CO<sub>2e</sub>.

(b) Amount of fuel used by each combustion unit, engine, and turbine on a 12-month rolling basis.

(c) Hours of operation of each source on a 12-month rolling basis.

(d) Results of facility-wide inspections including the date, time, name, and title of the observer, along with any corrective action taken as a result.

(e) Copies of the manufacturer's recommended maintenance schedule for each air source and air cleaning device.

(f) All maintenance performed on each source and air cleaning device.

(g) Copies of the current, valid purchase contract, tariff sheet, or transportation contract obtained from the natural gas supplier with the sulfur content of the natural gas.

(h) Results of the annual natural gas sulfur content analyses.

(i) Amount of sulfur hexafluoride (SF<sub>6</sub>) dielectric fluid added to each circuit breaker unit on a monthly basis.

(j) The date and time that each alarm associated with the circuit breaker is activated, the corrective action taken to remedy the problem associated with each alarm, and the date the corrective action remedied the problem.

2. All logs and required records shall be maintained on site, or at an alternative location acceptable to the Department, for a minimum of five years and shall be made available to the Department upon request.

#### Reporting Requirements

1. The annual emission report shall include all emissions information for all previously reported sources and new sources which were first operated during the preceding calendar year. Emissions data including, but not limited to the following, shall be reported: CO, NO<sub>x</sub>, particulate matter less than 10 micrometers in diameter (PM<sub>10</sub>), particulate matter less than 2.5 micrometers in

diameter (PM<sub>2.5</sub>), SO<sub>2</sub>, VOCs including formaldehyde, total HAP, speciated individual HAP emissions, sulfuric acid mist (H<sub>2</sub>SO<sub>4</sub>), and greenhouse gases, expressed as CO<sub>2</sub>e. The statement shall also contain a certification by a company officer or the plant manager that the information contained in the statement is accurate.

2. Malfunction reporting shall be conducted as follows:

(a) For purpose of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions may include, but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property of the person on whose land the source is being operated.

(b) When the malfunction poses an imminent and substantial danger to the public health and safety or the environment, the notification shall be submitted to the Department no later than one hour after the incident commences.

(c) All other malfunctions that must be reported under subsection (a) shall be reported to the Department no later than the next business day.

(d) The report shall describe the:

- (1) Name and location of the facility;
- (2) Nature and cause of the malfunction or breakdown;
- (3) Time when the malfunction or breakdown was first observed;
- (4) Expected duration of excess emissions; and
- (5) Estimated rate of emissions.

(e) Malfunctions shall be reported to the Department of Environmental Protection, Office of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711, 570-826-2511.

(f) The owner or operator shall notify the Department immediately upon completion when corrective measures have been accomplished.

(g) Subsequent to the malfunction, the owner/operator shall submit a full written report to the Department including the items identified in (d) and corrective measures taken on the malfunction within 15 days, if requested.

3. The Facility is subject New Source Performance Standards from 40 CFR Part 60 Subparts Db, IIII, and KKKK and National Emission Standards for Hazardous Air Pollutants from 40 CFR Part 63 Subpart ZZZZ. In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications regarding the engines shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Director, Air Protection Section, Mail Code 3AP00, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19101-2029

Department of Environmental Protection, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711

4. Annual emissions reporting shall be conducted as follows:

(a) A person who owns or operates a source to which this chapter applies, and who has previously been advised by the Department to submit a source report, shall

submit by March 1 of each year a source report for the preceding calendar year. The report shall include information for all previously reported sources, new sources which were first operated during the preceding calendar year and sources modified during the same period which were not previously reported.

(b) A person who receives initial notification by the Department that a source report is necessary shall submit an initial source report within 60 days after receiving the notification or by March 1 of the year following the year for which the report is required, whichever is later.

(c) A source owner or operator may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

#### Additional Requirements

1. The permittee shall comply with all applicable requirements of New Source Performance Standards from 40 CFR Part 60 Subparts Db, IIII, and KKKK and National Emission Standards for Hazardous Air Pollutants from 40 CFR Part 63 Subpart ZZZZ.

2. The permittee shall comply with all applicable requirements under 40 CFR Part 68 related to the Chemical Accident Prevention Provisions.

3. The permittee shall comply with all applicable requirements under 40 CFR Part 64 related to Compliance Assurance Monitoring.

4. The permittee shall comply with all applicable requirements under 40 CFR Parts 72—78 related to the Acid Rain Program.

5. The permittee shall comply with the cross-state air pollution rule requirements (40 CFR Part 97, Subparts AAAAA—DDDDD) by the compliance date specified in 40 CFR 97, Subparts AAAAA—DDDDD, as amended.

6. The permittee shall comply with all applicable requirements under 40 CFR Part 98 related to the Mandatory Greenhouse Gas Reporting Rule.

7. This plan approval is to allow construction and temporary operation of a combined cycle natural gas-fired power plant known as the Moxie Freedom Generation Plant by Moxie Freedom LLC located in Salem Township, Luzerne County.

8. New air contamination sources and air cleaning devices authorized for construction and temporary operation under this plan approval include:

Two (2) 3,327 MMBtus/hr 7HA.02 GE Single Shaft combined cycle combustion turbines each serving onesteam turbine generator equipped with HRSGs with supplemental 200 MMBtus/hr natural gas fired duct burners; controlled by SCR and oxidation catalysts.

One (1) 55.4 MMBtus/hr natural gas-fired auxiliary boiler.

One (1) 1,000 kW diesel-fired emergency generator engine.

One (1) 510 bhps diesel-fired emergency fire pump engine.

One (1) 14.6 MMBtus/hr gas fuel heater

9. Upon determination by the permittee that the air contamination sources and air cleaning devices covered by this plan approval are in compliance with all conditions of the plan approval, the permittee shall contact the Department's technical reviewer and schedule the Initial Operating Permit Inspection.



10. Upon completion of the Initial Operating Permit Inspection and determination by the Department that the permittee is in compliance with all conditions of the plan approval, the permittee shall submit a Title V Operating Permit application for this Facility within 120 days.

11. The permittee shall submit requests to extend the temporary operation periods at least 15 days prior to the expiration date of any authorized period of temporary operation.

12. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established pursuant to this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate.

13. Such testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required.

14. In accordance with 25 Pa. Code §§ 127.201—127.217, the permittee shall secure 247 tons per year of NO<sub>x</sub> ERCs and 90 tons per year of VOC ERCs. The ERCs shall be properly generated, certified by the Department, and processed through the registry no later than the date approved by the Department for commencement of construction of the proposed facility.

15. The Department will evaluate the actual emission rates and may revise the allowable emission limitations based upon demonstrated performance (CEMS data, stack tests results), and/or subsequently promulgated applicable requirements at any time of operation. Any revision of the allowable emission limitations shall be by minor modification provided that the revised allowable emission limitations do not exceed levels at which the LAER, BACT and best available technology (BAT) were evaluated, do not exceed the level at which the facility impacts were modeled, and that are not a result of a physical change or change in method of operation at the facility.

16. The permittee shall not permit the open burning of materials at this facility unless in accordance with 25 Pa. Code § 129.14.

#### Source Group Restrictions

##### Restrictions

##### 1. Definitions:

(a) Startup is defined as the period beginning when fuel begins flowing to the combustion turbine and ending when the combustion process, air pollution control equipment, and associated control systems have attained normal operating conditions.

(b) Shutdown is defined as the period beginning when the combustion turbine exits DLN mode and ending when fuel flow ceases.

(c) Normal operation is defined as all times except startup and shutdown.

2. During normal operation, emissions from each combined cycle combustion turbine, Source IDs 201 and 202, shall not exceed:

(a) Nitrogen Oxides (NO<sub>x</sub>):

(1) 2.0 ppmvds @ 15% O<sub>2</sub>

(2) 24.2 lbs/hr without duct burner

(3) 25.7 lbs/hr with duct burner

(b) Carbon Monoxide (CO):

(1) 2.0 ppmvds @ 15% O<sub>2</sub>

(2) 14.7 lbs/hr without duct burner

(3) 15.6 lbs/hr with duct burner

(c) Volatile Organic Compounds (VOC):

(1) 2.0 ppmvds @ 15% O<sub>2</sub> with duct burners

(2) 1.0 ppmvds @ 15% O<sub>2</sub> without duct burners

(3) 4.2 lbs/hr without duct burner

(4) 8.93 lbs/hr with duct burner

(d) Total Particulate Matter (PM):

(1) 0.0063 lb/MMBtu

(2) 11.7 lbs/hr without duct burner

(3) 13.9 lbs/hr with duct burner

(e) Total Particulate Matter with an aerodynamic diameter less than 10 microns (PM<sub>10</sub>):

(1) 0.0063 lb/MMBtu

(2) 11.7 lbs/hr without duct burner

(3) 13.9 with duct burner

(f) Total Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>):

(1) 0.0063 lb/MMBtu

(2) 11.7 lbs/hr without duct burner

(3) 13.9 lbs/hr with duct burner

(g) Sulfuric Acid Mist (H<sub>2</sub>SO<sub>4</sub>):

(1) 8.60E-04 lbs/MMBtu

(2) 2.9 lbs/hr without duct burner

(3) 3.06 lbs/hr with duct burner

(h) Sulfur Dioxide (SO<sub>2</sub>):

(1) 3.7 lbs/hr without duct burner

(2) 3.9 lbs/hr with duct burner

(i) Ammonia Slip (NH<sub>3</sub>):

(1) 5.0 ppmvds

(2) 22.3 lbs/hr without duct burner

(3) 23.7 lbs/hr with duct burner

(j) Formaldehyde (HCHO):

(1) 0.091 ppmvd @ 15% O<sub>2</sub>

(k) Carbon Dioxide (CO<sub>2</sub>):

(1) 1,000 lbs CO<sub>2</sub>/MWh (gross) on a 12-month annual average basis.

ppmdv = parts per million volume on a dry gas basis, corrected to 15 percent O<sub>2</sub>.

ppmdv and lb/MMBtu limits based upon a 3-hour averaging time.

3. At all times, including startup and shutdown, emissions from each combined cycle combustion turbine, Source IDs 201 and 202, shall not exceed the following on a 12-month rolling basis:

(a) Nitrogen Oxides (NO<sub>x</sub>): 106.2 tpy

(b) Carbon Monoxide (CO): 105.1 tpy

(d) Volatile Organic Compounds (VOC): 38.5 tpy

(e) Total Particulate Matter (PM): 58.0 tpy

(f) Total Particulate Matter with an aerodynamic diameter less than 10 microns ( $PM_{10}$ ): 58.0 tpy

(g) Total Particulate Matter with an aerodynamic diameter less than 2.5 microns ( $PM_{2.5}$ ): 58.0 tpy

(h) Sulfuric Acid Mist ( $H_2SO_4$ ): 12.5 tpy

(c) Sulfur Oxides ( $SO_x$ ): 16.0 tpy

(i) Ammonia ( $NH_3$ ): 103.3 tpy

(j) Lead (Pb): 0.007 tpy

(k) Greenhouse Gases, expressed as Carbon Dioxide Equivalent ( $CO_2e$ ): 1,828,492 tpy

(l) Total HAPs: 7.6 tpy

4. The permittee may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

(a) Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.

(b) Equal to or greater than 10% for a period or periods aggregating more than 6 minutes during startup and shutdown.

5. Average fuel sulfur content shall not exceed 0.40 gr/100 scf natural gas on a monthly basis

6. Startups and shutdowns:

(a) The durations of startups and shutdowns shall be minimized to the maximum extent possible.

(b) Total startup and shutdown duration for each combined cycle combustion turbine shall not exceed the following:

For Mid-Range Dispatch

(i) Mid Range Cold Startups 5 hours in any consecutive 12-month period.

(ii) Mid Range Warm Startups 50 hours in any consecutive 12-month period.

(iii) Mid Range Hot Startups 155 hours in any consecutive 12-month period.

(iv) Mid Range shutdowns 220 hours in any consecutive 12-month period.

For Baseload—assumes no lag between CT starts

(i) Baseload Cold Startups 5 hours in any consecutive 12-month period.

(ii) Baseload Warm Startups 25 hours in any consecutive 12-month period.

(iii) Baseload Hot Startups 50 hours in any consecutive 12-month period.

(iv) Baseload shutdowns 80 hours in any consecutive 12-month period.

(c) Each startup event shall not exceed one hour in duration.

(d) Each shutdown shall not exceed one half hour in duration.

Testing Requirements

1. Within 180 days after initial startup, the permittee shall conduct EPA reference method stack testing for  $NO_x$ , CO, VOC (with and without duct burners), formaldehyde, PM (filterable and condensable), sulfuric acid mist,  $SO_2$ , and ammonia slip in accordance with the requirements of 25 Pa. Code Chapter 139.

2. The permittee shall conduct subsequent EPA reference method stack testing for VOC, formaldehyde and PM (filterable and condensable) no less often than every two years after initial testing.

3. The permittee shall conduct Department approved  $CO_2$  stack testing every 25,000 hours of operation.

Monitoring Requirements

1. Monitoring

(a) This section applies to combustion units with a rated heat input of 250 million Btus per hour or greater and with an annual average capacity factor of greater than 30%.

(b) Sources subject to this section shall install, operate and maintain continuous nitrogen oxides monitoring systems and other monitoring systems to convert data to required reporting units in compliance with Chapter 139, Subchapter C (relating to requirements for continuous in-stack monitoring for stationary sources).

(c) Sources subject to this section shall submit results on a regular schedule and in a format acceptable to the Department and in compliance with Chapter 139, Subchapter C.

(d) Continuous nitrogen oxides monitoring systems installed under the requirements of this section shall meet the minimum data availability requirements in Chapter 139, Subchapter C.

(e) The Department may exempt a source from the requirements of subsection (b) if the Department determines that the installation of a continuous emission monitoring system would not provide accurate determination of emissions or that installation of a continuous emission monitoring system cannot be implemented by a source due to physical plant limitations or to extreme economic reasons. A source exempted from the requirements of subsection (b) shall satisfy alternative emission monitoring and reporting requirements proposed by the source and approved by the Department which provide oxides emission data that is representative of actual emissions of the source.

(f) Sources subject to this section shall comply by October 20, 1993, unless the source becomes subject to the requirements later than October 20, 1990. For sources which become subject to the requirements after October 20, 1990, the source has 36 months from the date the source becomes subject to this section. The Department may issue orders providing a reasonable extension of time for sources that have made good faith efforts to install, operate and maintain continuous monitoring devices, but that have been unable to complete the operations within the time period provided.

2. The permittee shall install, certify, maintain and operate continuous emission monitoring systems (CEMS) for nitrogen oxides, carbon monoxide, and ammonia emissions on the exhaust of each combined-cycle powerblock in accordance with all applicable requirements specified in 25 Pa. Code Chapter 139 and the Department's Continuous Source Monitoring Manual.

(a) Initial Application (Phase I): Proposal[s] containing information as listed in the Phase I section of the Department's Continuous Source Monitoring Manual for the CEMS[s] must be submitted at least 180 days prior to the planned initial source startup date.

(b) Performance Testing (Phase II): Testing as listed in the Phase II section of the Department's Continuous Source Monitoring Manual must be completed for the

CEMS[s] no later than 180 days after initial source startup date and no later than 60 days after source achieves normal process capacity.

(c) Final Approval (Phase III): The final report of testing as listed in the Phase III section of the Department's Continuous Source Monitoring Manual must be submitted to the Bureau no later than 60 days after completion of testing.

(d) The owner or operator of the source shall not be issued an operating permit until the CEMS has received Phase III approval, in writing from the Department, when installation of a CEMS is made a condition of the plan approval. Until Phase III Department approval is obtained, operation shall be covered solely under condition of a plan approval.

3. The permittee shall continuously monitor the oxygen level in the stack effluent.

4. Pursuant to the V requirements of 25 Pa. Code §§ 127.1 and 127.12, the pressure differential across the oxidation catalyst incorporated into IDs C201B and C202B as well as the catalyst inlet and outlet temperatures shall be monitored and recorded on a continuous basis. Visual and audible alarms shall be utilized to indicate improper operation.

5. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the pressure differential across the SCR catalysts incorporated into IDs C201A and C202A as well as the catalyst inlet and outlet temperatures shall be monitored and recorded on a continuous basis. Visual and audible alarms shall be utilized to indicate improper operation.

6. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the pre-control and postcontrol nitrogen oxides (expressed as NO<sub>2</sub>) emissions from Source IDs 201 and 202 shall be monitored and recorded by the feed-forward process control loop to ensure maximum control efficiency and minimum ammonia slip. Visual and audible alarms shall be utilized to indicate improper operation.

#### Recordkeeping Requirements

1. The permittee shall maintain the following comprehensive and accurate records:

(a) Actual heat input and power output on a 12-month rolling basis.

(b) The number of startups and shutdowns and the dates each occur.

(c) Duration of each startup and shutdown event.

(d) The type of each startup (i.e. cold, warm, or hot).

(e) Duct burner hours of operation on a 12-month rolling basis.

(f) Requirements established in 25 Pa. Code § 139 Subchapter C, requirements for source monitoring for stationary sources.

(g) Requirements in the most recent version of the Department's Continuous Source Monitoring Manual.

#### Reporting Requirements

1. The permittee shall submit a complete NO<sub>x</sub> Budget permit application in accordance with 40 CFR 96.21(b)(1)(ii).

2. The permittee shall submit a complete NO<sub>x</sub> Budget permit application in accordance with 40 CFR 97.21(b)(1)(ii).

#### Work Practice Standards

1. The permittee shall operate all air cleaning devices at all times once operating parameters (temperature, flow, etc.) are sufficient for proper operation.

#### Additional Requirements

1. Each combined cycle combustion turbine (Source IDs 201 and 202) shall be equipped with DLN burners, SCR and oxidation catalysts

2. The permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart KKKK [40 CFR 60.4300—60.4420].

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval No. 40-00129A; a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on July 7, 2015 from 6—9 PM at Berwick High School, 1100 Fowler Avenue, Berwick, PA. Persons interested in commenting are invited to appear at the public hearing.

Copies of the application, air modeling analysis used in the evaluation, the Department's technical review and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Hearing Examiner, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing. This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 10 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through July 21, 2015.

The Department will address comments from the public before a final action is taken on the proposal. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, Regional Air Quality Program Manager, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Wilkes-Barre address given previously.

**OPERATING PERMITS**

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

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

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

**32-00059: GenOn Northeast Management Company** (121 Champion Way, Canonsburg, PA 15317), In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice that they intend to issue a Title V Operating Permit renewal for the continued operation of a coal-fired power plant, known as the Conemaugh Station, located in West Wheatfield Township, **Indiana County**.

The facility is a coal-fired electrical power plant. The main sources at this facility are two pulverized coal-fired (PC) boilers, each with nominal maximum heat inputs of 8,060 MMBtus/hour. Each boiler powers an electrical generator with a nameplate capacity of 856-MW, for a combined capacity of 1,711-MW. Emissions from the PC boilers are controlled by low NO<sub>x</sub> burners and discretionary selective catalytic reduction systems to control NO<sub>x</sub> emissions, ammonia injection enhanced electrostatic precipitators to control PM emissions and wet limestone scrubbers

to control sulfur dioxide emissions. The facility also has a discretionary powdered sorbent injection system to provide powdered hydrated lime into the flue gas of both Main Boiler 1 and Main Boiler 2. Supporting equipment at this site includes, two, limited-use, 211.5 and 212.5 MMBtus/hour auxiliary boilers, four, limited-use, 3,600-BHP, peaking diesel electrical generators, two emergency diesel generators (Each rated at 1,662-bhp), two non-emergency fire water pumps (283-bhp and 380-bhp), limestone processing, coal storage piles, and plant roads.

This facility has the potential to emit the following type and quantity of pollutants: 34,534 tons of CO, 31,698 tons of NO<sub>x</sub>, 13,870 tons of SO<sub>2</sub>, 8,496 tons of PM<sub>10</sub>, 257 tons of VOC, 51.9 tons of the sum of all HAPs, including 21.9 tons of hydrochloric acid, 6.7 tons of hydrofluoric acid, 3.4 tons of benzene, 3.4 tons of selenium, 2.0 tons of benzyl chloride, and 695 pounds of mercury per year and 14,371,233 tons of CO<sub>2</sub>e. Sources at the facility are subject to 40 CFR Part 60, Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units and Subpart Y, Standards of Performance for Coal Preparation and Processing Plants and 40 CFR, Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Pollutants for Stationary Reciprocating Internal Combustion Engines, Subpart DDDDD, National Emission Standards for Hazardous Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, and Subpart UUUUU, National Emission Standards for Hazardous Pollutants for Coal- and Oil-fired Electric Steam Utility Steam Generating Units, as well as 40 CFR 64, Compliance Assurance Monitoring, Acid Rain Provisions of 40 CFR 72—77 and 25 Pa. Code § 127.531, and 25 Pa. Code Chapters 121—145. No equipment or emission changes are being approved by this action. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, work practice, and reporting requirements for the facility.

DEP also intends to issue an Acid Rain Permit for this site. This Title IV Permit is included by reference in the Title V Operating Permit renewal. The EGUs at this facility comply with a Phase II NO<sub>x</sub> Averaging Plan. During the Department's review, SO<sub>2</sub> allowances were obtained from EPA's Acid Rain Program Database as follows:

<i>Calendar Year</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Unit 1	25,982	25,982	25,982	25,982	25,982
Unit 2	28,800	28,800	28,800	28,800	28,800

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

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**67-03126: Yorkshire Animal Hospital** (3434 E. Market Street, York, PA 17402) to issue a State Only Operating Permit for the operation of an animal crematory located in Springettsbury Township, **York County**. The potential emissions from the facility are estimated at

less than one ton each of SO<sub>2</sub>, NO<sub>x</sub>, VOC, CO and PM. 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, and is expected to include a compliance schedule to address the lack of a currently required interlock to prevent the charge door from opening until the secondary chamber exit temperature is established at 1,800°F, and until the combustion cycle is complete.

**07-05038: Federal Carbide/Bald Eagle Plant** (One Eagle Ridge Road, Tyrone, PA 16686) to issue a State Only Operating Permit for the tungsten carbide tool and die products manufacturing facility located in Snyder

Township, **Blair County**. The facility 2014 emissions were 9.58 tons 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. The facility is subject to 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

**SOOP-04-00084: Anchor Hocking LLC/Monaca Plant** (400 9th Street, Monaca, PA 15061-1862) Notice of intent to issue SOOP for the operation of a glass manufacturing facility located in the Borough of Monaca, **Beaver County**. Anchor operates the following air emission sources: 68 MMBtus/hr glass melting furnace, 11 lehrs, 1 glazer and miscellaneous natural gas usages in the manufacturing of pressed and blown glass. This facility has the potential to emit 99.0 tpy NO<sub>x</sub>, 29.6 tpy CO, 25.4 tpy SO<sub>x</sub>, 12.0 tpy VOC, 18.4 tpy PM filterable, 18.3 tpy PM<sub>10</sub> and 16.6 tpy PM<sub>2.5</sub>. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

**SMOP-11-00090: DLP Conemaugh Memorial Medical Center, LLC** (1086 Franklin Street, Johnstown, PA, 15905) Notice of intent to issue a State Only Synthetic Minor Operating Permit renewal for the Conemaugh Medical Center, city of Johnstown, **Cambria County**. Equipment at this facility includes three 29.2 mmbtus/hr natural gas-fired water tube boilers with No. 2 fuel oil as back-up and one 20.9 mmbtus/hr natural gas-fired back-up boiler which also has the capability to burn fuel oil in the event of natural gas curtailment. There are also eight (8) diesel-fired and three (3) natural gas-fired emergency generators located at the hospital in addition to four (4) Ethylene Oxide Sterilizers. Potential emissions from the emission sources at this facility are based on a limit of 3.9 million gallons of fuel oil in any consecutive 12 month period in the boilers and 500 hours of operation per year per emergency generator and are estimated to be 72.8 tons NO<sub>x</sub>, 4.0 tons VOCs, 36.0 tons CO, 7.0 tons particulate matter and 89.6 tons SO<sub>2</sub>. Actual emissions from the facility are much lower. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

**SOOP-11-00418: Tube City IMS, LLC** (1155 Business Center Drive, Horsham, PA 19044) Notice of intent to issue SOOP for the operation of a slag processing facility located in East Taylor Township, **Cambria County**. Tube City operates two crushers, seven screens, and various transfer points. Emissions are controlled through the use of water cannons and partial enclosed transfer points. The potential emissions are estimated at: 4.09 tpy PM, 1.39 tpy PM<sub>10</sub> and 0.15 tpy PM<sub>2.5</sub>. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to

applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

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

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

**25-00974: HI Tech Plating Company** (1015 West 18th Street, Erie, PA 16502) for renewal of the State Only Operating Permit for the plating operations facility located in Erie City, **Erie County**. The sources at the facility include, Chrome Electroplating Tanks which is controlled by using a wetting agent and a packed bed scrubber (subject to 40 CFR Part 63 Subpart N), miscellaneous natural gas combustion, nickel electroless plating tanks (subject to 40 CFR Part 63 Subpart WWWW, a masking paint process, and a liquid hone wet blast controlled by a filter. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The facility is an area source for all pollutants.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

#### *Coal Applications Received*

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

**56743705 and NPDES No. PA0235695. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Mine 78 CRDA in Paint Township, Somerset County and Adams Township, **Cambria County** and related NPDES permit. To expand the coal refuse site and support area and add Outfall 003. Coal Refuse Disposal Support Acres Proposed 33.1, Coal Refuse Disposal Acres Proposed 79.1. Receiving Stream: Unnamed Tributary to Paint Creek, classified for the following use: CWF. The application was considered administratively complete on May 11, 2015. Application received February 12, 2015.

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC**, (1525 Pleasant Grove road, PO Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** and related NPDES permit for the expansion of the Oak Spring Slope and Supply Yard pad. Surface Acres Proposed 6.4. No additional discharges. The application was considered administratively complete on May 13, 2015. Application received January 29, 2015.

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

**Permit No. 32950201 and NPDES No. PA0213004. Cambria Reclamation Corporation**, 2929 Allen Parkway, Suite 2200, Houston, TX 77019, permit renewal for the continued operation and restoration of a bituminous surface mine in White and Rayne Townships, **Indiana County** affecting 256 acres. Receiving streams: McKee Run to Crooked Creek classified for the following uses: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 6, 2015.

**Permit No. 32950201 and NPDES No. PA213004, Cambria Reclamation Corp.**, 2929 Allen Parkway, Suite 2200, Houston, TX 77019, commencement, operation and restoration of a bituminous surface mine and to adjust the permit boundary by one acre on the property along the eastern boundary of the permit area, to provide for reclamation of additional area containing coal refuse material in White and Rayne Townships, **Indiana County**, affecting 256 acres. Receiving streams: McKee Run to Crooked Creek classified for the following uses: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 6, 2015.

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

**17100102 and NPDES PA0257273. 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 Cooper Township, **Clearfield County** affecting 61.0 acres. Receiving streams: Sulphur Run and Unnamed Tributary to Sulphur Run classified for the following use(s): CWF; also Moshannon Creek classified for the following use(s): Trout Stocked Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 20, 2015.

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

**03080103 and NPDES Permit No. PA0251488. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application for reclamation only to an existing bituminous surface mine, located in Redbank Township, **Armstrong County**, affecting 52 acres. Receiving streams: unnamed tributaries to Little Mudlick Creek and Redbank Creek, classified for the following use: TSF. The potable water supply intake within 10 miles downstream from the point of discharge: Borough of New Bethlehem. Renewal application received: May 8, 2015.

**26080107 and NPDES Permit No. PA0251810. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 61.4 acres. Receiving streams: unnamed tributaries to Stony Fork, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 8, 2015.

**63090103 and NPDES Permit No. PA0251747. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Fallowfield and Somerset Townships, **Washington County**, affecting 222.2 acres. Receiving streams: Sawmill Creek and unnamed tributaries to Sawmill Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 8, 2015.

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

**Permit No. 54763207R6. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Mahanoy Township, **Schuylkill County** affecting 25.9 acres, receiving stream: North Mahanoy Creek, classified for the following uses: cold water and migratory fishes. Application received: May 14, 2015.

**Permit No. 54950202R4. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Mahanoy Township, **Schuylkill County** 148.0 acres, receiving stream: North Mahanoy Creek, classified for the following uses: cold water and migratory fishes. Application received: May 14, 2015.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**53150802. Scott Fessenden** (64 Fessenden Road, Roulette, PA 16746), commencement, operation and restoration of a small industrial minerals (bluestone) operation in Hebron Township, **Potter County** affecting 5.0 acres. Receiving stream(s): Oswayo Creek. Application received: April 9, 2015. Permit issued May 8, 2015.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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

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

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

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

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

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

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

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

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

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

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

#### Coal NPDES Draft Permits

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

**NPDES No. PA0215198 (Mining Permit No. 03981301), Western Allegheny**, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Parkwood Mine in Plumcreek and South Bend Townships, Armstrong County and Armstrong Township, **Indiana County**. Surface Acres Affected 68.0, Underground Acres Affected 2728. Receiving stream: Unnamed Tributary to Crooked Creek, classified for the following use: WWF. Crooked Creek Watershed TMDL. The application was considered administratively complete on October 9, 2014. Application received January 24, 2014.

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

*Outfall 001* discharges to: Unnamed Tributary to Crooked Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 39' 36" Long: 79° 19' 47") are:

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow (mgd)		-	-	0.3
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor and Report	

*Outfall 002* discharges to: Unnamed Tributary to Crooked Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 39' 37" Long: 79° 19' 43") are:

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow (mgd)		-	-	1.1
Iron (mg/l)		1.5	2.3	3.8
Manganese (mg/l)		1.0	1.6	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	78	125
Sulfates (mg/l)			Monitor and Report	
Specific Conductance (umho)			Monitor and Report	
Total Dissolved Solids (mg/l)			Monitor and Report	

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

**NPDES No. PA0279315 Mining Permit No. 56140103, Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, new NPDES permit for surface mining in Southampton and Fairhope Township, **Somerset County**, affecting 291.3 acres. Receiving streams: unnamed tributaries to Wills Creek to Potomac River, classified for the following use: High Quality Cold Water Fishes. Application received: July 28, 2014.



The outfalls listed below require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (SP37)	N
002 (SP39)	Y
003 (SP38)	Y
004 (SP82)	N
005 (SP81)	Y
006 (SP83)	Y
007 (SP84)	Y

There is no proposed surface discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration galleries. The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event. Instantaneous maximum BAT limits will be applied to the outfall effluent entering the infiltration galleries for the protection of the groundwater. Effluent limits for the emergency spillway are as follows:

*Outfalls: 001, 003, 005, 007 Sediment Pond Emergency Spillway*

*(During >10-yr/24-hr Precipitation Event)*

*Parameter*

*30-Day  
Average*

*Daily  
Maximum*

*Instant.  
Maximum*

Total Suspended Solids (mg/L)

N/A

N/A

10.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

*Outfalls: 002 Sediment Pond Emergency Spillway*

*(During >10-yr/24-hr Precipitation Event)*

*Parameter*

*30-Day  
Average*

*Daily  
Maximum*

*Instant.  
Maximum*

Total Suspended Solids (mg/L)

N/A

N/A

42.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

*Outfalls: 004, 006 Sediment Pond Emergency Spillway*

*(During >10-yr/24-hr Precipitation Event)*

*Parameter*

*30-Day  
Average*

*Daily  
Maximum*

*Instant.  
Maximum*

Total Suspended Solids (mg/L)

N/A

N/A

63.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

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

**NPDES No. PA0219584 (Mining Permit No. 17930117). RES Coal LLC**, 224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920, renewal of an NPDES permit for surface coal mining in Goshen Township, **Clearfield County**, affecting 329.8 acres. Receiving stream(s): Unnamed Tributary to Surveyor Run and Surveyor Run, classified for the following use(s): CWF. Surveyor Run had a TMDL completed September of 2004. Application received: October 28, 2014.

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

The outfall(s) listed below discharge to Unnamed Tributary to Surveyor Run and Surveyor Run

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TFA	N
TFB	N
TFC	N
TFD	N

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

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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### 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.

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#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E22-612: Steelton Borough Authority**, 123 North Front Street, Steelton, PA 17113 in Steelton Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District

To install and maintain an Electrical Generator with pad within the floodplain of the Susquehanna River (WWF, MF). The permit was issued on May 18, 2015.

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

**E02-1713. Allegheny County Department of Public Works**, 542 Forbes Ave. Pittsburgh, PA 15219; Collier Township, **Allegheny County**; ACOE Pittsburgh District

The applicant is proposing to:

1. Remove an existing 33 ft long, 7.3 ft single span, concrete encased I-beam bridge on Thoms Run Road; and to construct and maintain an 8 ft by 6 ft, 44 ft long RC Box Culvert replacement depressed 1 ft in an Unnamed Tributary (UNT) to Thoms Run (TSF), and to temporarily disturb 73 linear feet of the same UNT for the purpose of constructing the encroachments;

2. Construct and maintain 30 LF of rip-rap stabilization (15' upstream and downstream of proposed box culvert) in the aforementioned UNT;

3. To extend an existing 48 ft-24 in CMP culvert by constructing and maintaining 35 LF of additional 24 in CMP culvert with outlet protection on a second UNT to Thoms Run (TSF), and to temporarily disturb 31 LF of the same UNT to Thoms Run for the purpose of constructing the encroachment;

4. Place and maintain fill in a de minimus amount (0.05 acre) of a wetland, and temporarily impact 0.13 acre of the same wetland for the purpose of constructing the encroachments and,

5. Place and maintain fill within 0.30 ac of 100 YR Floodplain areas, for the purpose of the replacement of the structurally deficient bridge and realigning Thoms Run Road for the improvement of road geometry and to improve safety for public travel, near its intersection with Nesbit Road (Oakdale PA USGS Topographic Quadrangle; Latitude: 40° 22' 54.78"; Longitude: -80° 9' 19.48"; Sub-basin: 20F; Chapter 93 Type: TSF), in Collier Township, Allegheny County. The project will permanently and cumulatively impact 96 LF of stream and 0.05 ac of wetland, and will temporarily impact 104LF of stream and 0.13 acre of wetland.

**E11-348. PennDOT District 9-0**, 1620 North Juniata Street Hollidaysburg, PA 16648, Adams and Croyle Townships; **Cambria County**; ACOE Pittsburgh District

The applicant is proposing to fill and maintain 170 ft of open channel and 313 ft of enclosure and construct and maintain 247 ft of open channel and 236 ft of enclosure on an unnamed tributary to the South Fork of the Little Conemaugh River (CWF) with a drainage area of 0.32 square miles; fill and maintain 200 ft of open channel and construct and maintain a replacement 200 feet of open channel on a second unnamed tributary to the South Fork of the Little Conemaugh River with a drainage area less than 100 acres; construct and maintain 18 ft downstream extensions on two existing SR 869, 68 and 55 ft long parallel 3 ft diameter culverts on a third unnamed tributary to the South Fork of the Little Conemaugh River (CWF) with a drainage area of 220 acres.

In addition install and maintain road associated stormwater outfalls; and temporarily impact 485 feet of stream for the purpose of constructing the encroachments. This project is associated with the SR 869, Beaver Run Curve improvement project with these encroachments located 1.0 mile west of Beavertdale (Beavertdale PA Quadrangle, North 12.4. inches and West 4.1 inches; Latitude 40° 19' 10" and Longitude -78° 43' 20"), in Adams Township, Cambria County.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA65-008. Army Corps of Engineers Pittsburgh District**, 1000 Liberty Avenue Room 2100, Pittsburgh, PA 15222; Loyalhanna Township, **Westmoreland County**; ACOE Pittsburgh District.

Is proposing to construct and maintain a 25 ft x 25 ft concrete pad with associated concrete retaining wall within Loyalhanna Lake (WWF);

For the purpose of creating a workpad to assist in the construction of the service bridge at the Loyalhanna Dam replacement at the Bush Recreation Area (Quadrangle: Saltsburg, PA Lat: 40° 26' 19"; Long: -79° 26' 11"; Chapter 93 Type: WWF; Sub-basin: 18C) in Loyalhanna Township, Westmoreland County, PA. The project will permanently impact 0.01 ac of Loyalhanna Lake and temporarily impact 0.04 ac. of Loyalhanna Lake.

*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*

**D48-037EA. Lee and Sally Snyder**, 2651 Main Street, Bethlehem, PA 18017 and Sister Bernadine Stemnock, Provincial Minister, Sisters of St. Francis School, 395 Bridle Path Road, Bethlehem, PA 18017. Hanover Township, **Northampton County**, USACOE Philadelphia District.

Project proposes to remove Mill Dam for the purpose of eliminating a threat to public safety and to restoring approximately 430 feet of stream channel to a free-flowing condition. The proposed restoration project includes the re-grading, stabilization and planting of approximately 75 feet of stream bank. The project is located across Monocacy Creek (HQ-CWF, MF) (Catasauqua, PA Quadrangle, Latitude: 40.6488; Longitude: -75.3797).

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to [tankspa.gov](mailto:tankspa.gov). Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15009	Daniel B. Krieg, Inc. 4200 Paxton Street Harrisburg, PA 17111 Attn: Daniel Stacks	York	West Manchester Township	5 ASTs storing asphalt sealer	35,300 gallons total

## ACTIONS

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

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

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

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective

permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0060411 (Sewage)	Thornhurst WWTF Magnolia Drive Thornhurst Township, PA 18346	Lackawanna County Thornhurst Township	Pond Creek (2-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0081647 SEW	White Run Regional Municipal Authority 2001 Baltimore Pike Gettysburg, PA 17325-7015	Adams County Mount Joy Township	White Run/13-D	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0000256 (Industrial Waste)	PA American Water Punxsutawney District 3933 Filtering Plant Road Punxsutawney, PA 15767	Jefferson County Gaskill Township	East Branch Mahoning Creek (17-D)	Y
PA0100315 (Sewage)	Farma Parks MHP 87 Hughley Road Greenville, PA 16125	Mercer County Perry Township	Unnamed Tributary to Little Shenango River (20-A)	Y
PA0101265 (Sewage)	Shangri La Trailer Park 1824 Williamsfield Road Jamestown, PA 16134-9802	Crawford County West Shenango Township	Unnamed Tributary to the Shenango River (20-A)	Y
PA0263605 (sewage)	Brian & Cynthia Williams SFTF 26833 Highway 408 Cambridge Springs, PA 16403	Crawford County Rockdale Township	Unnamed Tributary to Dead Creek (16-A)	Y
PA0041564 (Sewage)	Pine Valley Estates High Acres Road Harmony, PA 16037	Butler County Lancaster Township	Unnamed Tributary to Doe Run (20-C)	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. PA0056413**, Sewage, **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 194383.

This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Action/Activity: To discharge from a facility known a Mainland STP to Skippack Creek in Watershed(s) 3E-Perkiomen.

**NPDES Permit No. PA0031097**, Sewage, **Radley Run Sewer Association, Inc.**, 1100 Country Club Road, West Chester, PA 19382.

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

Description of Action/Activity: To discharge from a facility known as Radley Run County Club STP to Radley Run in Watershed(s) 3-H.

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

**NPDES Permit No. PA0265896 Amendment No. 1**, Industrial Stormwater, **Fayetteville Contractors Inc.**, 3185 Lincoln Way East, PO Box 610, Fayetteville, PA 17222-0610.

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

Description of Proposed Action/Activity: Authorization to discharge from a facility known as Fayetteville Contractors Asphalt Plant to Muddy Run in Watershed 13-C.

### 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. 0503405, Amendment No. 1**, Sewerage, **East Providence Township Municipal Authority**, PO Box 83, Breezewood, PA 15533-0083.

This proposed facility is located in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of: 1) Demolish the existing influent pump station, influent screen, smaller equalization tank, two treatment units, two clarifiers, two digesters, chlorine contact tank, Control building and Alum storage shed. 2) Construct new Headworks, influent pump station, two SBR units, UV disinfection, post aeration tank, outfall, Control building, convert the existing larger EQ tank to aerobic digester and new aerobic digester.

### V. NPDES Waiver Stormwater Discharges from MS4 Actions

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 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>
PAG133619 Stormwater	Salisbury Township Lancaster County 5581 Old Philadelphia Pike Gap, PA 17527	Lancaster	Salisbury	Houston Run and Londonland Run/ 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>
PAI011514047	Jerry & Jackie Sweeney 2 Craig Lane Haverford, PA 19041	Chester	Willistown Township	Crum Creek HQ-CWF-MF
PAI012315002	Haverford Mr. Storage, LLC 1408 Bethlehem Pike Flourtown, PA 19031	Delaware	Haverford Township	Naylor's Run WWF
PAI015114011-4	Liberty Property/Synterra Limited Partnership 1628 John F. Kennedy Boulevard Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAI015114017	Westrum BT, LP 370 Commerce Drive, Suite 101 Fort Washington, PA 19034	Philadelphia	City of Philadelphia	Schuylkill River CWF-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>
PAI021314003	Reading Blue Mountain & Northern Railroad One Railroad Boulevard P. O. Box 215 Port Clinton, PA 19549	Carbon County	Nesquehoning Borough Jim Thorpe Borough	Lehigh River (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>
Bensalem Township Bucks County	PAG02000915035	Provco Partners, LP Two Villanova Center 795 E. Lancaster Avenue Suite 200 Villanova, PA 19085	Poquessing Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG02000914003	Thomas Witkowski 2244 East Vine Street Hatfield, PA 19440	Pleasant Springs Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Caln Township Chester County	PAG02001514032	Steven Stoltzfus 275 Skiles Road Parkesburg, PA 19365	Unnamed Tributary to Bucks Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Londonderry Township Chester County	PAG02001515019	Brian Campbell 402 Bayard Road, Suite 100 Kennett Square, PA 19348	Unnamed Tributary to Doe Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
North Coventry Township Chester County	PAG02001514042	US Bank National Association—dba Coventry Mall 351 W. Schuylkill Road Pottstown, PA 19465	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Sadsbury Township Chester County	PAG02001515008	J Mark Eckman 4781 Lower Valley Road Atglen, PA 19310	Valley Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
East Marlborough Township Chester County	PAG02001515010	Longwood Gardens P. O. Box 501 Kennett Square, PA 19348	Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
		Co-Applicant  Bancroft Construction Co. 1300 N. Grant Avenue Suite 101 Wilmington, DE 19806		
Elverson Borough Chester County	PAG02001514044	Daniel S. Schempp, Owner 921 Deerpath Road Blue Bell, PA 19422	East Branch Conestoga River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG02004615024	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG02004614030	PennDOT District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Trout Creek/Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAG02004615029	M.J.E. Builders, Inc. 920 South Broad Street Lansdale, PA 19446	Zacharias Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG02004614101	WP Wynnewood Associates, L.P. 940 Haverford Road Bryn Mawr, PA 19010	Indian Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAG02004614073	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Springfield Township Montgomery County	PAG02004613035(1)	LaSalle College High School 8605 Cheltenham Avenue Wyndmoor, PA 19038	Unnamed Tributary to Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511509	Post Presidential Property Owner, LLC P. O. Box 44131 Philadelphia, PA 19144	Schuylkill River 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*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG02005815001	Allyn Carey 734 Heart Lake Road Montrose, PA 18801	Hop Bottom Creek (CWF, MF)	Susquehanna County Conservation District 570-278-4600

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG02000113019(1) Issued	Matthew Livelsberger 440 Fish and Game Road New Oxford, PA 17350	South Branch Conewago Creek/ WWF, MF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Oxford Township Adams County	PAG02000115008 Issued	Clair Hoover, Jr. 3028 Spooky Nook Road Manheim, PA 17545-9148	Pine Run Tributary/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
Borough of Wormleysburg Cumberland County	PAG02002115007 Issued	Harsco Corporation c/o The JEM Group 509 North Second Street Harrisburg, PA 17101	UNT to Susquehanna River/WWF-MF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.5359
West Providence Township Bedford County	PAG02000515003 Issued	Cottles Asphalt Maintenance 13136 Lincoln Highway Everett, PA 15537-5905	UNT to Raystown Branch of Juniata River/TSF, MF	Bedford County Conservation District 702 West Pitt Street, Suite 4 Bedford, PA 15522 814.623.8099
Manchester Township York County	PAG02006715004 Issued	RG Group 15 Flour Mill Road York, PA 17406	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Penn Township York County	PAG02006715018 Issued	Apio, Inc. 26 Industrial Drive Hanover, PA 17331-9531	UNT to Oil Creek (UNT to Gitts Run is the local name)/ WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Conewago Township York County	PAG02006712016-1 Issued	Vasillios Kostareloa 2212 Bernays Drive York, PA 17404	Poplar Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Union Township Mifflin County	PAG02004415001 Issued	Valley View Haven 4702 Main Street Belleville, PA 17004	UNT to Kishacoquillas Creek/CWF	Mifflin County Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717-248-4695 ext. 110

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Centre County Gregg Twp	PAG02001415007	Family Life of Penns Valley 108 Ridge Rd Spring Mills, PA 16875	Penns Creek CWF, MF	Centre County Conservation District 414 Holmes Ave, Ste 4 Bellefonte, PA 16823 (814) 355-6817
Union County Kelly Twp	PAG02006015005	Dave Hurst Jr Buffalo Mennonite Church 4445 Hoffa Mill Rd Lewisburg, PA 17837	UNT to Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860



*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335*

*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>
Lancaster Township Butler County	PAG02001015018	MM&L Family Ltd 11243 Quigley Lane Conneaut Lake, PA 16316	Crab Run CWF & Little Connoquenessing Creek CWF	Butler County Conservation District 724-284-5270
Limestone Township Clarion County	PAG02001615004	PADOT Engineering District 10 2550 Oakland Avenue Indiana, PA 15701	Piney Creek CWF	Clarion County Conservation District 814-297-7813
City of St. Mary's Elk County	PAG02002415002	St. Mary's Area School District 977 S. St. Mary's Street St. Mary's, PA 15857	UNT Iron Run CWF	Elk County Conservation District 814-776-5373
City of New Castle Lawrence County	PAG02003714014	American Transmission Systems Inc. 800 Cabin Hill Drive Greensburg, PA 15601	McKee Run; Shenango River WWF	Lawrence County Conservation District 724-652-4512

*General Permit Type—PAG-3*

Juniata County/ Fayette Township	PAR223530	Stella Jones Corporation— McAlisterville Division 5865 State Route 235 McAlisterville, PA 17049	UNT Delaware Creek/TSF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County/ Muhlenberg Township	PAR233509	Sealed Air Corp— CRYOVAC Rigid Packaging Division 177 Tuckerton Road Reading, PA 19605	Schuylkill River/ WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County/ Newberry Township	PAR603587	LKQ Penn Mar, Inc. 269 River Road York Haven, PA 17370-9009	UNT Susquehanna River/WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Huntingdon County/ Shirley Township	PAR233512	Containment Solutions, Inc. 14489 Croghan Pike Mount Union, PA 17066	Juniata River/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Mifflin County/ Decatur Township	PAR603550	Parsons Auto Salvage 3760 Old Stage Road McClure, PA 17841	UNT Meadow Creek/CWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Cumberland County Hampden Township	PAR803683	Sunoco Partners Marketing & Terminals LP 5145 Simpson Ferry Road Mechanicsburg, PA 17055	UNT of Cedar Run/CW & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*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>
Cumberland County Hopewell Township	PAG123575	Eggs Newburg, LLC Eggs Newburg Farm 301 Three Square Hollow Road Newburg, PA 17240	Newburg Run/WWF	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>
PAG133618	Providence Township 200 Mount Airy Road Providence, PA 17560	Lancaster	Providence	Big Beaver Creek, Climbers Run, Huber Run and Pequea Creek/ CWF, MF, TSF, MF, WWF and MF	Y
PAG133532	Paradise Township 2 Township Drive PO Box 40 Paradise, PA 17562-0040	Lancaster	Paradise	Eshleman Run, Pequea Creek and UNT to Pequea Creek/CWF, MF, 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>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
Dennis Mattern 197 Mattern Hill Rd Dornsife, PA 17823	Schuylkill	275.3	351.91	Poultry Layers & Beef	N/A	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 appropri-

ate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

## SAFE DRINKING WATER

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 4814507**, Public Water Supply.

Applicant **Walnutport Authority**  
417 Lincoln Avenue  
Walnutport, PA 18088-1498

[Borough or Township] Lehigh Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Amy L. Kunkel, P.E. and  
Darryl Altheus Jenkins, P.E.  
SSM Group, Inc.  
1605 N. Cedar Crest Boulevard  
Allentown, PA 18104

Permit to Construct Issued May 11, 2015

**Permit No. 3914503**, Public Water Supply.

Applicant **Upper Saucon Township**  
5500 Camp Meeting Rd.  
Center Valley, PA 18304

[Borough or Township] Upper Saucon Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Steven R. Henning, P.E.  
The Pidcock Company  
Oxford Dr. at Fish Hatchery Rd.  
2451 Parkwood Dr.  
Allentown, PA 18103

Permit to Construct Issued 5/13/2015

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

**Permit No. 3115501**, Public Water Supply.

Applicant **Good Ole Cheese House**

Municipality Brady Township

County **Huntingdon**

Responsible Official Stanley B. King, Owner  
210 Glendale Drive  
Belleville, PA 17004

Type of Facility Installation of softening, nitrate  
removal treatment and  
disinfection with GWR 4-log  
inactivation of viruses.

Consulting Engineer John C. Clabaugh, P.E.  
Stiffler, McGraw and Associates,  
Inc.  
1731 N. Juniata Street  
Hollidaysburg, PA 16648

Permit to Construct Issued 5/8/2015

**Permit No. 0115502**, Public Water Supply.

Applicant **Apple Valley Creamery**

Municipality Reading Township

County **Adams**

Responsible Official Mark Williams, Operator  
999 Baltimore Road  
York Springs, PA 17372

Type of Facility Installation of a water softening  
system for hardness removal.

Consulting Engineer Craig J. Zack, P.E.  
KPI Technology  
143 Carlisle Street  
Gettysburg, PA 17325

Permit to Construct Issued 5/14/2015

**Comprehensive Operation Permit No. 7011004** issued to: **Hillandale Gettysburg, LP (PWS ID No. 7011004)**, Tyrone Township, **Adams County** on 5/8/2015 for the operation of facilities approved under Construction Permit No. 0114506 MA.

**Comprehensive Operation Permit No. 7010932** issued to: **Hillandale Gettysburg, LP (PWS ID No. 7010932)**, Tyrone Township, **Adams County** on 5/8/2015 for the operation of facilities approved under Construction Permit No. 0114507 MA.

**Operation Permit No. 7676468** issued to: **Glacier Water Services, Inc. (PWS ID No. 7676468)**, **York County** on 5/8/2015 for facilities submitted under Application No. 1072076.

**Operation Permit No. 3814506 MA** issued to: **Cornwall Borough Municipal Authority (PWS ID No. 7380007)**, Cornwall Borough, **Lebanon County** on 5/6/2015 for facilities approved under Construction Permit No. 3814506 MA.

**Permit-By-Rule** issued to: **Glacier Water Services, Inc. (PWS ID No. 7676468)**, **York County** on 5/8/2015 for facilities submitted under Authorization No. 1072076.

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

**Permit No., 3315502** Public Water Supply

Applicant **Tay Development, LLC**

Township or Borough Perry Township

County **Jefferson**

Type of Facility Public Water Supply

Consulting Engineer Brian S. Sekula, P.E.  
The EADS Group, Inc. (Clarion)  
15392 Route 322  
Clarion, PA 16214

Permit to Construct Issued May 7, 2015

**Operation Permit** issued to **Pennsylvania American Water Company, PWSID No. 6420019**, Wetmore Township, **McKean County**. Permit Number 4214502 issued May 12, 2015 for the operation of the 255,000 gallon clearwell storage tank known as "Tank #1". This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on April 20, 2015.

## 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.*

**General Dynamics Land Systems**, 175 East Street, Archbald Borough, **Lackawanna County**. Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of General Dynamics Land Systems, 175 East Street, Eynon, PA 18403, submitted a Final Report concerning remediation of site groundwater contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, Naphthalene, Total Xylenes, Chlorobenzene, 1,2-Dibromoethane, 1,2-Dichloroethane, 1,1-Dichloroethene, 1,1-Dichloroethane, cis 1,2-Dichloroethene, trans 1,2-Dichloroethene, Methylene Chloride, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethene, Lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*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*

**DBR Industrial Inc.**, 18 Penns Trail, Newtown Borough, **Bucks County**. Jason Pero, Brilliant Environmental Services, 3070 Bristol Pike, Building 2, Suite 105, Bensalem, PA 19020, Joe Crooks, Superior Tank and Energy, 302 Jefferson Avenue, Bristol, PA 19007 on behalf of Alan Hunt, DBR Industries, Inc., 18 Penns Tail, Newtown, PA 18940 has submitted a 90 day Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF785454.

**Tioga Pipe Supply Company & April Warehouse Property**, 2201, 2301, 2335 and 2365 Butler Street, City of Philadelphia, **Philadelphia County**. Thomas Petrecz, Penn & E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Steven Wolfson, BDP Realty and BDP Realty II, L.P. 120 West Germantown Pike, Suite 120, Plymouth Meeting, PA 19462 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with no. 2 fuel and pahs. The report is intended to document remediation of the site to meet the Site Specific Standard. PF650886.

**2 Ponds Lane**, 2 Pond Lane, Willisotwn Township, **Chester County**. Phil Gray, Compliance Management, 1350 Welsh Road, North Wales, PA 19454, Bil Brehm, Stonebridge Bank, 605 Willowbrook Lane, West Chester, PA 19382 on behalf of Tim Horn, 1076 Wood Lane, West Chester, PA 19382 has submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF785261.

**HMHE LLC**, 115 East Lancaster Avenue, Tredyffrin Township, **Chester County**. Craig Herr, RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Hedny Sik Choe, HMHE, LLC, 1778 East Lancaster Avenue, Paoli, PA 19301 has submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF785458.

**Young Residence**, 33 Schoolhouse Road, Bristol Township, **Bucks County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Randy Young, 33 Schoolhouse Road, Levittown, PA 19055 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. PF781842.

**Chesbrough Residence**, 667 Dodds Lane, Lower Merion Township, **Montgomery County**. Michael Malone, Stante Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, Andrew Zwack, Superior Plus Energy Services, Inc. 1870 Winton Road South, Suite 200, Rochester, NY 14618 on behalf of Lindsey Chesbrough, 667 Dodd Lane, Gladwyne, PA 19035 has submitted a 90 day Final Report concerning remediation of site soil contaminated with fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF785457.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Laughead Property**, 437 Cherry Street, Hellertown Borough, **Northampton County**. Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance Co., P. O. Box 106110, Atlanta, GA 30348-6110, submitted a Notice of Intent to Remediate,

and Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, MTBE, Naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene from a home heating oil tank release. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on May 8, 2015.

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

**Commercial Industries/Former United Piece Dye Works**, 1799 Mount Rose Avenue, Spring Garden and Springettsbury Townships, **York County**. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Spring Garden Township, 558 South Ogontz Street, York, PA 17403, submitted a Risk Assessment and Final Report concerning remediation of site soils, groundwater, surface water, and sediment contaminated with Inorganics, VOCs and PAHs. The combined Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on May 12, 2015.

**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 Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on May 12, 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*

**169 Kenwood Drive North**, 169 Kenwood North Drive, Bristol Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P. O. Box 629, Douglasville, PA 19518, Dough Mason, Barney Fuel, Inc., 424 West Lincoln Highway, Pennel, PA 19047 on behalf of Ben Heyduk, 169 Kenwood Drive North, Levittown, PA 19055 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 23, 2015. PF780495.

**West Whiteland Township Building**, 222 North Pottstown Pike, West Whiteland Township, **Chester County**. Eric P. Grindrod, P.G., SSM Group, Inc., 1047 North Park Road, Reading, PA 19610-0307, Ted Diewald, A.J. Jurich, Inc., 4500 Concord Road, Exton, PA 19014 on behalf of Mimi Green, Township of West Whiteland, 101 Commerce Drive, Exton, PA 19341 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 April 10, 2015. PF758322.

**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 1005, 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 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 20, 2015. PF773604.

**Maple Glen Dry Cleaners**, 1945 Norristown Road, Upper Dublin Township, **Montgomery County**. Gloria Hunsberger, Kleifelder, 180 Sheree Boulevard, Suite 3800, Exton, PA 19341 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site groundwater contaminated with other organic. The Remedial Investigation was disapproved for groundwater by the Department on February 23, 2015. PF748153.

**Keystone Industrial Park, Building #6**, 2554 Ford Road, Bristol Township, **Bucks County**. Michael A. Christie, Penn Environmental & Remediation, 2755 Bergery Road, Hatfield, PA 19440 on behalf of Andrea Karkp, IIT Keystone Industrial, Park LLC, c/o Dividend Capital Group, 518 17th Street, Suite 1700, Denver, CO 80202 has submitted a Final Report concerning the remediation of site soil contaminated with used motor oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 15, 2015. PF784184.

**Sitewide BP Trainer Refinery**, 4101 Post Road, Trainer and Marcus Hook Borough, **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 Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on March 3, 2015. PF747691.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Regional Solid Waste Manager, 400 Waterfront Drive, Southwest Region: Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**Permit ID No. 100663: Kelly Run Landfill**, 1500 Hayden Boulevard, State Route 51, Elizabeth, PA 15037-0333. Permit renewal for the continued operation of a municipal waste landfill in Forward Township, **Allegheny County**. Permit renewal issued in the Regional Office on May 18, 2015.

## 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*

**GP1-39-003: HCSC Laundry** (2171 28th Street, Allentown, PA 18103) on May 12, 2015, for the operation of natural gas/No. 2 oil fired boiler at facility located in Allentown City, **Lehigh County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**GP15-06-03015: F.M. Brown's Sons, Inc.** (127 Furnace Street, PO Box 67, Birdsboro, PA 19508-0067) on May 12, 2015, for the animal feed mill operations, under GP15, at their location in Birdsboro Borough, **Berks County**. The general permit authorization was renewed.

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

*Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174*

**GP5-30-00211C: Energy Corporation of America** (500 Corporate Landing, Charleston, WV 25311) on May 12, 2015, for authorization to replace two compressor engines and continued operation of the existing equipment at the Kuhl/Skib Compressor Station in Jefferson Township, **Greene County**.

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

*Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940*

**GP5-42-233C: EOG Resources Clermont Compressor Station** (212 Compressor Road, Wilcox, PA 15780) on May 12, 2015, for the authority to construct and/or operate a 276 bhp Compressor Engine (Caterpillar G3406, serial #4FD04833) with a Miratech Oxidation Catalyst, a TEG Dehydrator rated at 0.375 MMBtu/hr reboiler and station fugitive emissions (BAQ-GPA/GP5) located at your facility in Sergeant Township, **McKean County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**05-05021B: Hill & Smith Holdings, Inc. dba Creative Pultrusions, Inc.** (214 Industrial Lane, Alum Bank, PA 15521) on May 7, 2015, for the construction of a TR102 pultrusion machine to their existing Source ID

101, and a 35 kW Kohler propane fired generator at their facility located in West St. Clair Township, **Bedford County**.

**21-05032A: Domestic Castings Company, LLC** (275 N. Queen Street, Shippensburg, PA 17257) on May 12, 2015, for the installation of one fabric filter to replace two older units and the upgrading of another fabric filter at the foundry in Shippensburg Township, **Cumberland County**.

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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, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**06-05150A: Berks Hollow Energy Associates, LLC** (400 Chesterfield Center, Suite 110, St. Louis, MO 63017) on May 14, 2015, for an electric generation plant to be located at 5662 Leesport Avenue in Ontelaunee Township, **Berks County**. Plan Approval 06-05150A is for installation and startup of a combined-cycle natural gas fired electric generation station that is designed to generate up to 855 MWs nominal, using 2 combustion turbine generators and 2 heat recovery steam generators that will provide steam to drive a single steam turbine generator. Each heat recovery steam generator will be equipped with a duct burner which may be utilized at time of peak power demands to supplement power output. The proposed project will also include a natural gas-fired fuel gas heater, a natural gas-fired auxiliary boiler; a diesel engine-driven emergency generator; a diesel engine-driven firewater pump; a multi-cell evaporative cooling tower; a cold cleaning degreaser; and emission control systems for the turbine generators, including SCR systems and oxidation catalyst systems. 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*

**18-00026D: First Quality Products, Inc.** (121 North Road, McElhattan, PA 17748) on May 12, 2015, to extend the authorization to operate two Curt G. Joa underpad machines (Line 35 and 36) at their facility in Wayne Township, **Clinton County** on a temporary basis to November 25, 2015. The plan approval has been extended.

**55-00001E: Hummel Station LLC** (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on May 18, 2015, to extend authorization for the construction and operation of the combined cycle natural gas fired turbine electrical generating facility. The project consists of the construction of three (3) natural gas fired combined cycle turbines controlled by a selective catalytic reduction units and oxidation catalyst, a natural gas fired auxiliary boiler to assist with start-up and shut down and a natural gas fired heater at their facility located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended to June 29, 2018.

**55-00001G: Hummel Station LLC** (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on May 18, 2015, to extend authorization for the construction of the com-

bined cycle natural gas fired turbine electrical generating facility. The project consists of the construction and operation of three (3) natural gas fired combined cycle turbines controlled by a selective catalytic reduction units and oxidation catalyst, a natural gas fired auxiliary boiler to assist with start-up and shut down and a natural gas fired heater at their facility located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended to June 29, 2018.

**55-00001F: Hummel Station LLC** (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on May 18, 2015, to extend authorization for the construction and operation of a mechanical draft cooling tower as part of the combined cycle natural gas fired turbine project at their facility located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended to June 29, 2018.

*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-30-00170A: Laurel Mountain Midstream Operating, LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) Plan Approval PA-30-00170A Extension issued on May 13, 2015, to extend the period of temporary operation of one Caterpillar G3612 lean burn natural gas-fired compressor engines rated at 3,550 bhps and remove authorization to install the second engine at the existing Brown Compressor Station located in Greene Township, **Greene County**. The new expiration date is November 1, 2015.

**PA-32-00055F: NRG Homer City Services, LLC** (1750 Power Plant Rd., Homer City, PA 15748) plan approval minor modification effective May 13, 2015, to correct the alternative visible emission observation condition for the auxiliary boiler for Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**.

**PA-03-00253A: Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201-9642) Plan Approval extension issued on April 8, 2015, to extend the period of temporary operation 180 days for the 800,000 tons per year Parkwood Mine Coal Preparation Plant in Plumcreek Township, **Armstrong County** and allow additional time to construct the proposed screen. The new expiration date is October 10, 2015.

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

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

**24-083V: Mersen USA** (215 Stackpole St., St. Marys, PA 15857) on May 11, 2015, effective May 31, 2015, has issued a plan approval extension for the installation of a seven (7) baking kilns and associated regenerative thermal oxidizers and wet scrubber at their facility in the City of St. Marys, **Elk County**. This is a Title V facility.

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

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

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**26-00413: Texas Eastern Transmission, L.P.** (P. O. Box 1642, Houston, TX, 77251-1642). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it has issued a renewal Title V Operating Permit (TV-26-00413) to Texas Eastern Transmission, L.P. (TE) to authorize continued operation of the Uniontown Compressor Station located in North Union Township, **Fayette County**.

The main sources of emissions at the facility include two natural gas-fired turbines, two stationary reciprocating internal combustion engines driving emergency electric generators, and facility fugitive VOC emissions.

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 61, 63, and 70, and Pa. Code Title 25, Article III, Chapters 121—145. The renewal Title V Operating Permit was issued final on May 12, 2015.

**TVOP-03-00027: GenOn Northeast Management Company** (121 Champion Way, Canonsburg, PA 15317) In accordance with 25 Pa. Code §§ 127.431, the Department of Environmental Protection (DEP) is providing notice that on April 29, 2015, DEP has issued a Title V Operating Permit to GenOn Northeast Management Company for the continued operation of a coal-fired power plant, known as the Keystone Station, located in Plumcreek Township, **Armstrong County**.

The facility is a coal-fired electrical power plant. The main sources at this facility are two pulverized coal-fired (PC) boilers (Source IDs 031 and 032), each with nominal maximum heat inputs of 8,717 MMBtus/hour. Each boiler powers an electrical generator with a nameplate capacity of 936-MW, for a combined capacity of 1,872-MW. Emissions from the PC boilers are controlled by low NO<sub>x</sub> burners and discretionary selective catalytic reduction systems to control NO<sub>x</sub> emissions, electrostatic precipitators to control PM emissions and wet limestone scrubbers to control sulfur dioxide emissions. The facility also has a discretionary powdered sorbent injection system to provide powdered hydrated lime into the flue gas of both Boiler 1 and Boiler 2. Supporting equipment at this site includes two 138 MMBtus/hour auxiliary boilers, four 3,600-BHPs, peaking diesel electrical generators, four emergency diesel generator engines (Rated at 1,474-bhps, 910-bhps, 217-bhps, and 200-bhps.), limestone processing, three emergency quench pumps (601-bhps total), coal storage piles, plant roads, and gypsum production. This facility has the potential to emit the following type and quantity of pollutants: 91,702 tons of SO<sub>2</sub>, 31,638 tons of NO<sub>x</sub>, 8,165 tons of PM<sub>10</sub>, 6,388 tons of CO, 148 tons of VOC, 41.4 tons of the sum of all HAPs including 7.3 tons of cyanide, 3.8 tons of benzene, 3.8 tons of selenium, 2.4 tons of hydrochloric acid, and 2 tons of benzyl chloride, 15,871,353 tons of CO<sub>2e</sub>, and 3.7 pounds of mercury per year.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and Pa. Code Title 25, Article III, Chapters 121—145.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**28-03023: New Enterprise Stone & Lime Co., dba Valley Quarries, Inc.** (169 Quarry Road, PO Box 2009, Chambersburg, PA 17201-0809) on May 12, 2015, for the Mt. Cydonia Sand Plant 2 located in Greene Township, **Franklin County**. The State-only permit was renewed.

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

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

**SOOP-11-00529: Ebensburg Animal Hospital** (922 Rowena Drive, Ebensburg, PA 15931) on May 14, 2015, the Department issued a State Only Operating Permit for the operation of an animal crematory located in Ebensburg Borough, **Cambria County**. EAH operates a natural gas incinerator with after burner chamber.

**SOOP-32-00424: Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201), On April 28, 2015, the Department issued an initial facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Brush Valley Mine Coal Preparation Plant, located in Center Township, **Indiana County**.

**SOOP-30-00148: Dana Mining Company, LLC** (308 Dents Run Road, Morgantown, WV 26501), On April 28, 2015, the Department issued a facility-wide Natural Minor Operating Permit renewal for the operation of a coal preparation plant, known as the 4 West Deep Mine Coal Preparation Plant, located in Dunkard Township, **Greene County**.

**SMOP-04-00086: FirstEnergy Nuclear Generation, LLC** (70 South Main Street, Akron, OH 44308), On April 28, 2015, the Department issued a facility-wide Synthetic Minor Operating Permit renewal, for the operation of a nuclear power plant, known as the Beaver Valley Station, located in Shippingport Borough, **Beaver County**.

**SOOP-32-00433: Sunoco Pipeline, LP** (525 Fritztown Road, Sinking Spring, PA 19608) On May 14, 2015, DEP issued an Air Quality State Only Operating Permit (SOOP) to Sunoco Pipeline, LP to authorize the operation of natural gas liquid pumping facility known as the Blairsville Station, located in Burrell 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*

**62-00181: Ellwood National Forge, Ellwood Group Incorporated** (1 Front Street, Irvine, PA 16329-1801) on May 12, 2015 for renewal of a Natural Minor Permit to operate an Iron and Steel Forging manufacturing plant located in the City of Warren, **Warren County**. The updated emitting source include, Source ID #125: Turbine Coating Line, Source ID #126: Empire Shot Blast Machine, Source ID #127: Betts Boring & Turning Lathe. This permit is natural minor because the emissions from the facility are less than the Title V threshold limits. The emissions stated in the permit renewal application are: VOC, Volatile organic compound: 9.6 TPY (Tons per year),



HAP, Hazardous air pollutants: 8.3 TPY, TSP, Total suspended particulate matter: 3.6 TPY

**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.**

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

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

**54-00009: OMNOVA Solutions Inc.:** (25435 Harvard Road, Beachwood, OH 44122-6201) on May 11, 2015, in West Brunswick Township, **Schuylkill County** for an amendment to incorporate process modification. The conditions from Plan Approval 54-399-053 were copied into the Title V Operating Permit. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**54-00066: Silberline Manufacturing Company Incorporated:** (130 Lincoln Drive, Tamaqua, PA 18252) on April 22, 2015, in Rush Township, **Schuylkill County** for an amendment to incorporate process modification. The conditions from Plan Approval 54-00066A were copied

into the State Only Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940*

**20-00194: Lord Corporation Saegertown** (601 South Street, Saegertown, PA 16433) The Department has reviewed a De minimis Emission Increase submittal from Lord Corporation Saegertown concerning the replacement of two product mixers with a single mixer at their facility in Saegertown Borough, **Crawford County**.

The facility currently operates under Title V operating permit 20-00194. The Department hereby approves the De minimis emission increase. This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This is the second De minimis emission increase which has occurred since their current Operating Permit was issued on 12/14/2010.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons/yr)</i>	<i>SO<sub>x</sub> (tons/yr)</i>	<i>NO<sub>x</sub> (tons/yr)</i>	<i>VOC (tons/yr)</i>	<i>CO (tons/yr)</i>
03/07/2013	Filter Press, Methanol Wash	-	-	-	0.066	-
05/14/2015	Mixer Replacement (current exemption)	-	-	-	0.085	-
Total Reported Increases		-	-	-	0.15	-
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*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724.769.1100*

**32051301. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Barrett Deep Mine in Brush Valley and Buffington Townships, **Indiana County** to expand the underground subsidence control plan permit area. Underground Acres Proposed 2,139.2, Subsidence Control Plan Acres Proposed 2,139.2. No discharges. The application was considered administratively complete on July 3, 2014. Application received February 18, 2014. Permit issued May 12, 2015.

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

**Permit No. 40A77SM12 and NPDES No. PA0249815. PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 160 acres. Receiving streams: Piney Run, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 16, 2015. Permit issued: May 7, 2015.

**Permit No. 56920113 and NPDES No. PA0212300. Rosebud Mining Co.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued

operation and restoration of a bituminous surface mine in Summit & Elk Lick 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: May 2, 2014. Permit issued: May 11, 2015.

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

**17714022 and NPDES PA0611034. A.W. Long Coal Company** (127 Logan Street, Philipsburg, PA 16866). Permit renewal for the continued operation and restoration of a bituminous surface mine in Morris Township, **Clearfield County** affecting 149.6 acres. Receiving streams: Hawk Run and Moshannon Creek, classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 2, 2014. Permit issued: May 8, 2015.

**17050106. Gator Coal LP** (P. O. Box 418, Elderton, PA 15736). Permit renewal for reclamation only of a bituminous surface mine located in Cooper Township, **Clearfield County** affecting 33.4 acres. Receiving stream(s): Unnamed Tributary to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 13, 2014. Permit issued: May 12, 2015.

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

**03020102 and NPDES Permit No. PA0250058. D. J. & W. Mining, Inc.** (Box 425, Indiana, PA 15701). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Cadogan and North Buffalo Townships, **Armstrong County**, affecting 48.9 acres. Receiving streams: unnamed tributaries to Allegheny River. Renewal application received: October 9, 2014. Renewal permit issued: May 14, 2014.

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

**Permit No. 54931601R4. Sherman Coal Co., Inc.**, (PO Box 93, Elysburg, PA 17824), renewal of an existing anthracite preparation plant operation in Frailey Township, **Schuylkill County** affecting 14.2 acres, receiving stream: Middle Creek. Application received: November 19, 2013. Renewal issued: May 11, 2015.

**Permit No. 54931601GP104R. Sherman Coal Co., Inc.**, (PO Box 93, Elysburg, PA 17824), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54931601 in Frailey Township, **Schuylkill County**, receiving stream: Middle Creek. Application received: November 19, 2013. Renewal issued: May 11, 2015.

**Permit No. 49870202C6 and NPDES Permit No. PA0593834. Susquehanna Coal Company**, (PO Box 27, Nanticoke, PA 18634), correction to an existing anthracite coal refuse reprocessing to include surface mining in Mt. Carmel and Coal Townships, **Northumberland County** affecting 788.0 acres, receiving stream: Coal Run. Application received: February 23, 2012. Correction issued: May 12, 2015.

**Permit No. 54813009R6. Joe Kuperavage Coal Company**, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite coal refuse reprocessing operation in East Norwegian Township, **Schuylkill**

**County** affecting 45.2 acres, receiving streams: Mill Creek and unnamed tributary to Mill Creek. Application received: October 31, 2013. Renewal issued: May 15, 2015.

**Permit No. 54813009GP104. Joe Kuperavage Coal Company**, (916 Park Avenue, Port Carbon, PA 17965), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54813009 in East Norwegian Township, **Schuylkill County**, receiving streams: Mill Creek and unnamed tributary to Mill Creek. Application received: November 4, 2013. Permit issued: May 15, 2015.

**Permit No. 54813009C2. Joe Kuperavage Coal Company**, (916 Park Avenue, Port Carbon, PA 17965), correction to an existing coal refuse reprocessing operation to update the post-mining land use in East Norwegian Township, **Schuylkill County** affecting 45.2 acres, receiving streams: Mill Creek and unnamed tributary to Mill Creek. Application received: November 6, 2013. Correction issued: May 15, 2015.

#### *Noncoal Permits Issued*

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

**Permit No. 40080301C5. Hazleton Materials, LLC**, (PO Box 196, Skippack, PA 19474), depth correction of an existing quarry operation in Foster Township, **Luzerne County** affecting 164.0 acres, receiving stream: Sandy Run. Application received: December 1, 2014. Correction issued: May 11, 2015.

**Permit No. 66150801. Dwayne S. Lockburner** (9939 State Route 6, Laceyville, PA 18623), Commencement, operation and restoration of a quarry operation in Meshoppen and Braintrim Townships, **Wyoming County** affecting 5.0 acres, receiving stream: Black Walnut Creek. Application received: January 6, 2015. Permit issued: May 13, 2015.

**Permit No. 66150801GP104. Dwayne S. Lockburner** (9939 State Route 6, Laceyville, PA 18623), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66150801 in Meshoppen and Braintrim Townships, **Wyoming County**, receiving stream: Black Walnut Creek. Application received: January 6, 2015. Permit issued: May 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*

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

**18154001. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803-1649). Blasting to construct a compressor station located in Gallaher Township, **Clinton County** with an expiration date of December 1, 2015. Permit issued: May 8, 2015.

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

**Permit No. 38154109. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Forge Road Storage in South Londonderry Township, **Lebanon County** with an expiration date of May 7, 2016. Permit issued: May 12, 2015.

**Permit No. 67154105. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Rutters Dairy in Manchester Township, **York County** with an expiration date of May 7, 2016. Permit issued: May 12, 2015.

**Permit No. 67154106. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Orchard Business Park in East Manchester Township, **York County** with an expiration date of May 7, 2016. Permit issued: May 12, 2015.

**Permit No. 23154101. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Ardossan Farms in Radnor Township, **Delaware County** with an expiration date of May 11, 2016. Permit issued: May 14, 2015.

**Permit No. 23154102. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Brandywine Mills in Concord and Chadds Ford Townships, **Delaware County** with an expiration date of May 11, 2016. Permit issued: May 14, 2015.

**Permit No. 48154104. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Guardian Insurance in Hanover Township, **Northampton County** with an expiration date of May 7, 2016. Permit issued: May 14, 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E05-379: East Providence Township Municipal Authority**, 244 Municipal Road, PO Box 83, Breezewood, PA 15533-0083 in East Providence Township, **Bedford County**, U.S. Army Corps of Engineers, Baltimore District

To (1) remove an existing elliptical culvert road crossing in and across an Unnamed Tributary to Tub Mill Run (WWF, MF) temporarily impacting 30 linear feet, (2) remove two aeration tanks, a flow equalization tank, a control Building/tank, a generator pad, two clarifiers, a chlorine contact tank, a concrete pad at the EQ Tank, a liquid alum storage tank and appurtenances, a 12-inch steel storm drain pipe and chain link fencing all impacting approximately 0.18 acre of the floodway of an Unnamed Tributary to Tub Mill Run (WWF, MF), (3) remove equalization tank outfall and restore the stream bank grade impacting 10 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF), (4) remove the existing effluent outfall structure and restore the stream bank grade impacting 15 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF), (5) and two 6-inch sludge return lines and a 10-inch raw sewage line and an aluminum pedestrian bridge all spanning together and impacting 65 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF) and its floodway, (6) remove a pedestrian bridge and associated North and South end walls and restore the stream banks all in and across and impacting 18 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF), (7) remove a 10-inch raw sewage line end walls and restore stream bank grading in and impacting 11 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF), (8) install and maintain chain link fencing in the floodway of and impacting 0.01 acre of an Unnamed Tributary to Tub Mill Run (WWF, MF), (9) construct and maintain 125 linear feet of R-5 rip rap stream bank slope stabilization in and along the West bank of an Unnamed Tributary to Tub Mill Run (WWF, MF), (10) construct and maintain 20 linear feet of R-5 rip rap stream bank stabilization in and along the East Bank of an Unnamed Tributary to Tub Mill Run (WWF, MF), (11) construct and maintain a precast storm drain manhole in the floodway of and impacting 0.002 acre with 0.45 cubic yards of fill of an Unnamed Tributary to Tub Mill Run (WWF, MF), (12) construct and maintain an 8-inch HDPE Sludge Drain Line underneath and across

10 linear feet of and in the floodway of an Unnamed Tributary to Tub Mill Run (WWF, MF), (13) construct and maintain a 4-inch HDPE pump discharge utility line underneath and across 10 linear feet of and in the floodway of an Unnamed Tributary to Tub Mill Run (WWF, MF), (14) construct Sludge/Holding Digester Tank and appurtenances with 180 cubic yards of fill in 0.01 acre in the floodway of an Unnamed Tributary to Tub Mill Run (WWF, MF), (15) construct and maintain a concrete digester tank adjacent to and partially underneath the stream bank of 48 linear feet in and along an Unnamed Tributary to Tub Mill Run (WWF, MF), (16) construct and maintain a 24-inch diameter HDPE storm water outfall with a R-5 rip rap apron in and along and impacting 25 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF), (17) construct and maintain an 18-inch diameter PVD effluent outfall with a R-5 rip rap apron in and along and impacting 22 linear feet of an Unnamed Tributary to Tub Mill Run (WWF, MF), (18) construct and maintain three temporary coffer dams impacting 30 linear feet each and removing them upon completion in and across an Unnamed Tributary to Tub Mill Run (WWF, MF), (19) construct and maintain a structural steel arch culvert with dimensions of a 9-foot span, 4-feet 8-inch rise, and 26-feet long with cast-in-place concrete end walls and with R-5 rip rap scour protection placed below the stream bed underneath the culvert and on the stream banks and bed for 36 feet downstream and 11 feet upstream with the stream bed riprap depressed 12-inches and choked with 12-inches of native stream bed material all for the purpose of upgrading the waste water treatment plant for the East Providence Township Municipal Authority. The project is located North of Municipal Road (Wells Tannery, PA Quadrangle Latitude: 40° 0' 11", Longitude -78° 14' 26.3") in East Providence Township, Bedford County. The permit was issued on May 13, 2015.

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

**E17-489. NRG REMA LLC.** 121 Champion Way, Suite 300, Canonsburg, PA 15317-5817. Shawville Station Cooling Tower Addition Project. West Branch, Susquehanna River Floodway and Flood fringe, Bradford Township, **Clearfield County**. USACOE Baltimore District (LeContes Mills, PA Quadrangle Latitude: 41° 03' 49.29"; Longitude: -78° 22' 10.07").

An authorization giving consent to construct, operate and maintain a cooling tower for the Shawville Power Generation Station within the 100-year floodway and flood fringe of the West Branch Susquehanna River. Construction, operation and maintenance of the cooling tower and its appurtenances at this power generation facility shall be performed at existing elevations with no placement of fill. The project is located along the western right-of-way of SR 0970 approximately 800-feet south of SR 0879 and SR 0970 intersection. This permit was issued under Section 105.13(e) "Small Projects."

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

**E63-653. Kurt and Kristin Subrick,** 121 W. Patterson Road, Eighty-Four, PA 15330, North Strabane Township, **Washington County**; ACOE Pittsburgh District.

Has been given consent to excavate material from the floodway of three (3) unnamed tributaries to Little Chartiers Creek (HQ-WWF) with a cumulative impact of

approximately 641 linear feet. As mitigation for stream impacts, vegetative plantings and enhancement will be conducted on 748 linear feet of four (4) unnamed tributaries to Little Chartiers Creek. This is in association with the construction of a non-jurisdictional dam across one of these tributaries, for the purpose of providing a water source for fire protection, crop irrigation and recreation and is located on the applicant's property, near the intersection of W. Patterson Road and Meyers Road (Hackett, PA USGS topographic quadrangle map, N: 13.97 inches; W: 15.4 inches; Latitude: 40°12'6.9"; Longitude: -80°6'36.95"), in North Strabane Township, Washington County.

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

**E37-196, Taylor Township,** 218 South Industrial Street, West Pittsburgh, PA 16160 in Taylor Township, **Lawrence County**. ACOE Pittsburgh District

To upgrade and expand the existing Taylor Township Wastewater Treatment Plant along Sewer Plant Road, occupying approximately 1.9 acre within the 100-year floodplain of the Beaver River, and to relocate the sewage discharge outfall approximately 140 feet east of its current location to a side channel of the Beaver River (New Castle South, PA Quadrangle N: 40°, 55', 48.9"; W: 80°, 21', 40.2")

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

**E0829-103: Appalachia Midstream, LLC,** 400 IST Center Suite 404, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 6,716 square feet of a Palustrine Scrub-Shrub and Palustrine Emergent Wetland and impacting 7,026 square feet of a Palustrine Forested Wetland (Overton, PA Quadrangle, Latitude: 41°34'42", Longitude: -76°35'16");

2. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 159 linear feet of an unnamed tributary to Mill Creek (EV, MF) (Overton, PA Quadrangle, Latitude: 41°34'53", Longitude: -76°35'42");

3. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 105 linear feet of an unnamed tributary to Lick Creek (EV, MF) (Overton, PA Quadrangle, Latitude: 41°36'05", Longitude: -76°34'49");

4. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 103 linear feet of an unnamed tributary to Lick Creek (EV, MF) (Overton, PA Quadrangle, Latitude: 41°36'07", Longitude: -76°34'48");

5. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 101 linear feet of an unnamed tributary to Lick Creek (EV, MF) (Overton, PA Quadrangle, Latitude: 41°36'08", Longitude: -76°34'47");

6. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 150 linear feet to Lick Creek (EV, MF) (Overton, PA Quadrangle, Latitude: 41°36'08", Longitude: -76°34'38");

7. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 283 square feet of a Palustrine Emergent Wetland (Overton, PA Quadrangle, Latitude: 41°34'42", Longitude: -76°35'16");

The project will result in 618 linear feet or 5,529 square feet of temporary stream impacts and 6,999 square feet (0.16 acre) of temporary PEM and PPS and 7,026 square feet (0.16 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Overton Township, Bradford County. The permittee will provide 0.32 acre of wetland enhancement mitigation at the Hardenstine Mitigation Site (Wyalusing, PA Quadrangle, Latitude: 41°38'00", Longitude: -76°20'59").

#### 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.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX10-081-0017(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 Lycoming  
 Township(s) Cascade  
 Receiving Stream(s) and Classification(s) UNT Slacks Run (HQ-CWF)  
 Secondary—Slacks Run (HQ, CWF, MF)

ESCGP-2 # ESX09-117-0087(02)  
 Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker  
 Address 2100 Georgetown Dr, Suite 400  
 City, State, Zip Sewickley, PA 15143  
 County Tioga  
 Township(s) Chatham  
 Receiving Stream(s) and Classification(s) UNT to Crooked Creek (WWF, MF)  
 Secondary—Roaring Branch

ESCGP-2 # ESX29-117-15-0006  
 Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker  
 Address 2100 Georgetown Dr, Suite 400  
 City, State, Zip Sewickley, PA 15143  
 County Tioga  
 Township(s) Middlebury  
 Receiving Stream(s) and Classification(s) UNT to Crooked Ck (WWF, MF) Crooked Creek (WWF, MF)  
 Secondary—Tioga River

ESCGP-2 # ESX29-115-14-0081(01)  
 Applicant Name Bluestone Pipeline Co of PA LLC  
 Contact Person Herman Van Eck Jr  
 Address 1429 Oliver Rd  
 City, State, Zip New Milford, PA 18834-7595  
 County Susquehanna  
 Township(s) Harmony  
 Receiving Stream(s) and Classification(s) UNT to Pigpen Creek, Pigpen Creek (Upper Susquehanna Watershed), Little Roaring Brook (Upper Susquehanna Watershed)—CWF  
 Secondary—Starrucca Creek

ESCGP-2 # ESG29-035-15-0002  
 Applicant Name Regency Marcellus Gas Gathering LLC  
 Contact Person Kevin Roberts  
 Address 101 W Third St  
 City, State, Zip Williamsport, PA 17701  
 County Clinton  
 Township(s) Gallagher  
 Receiving Stream(s) and Classification(s) UNT to E Branch Queens Run (HQ-CWF, MF) and UNT to Craig Fork (EV, MF)  
 Secondary—E Branch Queens Run (HW-CWF, MF) and Craig Fork (EV, MF)

ESCGP-2 # ESG29-081-15-0014  
 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) East Branch Murray Run (EV, MF)  
 Secondary—Murray Run (EV, MF)

ESCGP-2 # ESX10-015-0089(01)  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford  
 Township(s) Orwell  
 Receiving Stream(s) and Classification(s) UNT to Jermoe Ck, a Trib to Johnson Ck, a Trib to Wysox Ck (CWF, MF) & Jerome Ck, a Trib to Johnson Ck, a Trib to Wysox Ck (CWF, MF)  
 Secondary—CWF, MF

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr., Pittsburgh, PA*

ESCGP-2 No: ESX12-059-0036 Major Revision  
 Applicant Name: Vista Gathering LLC  
 Contact Person Mike Hopkins  
 Address: 480 Johnson Road Suite 100  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township: Gilmore  
 Receiving Stream(s) and Classifications: Taylor Run (WWF), 3 UNTs to Taylor Run, 2 UNTs to Garrison Fork; Other WWF

ESCGP-2 No.: ESX15-059-0024  
 Applicant Name: Appalachia Midstream Services LLC  
 Contact Person: John T Lattea  
 Address: 190 Midstream Way  
 City: Jane Lew State: WV Zip Code: 26378  
 County: Greene Township(s): Richhill  
 Receiving Stream(s) and Classifications: Kent Run (TSF),  
 UNTs to Kent Run (TSF), Polen Run (TSF) UNTs to  
 Polen Run (TSF); Wheeling-Buffalo Creeks  
 Watershed(TSF); Other TSF

ESCGP-2 No.: ESX15-125-0024  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Karl D Matz  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Canton  
 Receiving Stream(s) and Classifications: UNT to  
 Chartiers Creek (WWF)/Chartiers Creek; Other  
 WWF; Siltation-Impaired

ESCGP-2 No.: ESX15-007-0006  
 Applicant Name: Cardinal PA Midstream LLC  
 Contact Person: Tommy 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: UNTs to Muntz  
 Run & Muntz Run/Slippery Rock Creek Watershed;  
 Other WWF

ESCGP-2 No.: ESX15-059-0023  
 Applicant Name: EQT Production Company  
 Contact Person: Todd Klaner  
 Address: 2400 Zenith Ridge Road Suite 200  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Greene Township(s): Washington  
 Receiving Stream(s) and Classifications: UNT to Ruff  
 Creek/South Fork Ten Mile Creek Watershed;  
 Other WWF

ESCGP-2 No.: ESX15-007-0003  
 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  
 Receiving Stream(s) and Classifications: UNTs to Brush  
 Creek, Brush Creek; Other WWF

ESCGP-2 No.: ESX15-125-0023  
 Applicant Name: MarkWest Liberty Midstream &  
 Resources LLC  
 Contact Person: Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code 15317  
 County: Washington Township(s): Cross Creek &  
 Jefferson  
 Receiving Stream(s) and Classifications: UNTs to Cross  
 Creek/Cross Creek Watershed; Other Warm Water  
 Fishes (WWF)

ESCGP-2 No.: ESX14-005-0020  
 Applicant Name: Energy Corporation of America  
 Contact Person: Travis Wendel  
 Address: 101 Heritage Run Road Suite 1  
 City: Indiana State: PA Zip Code: 15701  
 County: Armstrong Township(s): Redbank  
 Receiving Stream(s) and Classifications: Two (2) UNT to  
 Pine Run, Pine Run; Other CWF (Cold Water Fishes);  
 Siltation-Impaired

ESCGP-2 No.: ESX14-059-0072  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person: Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Greene Township(s): Greene & Dunkard  
 Receiving Stream(s) and Classifications: Receiving  
 Waters; Meadow Run (WWF) Watersheds;  
 Dunkard Creek (WWF); Other WWF

## STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15-51-024	Philadelphia Energy Solutions Refining and Marketing LLC 3144 Passyunk Avenue Philadelphia, PA 19145-5299 Attn: Charles Barksdale	Philadelphia	City of Philadelphia	1 AST storing gasoline	3,410,400 gallons
15-02-035	United States Steel Corporation 400 State Street Clairton, PA 15025-1855 Attn: Michael Dzurinko	Allegheny	City of Clairton	1 AST storing light oil	270,000 gallons

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## SPECIAL NOTICES

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### Request for Proposals for Municipal Solid Waste Capacity; Lehigh County

The following notice(s) is placed through the Department of Environmental Protection as required by Section 502(d) of Act 101 of 1988: the Municipal Waste Planning, Recycling and Waste Reduction Act.

**Lehigh County**, Pennsylvania, is revising its **Municipal Waste Management Plan** in accordance with the provisions of the Pennsylvania Act 101 of 1988 (Municipal Waste Planning, Recycling and Waste Reduction Act) for the purpose of obtaining ten (10) year commitments (July 1, 2015 through July 1, 2025) for disposal capacity for the municipal waste generated within Lehigh County during that time period. The waste facilities to be considered in the plan revision must be permitted and fully available for use prior to July 1, 2015. It is estimated that an average of approximately 335,000 tons per year of municipal waste will be generated in the County during the ten (10) year planning period. For information, all inquiries from interested facility owners should be made in writing, no later than 30 days from the date this notice is published to: Mr. Timothy A. Bollinger, General Services Manager, Lehigh County Office of General Services, 17 S. 7th Street, Allentown, PA 18101-2401.

### Negotiation of Consent Order and Agreement

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

**Permit No. 4077SM1. New Enterprise Stone & Lime Co., Inc.**, P. O. Box 77, New Enterprise, PA 16664. A Consent Order and Agreement is being negotiated between the Commonwealth of Pennsylvania, Department of Environmental Protection and New Enterprise Stone & Lime Company, Inc., ("New Enterprise") in order to establish the Quemahoning Trust Watershed Conservation Trust to fund improvements in the Quemahoning Creek Watershed. New Enterprise operated the Boswell Quarry, permit no. 4077SM7, located in Jenner Township, **Somerset County**, until completing surface reclamation in 2011. It is anticipated that the reclamation liability will be released on this fully reclaimed site. The treatment liability will be addressed by the creation of the Quemahoning Trust Watershed Conservation Trust at which time the mine permits will be terminated. Drafts may be viewed at/and comments submitted to: DEP Cambria District Office, 286 Industrial Park, Ebensburg, PA 15931 by June 30, 2015.

[Pa.B. Doc. No. 15-1012. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Availability of Draft NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13)

The Department of Environmental Protection (Department) by this notice is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13). This General NPDES Permit is issued under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388) and The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

The PAG-13 General Permit is intended to provide NPDES permit coverage to existing or proposed regulated small municipal separate storm sewer systems (MS4) for discharges of stormwater to surface waters of the Commonwealth. The existing PAG-13 General Permit in effect at this time, effective March 16, 2013, will expire on March 15, 2018, and remains in full force and effect until that date. See 41 Pa.B. 5042 (September 17, 2011). The Department is proposing to reissue a final PAG-13 General Permit to become effective on March 16, 2018.

The draft PAG-13 General Permit includes the following proposed significant changes in comparison to the existing PAG-13 General Permit:

- When covered by the PAG-13 General Permit, a permittee would not need to submit a Notice of Intent (NOI) for renewal of coverage unless requested by the Department. An MS4 Annual Status Report will be required by September 30 each year. The MS4 Annual Status Report will serve as notice to the Department as to whether the permittee wishes to continue operating under the PAG-13 General Permit or desires termination of permit coverage, and will summarize activities under the permittee's stormwater management program.

- All MS4 permittees would be required to submit an MS4 Annual Status Report to the Department; the existing PAG-13 General Permit requires the submission of annual reports for first-time permittees and permittees within the Chesapeake Bay watershed only. Renewal permittees not located in the Chesapeake Bay watershed would also need to begin submitting annual reports.

- MS4s that have been allocated a specific (individual) or bulk (aggregate) wasteload allocation in a Total Maximum Daily Load for nutrients or sediment, or both, will not be eligible for PAG-13 General Permit coverage. An individual NPDES permit would be required. The MS4s that the Department has identified as needing an individual permit are listed in the "MS4 Requirements Table," available on the Department's website at [www.depweb.state.pa.us/MS4](http://www.depweb.state.pa.us/MS4).

- Appendices A, B and C in the draft PAG-13 General Permit specify measures that would be implemented by small MS4s to address the presence of metals or pH, or both, associated with acid mine drainage, pathogens and priority organic compounds in stormwater discharges, respectively. Appendix D would require implementation of a Pollutant Reduction Plan (PRP) to reduce the pollutant loading of nutrients and sediment over a 5-year period for discharges to surface waters in the Chesapeake Bay watershed. Appendix E would require implementation of a PRP to reduce the pollutant loading of nutrients or sediment, or both, over a 5-year period for discharge to impaired surface waters. The PRP would need to be submitted to the Department as part of the PAG-13 General Permit NOI.

The proposed NOI fee for coverage under this General Permit is \$500 per year the permittee operates under the General Permit. The NOI fee will be paid in installments, with the initial fee of \$500 submitted with the NOI for permit coverage and an installment of \$500 to be submitted with the MS4 Annual Status Report, if the permittee does not wish to terminate permit coverage.

The draft General Permit and related documents are available on the Department's web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (Select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "National Pollutant Discharge Elimination System—NPDES," then "General Permits," then "PAG-13 (Draft).")

The Department is seeking comments on the draft PAG-13 General Permit (3800-PM-BPNPSM0100d) and accompanying documents for a period of 60 days. In addition to any other comments, the Department is specifically soliciting comments on use of the terms “surface waters,” “surface waters of the Commonwealth” and “waters of the Commonwealth” in the draft PAG-13 General Permit. Written comments submitted during the 60-day comment period will be retained by the Department and considered in finalizing the General Permit.

Interested persons may submit written comments by July 29, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator’s name and address.

Commentators are urged to submit comments using the Department’s online eComment for Policies at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can also be submitted to the Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, P. O. Box 8774, Harrisburg, PA 17105-8774, RA-EPPAMS4@pa.gov.

The Department will provide an opportunity for any interested person or group of persons, any affected State, any affected interstate agency, the United States Environmental Protection Agency or any interested agency to request or petition for a public hearing with respect to the proposed General Permit. The request or petition for public hearing, which must be filed within the 60-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

Questions regarding the draft PAG-13 General Permit should be directed to the Bureau of Point and Non-Point Source Management, (717) 787-5017, RA-EPPAMS4@pa.gov.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-1013. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection’s (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The “Technical Guidance Final Documents” heading is the link to a menu of the various Department bureaus where each bureau’s final technical guidance documents are posted. The “Technical Guidance Draft Documents” heading is the link to the Department’s draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department’s draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department’s documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Interim Final Technical Guidance Document*

**DEP ID:** 012-0900-001. **Title:** Policy for Development and Publication of Technical Guidance. **Description:** This policy establishes the standards and procedures for drafting the Department’s technical guidance documents (TGD) and describes a uniform process for developing, revising, approving and publishing these documents. The policy has been substantively revised to clarify existing processes for development and publication of TGDs, and to enhance public transparency surrounding this process. Included in the revisions to this policy is establishment of a method to submit electronic comments online, the new eComment for Policies. eComment allows for more effective submission of comments by the public and management of those comments by the Department. As part of eComment for Policies, all public comments will be publicly available for view in eComment within 5 business days of their receipt, and will remain available until respective documents are finalized. Also included as a revision is establishment of a Non-Regulatory Agenda indicating TGDs and other documents the Department intends to develop on an annual basis to provide additional transparency for the public.

**Written Comments:** Interested persons may submit written comments on this interim final TGD by July 14, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator’s name and address. Commentators are urged to submit comments using the Department’s online eComment for Policies at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted to Laura Henry, Technical Guidance Coordinator, Department of Environmental Protection, Office of Policy, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, [ecomment@pa.gov](mailto:ecomment@pa.gov).

**Contact:** Laura Henry, (717) 783-8727, [ecomment@pa.gov](mailto:ecomment@pa.gov).

**Effective Date:** May 30, 2015

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-1014. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Bid Opportunity

**OSM 26(2746)102.1, Mine Subsidence Control Project, East Francis Avenue, Connellsville Township, Fayette County.** The principal items of work and approximate quantities include mobilization and demobilization, implementation of the erosion and sedimentation control plan, overburden drilling and casing, steel or PVC 336 linear feet, 4” air rotary drilling 700 linear feet, furnishing and installing 4” nominal steel or PVC injection casing 500 linear feet, cement 162 tons, fly ash 1,440 dry tons, stone (AASHTO No. 57) 20 tons, preparation and disassembly and relocation of injection system 32 bore holes. This bid issues on May 29, 2015, and bids will be opened on June 23, 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. 15-1015. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Bid Opportunity

**OSM 59(1904)101.1, Abandoned Mine Reclamation Project, LR 58059 South, Hamilton Township, Tioga County.** The principal items of work and approximate quantities include mobilization and demobilization, broad based dips—low gradient 2 each, broad based dips—high gradient 14 each, temporary crossing (ford), rock construction entrance, 12" diameter compost filter sock 5,325 linear feet, 18" diameter compost filter sock 100 linear feet, rock aprons (R-5 rock with geotextile) 50 square yards, clearing and grubbing, grading 286,056 cubic yards, access roadway surface material 1,035 square yards, ripping 13.9 acres, ripping and disking 5.5 acres, tree planting 26,275 trees, seeding 5.2 acres and ARRI seeding 38.6 acres. This bid issues on May 29, 2015, and bids will be opened on June 23, 2015, at 2 p.m. Bid documents cost \$15 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 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. 15-1016. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Stream Redesignation Evaluation of Unnamed Tributary 28168 to Oley Creek; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in the Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Unnamed Tributary (UNT) 28168 to Oley Creek	Luzerne County	Oley Creek

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the assessment. These assessments may lead to recommendations to the Environmental Quality Board for redesignation.

Data must be submitted by June 29, 2015. Data should be submitted to Mark Brickner, Bureau of Point and Non-Point Source Management, Division of Water Quality Standards, P. O. Box 8774, Harrisburg, PA 17105-8774, mbrickner@pa.gov.

Questions concerning this evaluation can be directed to Mark Brickner, (717) 787-9637, mbrickner@pa.gov.

JOHN QUIGLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-1017. Filed for public inspection May 29, 2015, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Luzerne County

Proposers are invited to submit proposals to the Department of General Services to provide the Governor's Office and the Department of Community and Economic Development with 2,142 usable square feet of office space in Pittston, Luzerne County. Downtown locations will be considered. For more information on SFP No. 94607, which is due on June 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us), or contact Pete Kafkalas, Bureau of Real Estate, (717) 525-5231, pkafkalas@pa.gov.

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 15-1018. Filed for public inspection May 29, 2015, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Radiance Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Radiance Surgery Center has requested exceptions to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2010 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 3.7-3.2.3.2 and 3.7-3.6.5 (relating to clearances; and scrub facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1019. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Approved Medications List for Critical Care Transport Ambulance Services

Under 28 Pa. Code §§ 1027.3(c) and 1027.5(b) (relating to licensure and general operating standards; and medication use, control and security), the following medications are approved for administration by paramedics, prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital emergency medical services physicians (PHP) when functioning for an emergency medical service (EMS) agency that has been licensed as a critical care transport (CCT) ambulance service under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies) during interfacility transport in a CCT ambulance when use of those medications is permitted by the applicable Department of Health-approved critical care transport protocols or when ordered online by a medical command physician. CCT ambulance services may use the following medications in addition to the approved medications listed for advanced life support ambulance services at 43 Pa.B. 3060 (June 1, 2013).

1. Abciximab<sup>2</sup>
2. Albumin<sup>1,2</sup>
3. Anti-Coagulants/Anti-Platelets: All Types (Not otherwise specified)<sup>1,2</sup>
4. Anti-Emetics: All Types (Not otherwise specified)<sup>1,2</sup>
5. Anti-Hypertensives: All Types (Not otherwise specified)<sup>2</sup>
6. Antivenom<sup>1,2</sup>
7. Atenolol<sup>1,2</sup>
8. Barbiturates<sup>2</sup>
9. Bivalirudin<sup>2</sup>
10. Blood Products<sup>2</sup>
11. Clopidogrel<sup>2</sup>
12. Dextran<sup>1,2</sup>
13. Digoxin<sup>2</sup>
14. Dilaudid<sup>2</sup>
15. Eptifibatide<sup>2</sup>
16. Esmolol<sup>2</sup>
17. Fibrinolytics/Thrombolytics: All Types<sup>2</sup>
18. Glucocorticoids/Mineralcorticoids<sup>1,2</sup>
19. Heparin<sup>2</sup>
20. Hespan<sup>1,2</sup>

21. Hydralazine<sup>1,2</sup>
22. Hydroxocobalamin<sup>1,2</sup>
23. Insulin<sup>2</sup>
24. Ketamine<sup>1,2</sup>
25. Ketorolac<sup>1,2</sup>
26. Labetolol<sup>1,2</sup>
27. Mannitol<sup>2</sup>
28. Metaproterenol<sup>1,2</sup>
29. Metoprolol<sup>1,2</sup>
30. Milrinone<sup>1,2</sup>
31. Non-Depolarizing Agents<sup>1,2</sup>
32. Norepinephrine<sup>2</sup>
33. Other Non-Benzodiazepine Anti-Convulsants<sup>2</sup>
34. Phenylephrine<sup>2</sup>
35. Phenytoin/Phosphenytoin<sup>1,2</sup>
36. Plasmanate<sup>1,2</sup>
37. Potassium Chloride<sup>2</sup>
38. Propofol<sup>1,2</sup>
39. Propranolol<sup>1,2</sup>
40. Prostaglandins: All Types<sup>2</sup>
41. Quinidine Sulfate/Gluconate<sup>2</sup>
42. Romazicon<sup>2</sup>
43. Succinylcholine<sup>2</sup>
44. Theophylline<sup>1,2</sup>
45. Tirofiban<sup>2</sup>
46. Tocolytics: All Types (Not otherwise specified)<sup>2</sup>
47. Total Parenteral Nutrition<sup>2</sup>

1. Paramedics who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service are restricted to the maintenance and monitoring of medication administration that is initiated at the sending medical facility.

2. Paramedics who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may only administer the medication in the direct physical presence of, and supervised by, a PHRN, PHPE or PHP.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Richard L. Gibbons, Bureau Director, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may use V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1020. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

Laurel View Village  
2000 Cambridge Drive  
Davidsville, PA 15928  
FAC ID # 043702

An exception request from the following long-term care nursing facility was incorrectly published at 45 Pa.B. 2190 (May 2, 2015), as an exception to 28 Pa. Code § 205.36(f) and (g) (relating to bathing facilities). The corrected request is as follows.

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(f) and (h):

Mosser Nursing Home  
1175 Mosser Drive  
P. O. Box 133  
Trexlerstown, PA 18087  
FAC ID # 133902

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,  
*Secretary*

[Pa.B. Doc. No. 15-1021. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Scope of Practice for Critical Care Transport Emergency Medical Service Providers

Under 28 Pa. Code § 1027.39(d) (relating to critical care transport ambulance service), the Department of Health (Department) is publishing the expanded scope of practice for authorized paramedics, prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital emergency medical services physicians (PHP) when functioning for an emergency medical service (EMS) agency that has been licensed as a critical care transport (CCT) ambulance service under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies).

Under 28 Pa. Code § 1027.39(d), expansion of the applicable EMS providers' scopes of practice include EMS

skills in addition to those skills included in these EMS providers' general scopes of practice that were published at 44 Pa.B. 7487 (November 29, 2014) and 45 Pa.B. 377 (January 17, 2015). To perform these expanded skills, EMS providers must receive education to perform these skills by having successfully completed a critical care transport educational program approved by the Department. Minimum requirements to become an approved CCT educational program, and a list of approved CCT educational programs, will be continuously updated on the Bureau of Emergency Medical Services' web site.

Skills identified may be performed by these EMS providers only if the provider has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate. These providers may only perform skills that are indicated through either Statewide or other Department-approved protocols or that are ordered online by a medical command physician.

A PHRN who is appropriately credentialed by the EMS agency medical director may perform other services authorized by The Professional Nursing Law (63 P.S. §§ 211—225.5) when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols.

A PHPE who is appropriately credentialed by the EMS agency medical director may perform services within the scope of practice of a physician assistant under the Medical Practice Act of 1985 (63 P.S. §§ 422.1—422.51a) or the Osteopathic Medical Practice Act (63 P.S. §§ 271.1—271.18), whichever applies to the physician assistant, when authorized by a medical command physician through either online medical command or through applicable Statewide or Department-approved EMS protocols. When a PHPE functions in this capacity, the physician supervision requirements applicable to a physician assistant under the Medical Practice Act of 1985 or the Osteopathic Medical Practice Act do not apply.

A PHP who is appropriately credentialed by the EMS agency medical director may perform skills within a paramedic's scope of practice and other skills within the practice of medicine or osteopathic medicine, whichever applies to the physician. A PHP may not perform a skill that the PHP has not been educated and trained to perform.

To administer medications in addition to those permitted by applicable medical treatment protocols, PHRNs, PHPEs and PHPs must also receive approval to do so by the EMS agency medical director of the advanced life support ambulance service under which they are functioning.

Under 28 Pa. Code § 1023.1(a)(1)(vi) and (vii) (relating to EMS agency medical director), the EMS agency medical director must make an initial assessment of each EMS provider at or above the advanced emergency medical technician (AEMT) level, and then within 12 months of each prior assessment, to determine whether the EMS provider has the knowledge and skills to competently perform the skills within the EMS provider's scope of practice, and a commitment to adequately perform other functions relevant to the EMS provider providing EMS at that level. EMS providers at or above the AEMT level may only perform skills that the EMS agency medical director has credentialed them to perform.

The number listed in the first column in the following chart matches the number of the skill listed in the notice published for the scope of practice for EMS providers at 45 Pa.B. 377.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotope, Braille) should contact Richard L. Gibbons, Bureau Director, Department of Health, Bureau of Emergency Medical

Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may use V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

	<i>Category</i>	<i>Skill</i>	<i>Critical Care Transport Provider (Paramedic, PHRN, PHPE or PHP)</i>
8	Airway/ventilation/oxygenation	Chest tube thoracostomy, monitoring of existing tube in a closed system (for example water seal or suction)	Yes <sup>1</sup>
9	Airway/ventilation/oxygenation	Chest tube thoracostomy, acute insertion	Yes <sup>2</sup>
12	Airway/ventilation/oxygenation	Biphasic positive airway pressure (BiPAP) for patients acutely on BiPAP for <48 hours	Yes <sup>1</sup>
24	Airway/ventilation/oxygenation	Endotracheal Intubation—paralytic assisted, rapid sequence induction (RSI)	Yes <sup>2</sup>
25	Airway/ventilation/oxygenation	Ventilation—Maintenance of previously initiated neuromuscular blockade	Yes <sup>1</sup>
28	Airway/ventilation/oxygenation	Laryngeal mask airway (LMA)	Yes <sup>1</sup>
49	Airway/ventilation/oxygenation	Ventilators, transport—single or multi-modal, with or without blender, using volume control mode only, on patients >1 year of age with no anticipated need to actively titrate ventilator settings during transport.	Yes <sup>1</sup>
64	Cardiovascular/circulation	Transvenous or Epicardial pacing, Management of	Yes <sup>2</sup>
66	Cardiovascular/circulation	Hemodynamic monitoring/assist (pulmonary artery catheter, central venous pressure)	Yes <sup>2</sup>
67	Cardiovascular/circulation	Intra-aortic balloon pump or invasive cardiac assist device or extracorporeal membrane oxygenation—monitoring/assist	Yes <sup>2</sup>
69	Cardiovascular/circulation	Thrombolytic therapy—initiation	Yes <sup>2</sup>
70	Cardiovascular/circulation	Thrombolytic therapy—monitoring	Yes <sup>2</sup>
77	IV Initiation/maintenance/fluids	Sub-cutaneous indwelling catheters—access of existing catheters	Yes <sup>1</sup>
79	IV Initiation/maintenance/fluids	Venous central line (blood sampling)—obtaining	Yes <sup>1</sup>
81	IV Initiation/maintenance/fluids	Arterial line—monitoring	Yes <sup>1</sup>
82	IV Initiation/maintenance/fluids	Blood products—initiation and continued administration	Yes <sup>2</sup>
94	Medication administration routes	Enteral Feeding Devices, Management of	Yes <sup>1</sup>
103	Medications	Medications for Critical Care Transport Providers as published in <i>Pennsylvania Bulletin</i> by the Department	Yes <sup>1</sup>

	<i>Category</i>	<i>Skill</i>	<i>Critical Care Transport Provider (Paramedic, PHRN, PHPE or PHP)</i>
105	Medications	Over-the-counter (OTC) medications ( <i>Note</i> : aspirin and glucose covered elsewhere)	Yes <sup>1</sup>
112	Patient Assessment/management	Portable blood analysis devices, use of (glucometer covered elsewhere)	Yes <sup>1</sup>
121	Patient Assessment/management	Intracranial pressure monitoring/assist	Yes <sup>2</sup>
126	Patient Assessment/management	Urinary catheterization	Yes <sup>1</sup>

Yes—The skill is in the scope of practice for paramedics, PHRNs, PHPEs and PHPs who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service.

1. Paramedics, PHRNs, PHPEs and PHPs who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may only perform or assist with these skills during interfacility transport with a CCT ambulance.

2. Paramedics who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may assist a PHRN, PHPE or PHP with this skill only during interfacility transport with a CCT ambulance and when in the direct physical presence of, and supervised by, the higher level provider.

[Pa.B. Doc. No. 15-1022. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Vehicle, Equipment and Supply Requirements for Critical Care Transport Ambulance Services

Under 28 Pa. Code § 1027.3(c) (relating to licensure and general operating standards), the Department of Health (Department) has the authority to publish in the *Pennsylvania Bulletin*, and update as necessary, vehicle construction and equipment and supply requirements for emergency medical services (EMS) agencies based upon the types of services they provide and the EMS vehicles they operate. An EMS agency that is licensed to operate as a critical care transport (CCT) ambulance service by the Department under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies), as well as an applicant for an EMS agency license to operate as a CCT ambulance service, shall maintain and have readily available in working order the following vehicle, equipment and supply requirements.

#### A. Vehicle Standards

CCT ambulances shall meet vehicle standards as published at 41 Pa.B. 2296 (April 30, 2011).

#### B. Equipment and Supply Standards

CCT ambulances shall meet equipment and supply standards for an advanced life support ambulance as published at 41 Pa.B. 2296.

#### C. Additional Equipment and Supply Standards

In addition to the equipment and supply standards referenced in section B, CCT ambulances also shall carry all of the following equipment and supplies. All equipment and supplies shall be carried and readily available in working order for use. All equipment that may be used in direct contact with patients must be reasonably clean and easily cleaned of blood and body fluids. No drugs or medication may be carried beyond an expiration date assigned to it. Some patients and crewmembers of an ambulance service may have allergies to latex. Latex free supplies are recommended, when possible.

1. One Bougie Gum elastic endotracheal introducer.
2. One video capable laryngoscope with appropriate sized blades.

3. One electronic wave-form capnograph, non-intubated patient, capable of wave-form display.

4. One portable transport ventilator which must have the capabilities that include, but are not limited to, controlling rate, volume, FiO<sub>2</sub>, I:E Ratio, PEEP and volume control, pressure control, SIMV and NPPV modes. Device must have both volume and pressure modes and low/high pressure warning alarms.

5. Two portable transport ventilator circuits appropriately sized for patient being transported.

6. Two 3 1/4" over the needle catheter in 10, 12 or 14 gauge.

7. One automated noninvasive blood pressure monitoring device.

8. One endotracheal cuff pressure manometer.

9. One 12 lead ECG with wireless transmission capability.

10. Invasive pressure monitoring, electronic waveform, two-channel capability.

11. One portable doppler with venous and OB probe.

12. One pelvic stabilization device.

13. Two blood administration sets only if agency provides or maintains blood products.

14. Per Statewide CCT protocols, approved medications that must be kept within expiration dates.

15. Three intravenous infusion pumps or one multi-channel unit capable of managing three simultaneous infusions.

16. Onboard oxygen with a capacity of a minimum of 7,000 liters.

17. Portable oxygen with a capacity of a minimum of 1,800 liters.

18. Inverter or generator capability of supporting all required equipment electrical needs.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Richard L. Gibbons, Bureau Direc-

tor, Department of Health, Bureau of Emergency Medical Services, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may use V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1023. Filed for public inspection May 29, 2015, 9:00 a.m.]

## DEPARTMENT OF STATE

### Lobbying Disclosure Act; Increase in Threshold Amounts for Registering and Reporting

Under section 13A08(j) of 65 Pa.C.S. (relating to administration), enacted by the act of November 1, 2006 (P. L. 1213, No. 134) (Act 134), on a biennial basis beginning in January 2009, the Department of State (Department) must review the threshold under 65 Pa.C.S. § 13A06 (relating to exemption from registration and reporting) for registration under 65 Pa.C.S. § 13A04 (relating to registration) and the threshold for reporting under 65 Pa.C.S. § 13A05(d) (relating to reporting). If appropriate, the Department may increase these amounts prospectively to rates deemed reasonable for assuring appropriate disclosure. By June 1 of every odd-numbered year, the Department is required to publish any adjusted threshold amounts in the *Pennsylvania Bulletin*.

Under the authority of Act 134 and regulations, the Department provides notice that the thresholds under 65 Pa.C.S. § 13A06 for registration under 65 Pa.C.S. § 13A04 and the threshold for reporting under 65 Pa.C.S. § 13A05(d) shall be increased from \$2,500 to \$3,000 effective January 1, 2017. The Department deems the increased amounts reasonable for assuring appropriate disclosure.

For more information, contact the Manager of the Division of Campaign Finance and Lobbying Disclosure in the Department's Bureau of Commissions, Election and Legislation at (717) 787-5280 or ra-lobbydisclosure@pa.gov.

PEDRO A. CORTÉS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-1024. Filed for public inspection May 29, 2015, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Chester Water Authority v. DEP and Old Dominion Electric Cooperative, Permittee; EHB Doc. No. 2015-064-L

Chester Water Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Old Dominion Electric Cooperative for a facility located in Fulton Township, Lancaster County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 15-1025. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Michael Sauers v. DEP and Bryan Baumgartner, Permittee; EHB Doc. No. 2014-104-C

Michael Sauers has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Bryan Baumgartner for the Lake View Estates Residential Subdivision located in Towamensing Township, Carbon County.

A hearing on the appeal has been scheduled to begin at 10 a.m. on July 21, 2015, at the Harrisburg office of the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. Any changes to the hearing schedule may be found on the Board's web site at <http://ehb.courtapps.com>.

The appeal, and other filings related to the appeal, may be reviewed by any interested person on request during normal business hours at the Board's Harrisburg office, or through the Board's web site. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 15-1026. Filed for public inspection May 29, 2015, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The June 16, 2015, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is scheduled for Tuesday, July 21, 2015, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and meeting materials for the July 21, 2015, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center," then "The Environmental Quality Board," then "EQB Meeting Schedule 2015").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger, (717) 783-8727, [ledinger@pa.gov](mailto:ledinger@pa.gov).

JOHN QUIGLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 15-1027. Filed for public inspection May 29, 2015, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
54-74	Pennsylvania Liquor Control Board Conversion of Suspension to Fine	5/15/15	6/18/15
7B-7	Department of Conservation and Natural Resources State Forest Picnic Areas	5/15/15	6/18/15

JOHN R. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 15-1028. Filed for public inspection May 29, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### First Priority Life Insurance Company; Individual PPO Rate Filing (BCNP-130071834)

First Priority Life Insurance Company submitted a rate filing to increase the premium rates for its Individual Affordable Care Act compliant PPO products. The filing proposes an average rate increase of 29.5% and will affect approximately 43,000 members. The proposed rate increase will generate \$53.5 million of additional revenue annually and will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find..." click on the link "PA Bulletin." Enhanced portions of the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or email comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@pa.gov](mailto:rmathur@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1029. Filed for public inspection May 29, 2015, 9:00 a.m.]

### Geisinger Health Plan (GSHP-130072597); Proposed Rate Increase for the Individual ACA Product Portfolio

Geisinger Health Plan is requesting approval to increase the premium an aggregate 40.6% on 12,086 individual policyholders. The rate change will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find..." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1030. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Geisinger Quality Options (GSHP-130072442); Proposed Rate Increase for the Individual ACA Product Portfolio**

Geisinger Quality Options is requesting approval to increase the premium an aggregate 58.4% on 2,386 individual policyholders. The rate change will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1031. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Highmark Benefits Group (HGHM-130064466); Proposed Rate Increase for the Small Group ACA Product Portfolio in Central Pennsylvania**

Highmark Benefits Group is requesting approval to increase the premium an aggregate 13.5% on 25,980 small group members in central Pennsylvania.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1033. Filed for public inspection May 29, 2015, 9:00 a.m.]

**HM Health Insurance Company (HGHM-130061791); Proposed Rate Increase for the Individual ACA Product Portfolio in Central and Western Pennsylvania Regions**

HM Health Insurance Company is requesting approval to increase the premium an aggregate 35.9% on 35,302 individual policyholders in central and western Pennsylvania. The rate change will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1032. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Highmark Inc. (HGHM-130061378); Proposed Rate Increase for the Individual ACA Product Portfolio in the Western Pennsylvania Regions**

Highmark Inc., doing business as Highmark Blue Cross Blue Shield, is requesting approval to increase the premium an aggregate 25.5% on 117,857 individual policyholders in western Pennsylvania. The rate change will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1034. Filed for public inspection May 29, 2015, 9:00 a.m.]



**Highmark Inc. (HGHM-130064391); Proposed Rate Increase for the Small Group ACA Product Portfolio in the Western Pennsylvania Regions**

Highmark Inc., doing business as Highmark Blue Cross Blue Shield, is requesting approval to increase the premium an aggregate 15.5% on 23,099 small group members in western Pennsylvania.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1035. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Keystone Health Plan West (HGHM-130070359); Proposed Rate Increase for the Individual ACA Product Portfolio in Western Pennsylvania**

Keystone Health Plan West is requesting approval to increase the premium an aggregate 36.6% on 304 individual policyholders in western Pennsylvania. The rate change will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Additional information concerning the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1036. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Beatrice T. Ginter; file no. 15-188-182527; Peerless Insurance Company; Doc. No. P15-04-015; June 26, 2015, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1037. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Time Insurance Company PPO (ASPC-130038377); Individual On/Off Exchange Policies; Rate Filing**

Time Insurance Company submitted a rate filing to increase the premium rates for its Individual Affordable Care Act compliant health plans. The filing proposes a rate increase of 61% and will affect approximately 3,333 members. The proposed rate increase will generate approximately \$9.8 million of additional annual revenue and will be effective January 1, 2016.

Portions of the filing are available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin." Enhanced portions of the filing can be viewed on the following Centers for Medicare and Medicaid Services web sites: <https://ratereview.healthcare.gov/> and [www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html](http://www.cms.gov/CCIIO/Resources/Data-Resources/ratereview.html).

Portions of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or email comments, suggestions or objections to Cheri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-1038. Filed for public inspection May 29, 2015, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, June 9, 2015.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 15-1039. Filed for public inspection May 29, 2015, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge

Public Meeting held  
May 19, 2015

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

*Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge; M-2015-2460700; M-00900239*

### Order

*By the Commission:*

Pursuant to our May 29, 1990 Order, at Docket No. M-00900239 establishing the Pennsylvania Telephone Re-

lay Service (Relay)<sup>1</sup> and surcharge funding mechanism (TRS surcharge) and subsequent Commission orders and legislation,<sup>2</sup> we have completed the annual recalculation of the TRS surcharge as it will apply to residence and business wireline access lines for July 1, 2015, through June 30, 2016. The monthly residential and business monthly access line surcharge will remain set at \$0.08.

### Background

The annual TRS recalculation is dependent on data from several sources. Local Exchange Carriers (LECs)<sup>3</sup> submit annual wireline access line counts pursuant to 52 Pa. Code § 63.37. The traditional relay provider, Hamilton Relay Inc.,<sup>4</sup> submitted the estimated minutes of use and charges for July 1, 2015, through June 30, 2016. Hamilton Telecommunications Company submitted the estimated minutes-of-use report for the Captioned Telephone Relay Service (CTRS). The Office of Vocational Rehabilitation (OVR), Department of Labor and Industry, submitted the 2015-2016 TDDP budget and the 2015-2016 PMASP budget. The surcharge also funds the TRS Advisory Board activities and Fund administration costs. U.S. Bank,<sup>5</sup> the Fund Administrator, provided a statement of the financial status of the Fund.<sup>6</sup>

### Calculation for 2015-2016

Wireline access lines reported by LECs for 2014 and adjusted for Centrex lines are 5,233,801 (3,393,004 Residence and 1,840,797 Business). Based upon the number of access lines, projected program costs (Relay, CTRS, TDDP, and PMASP), anticipated Relay Advisory Board expenses, TRS Fund administration costs, and the financial status of the TRS Fund, the 2015-2016 monthly TRS surcharge rate for both residence and business access lines will continue to be set at \$0.08 per month. All LECs shall continue to remit TRS surcharge revenues to the Fund Administrator.<sup>7</sup> Since the 2015-2016 surcharge remains the same as the 2014-2015 rate of \$0.08, the filing of tariff supplements are not required.

Effective July 1, 2015, the monthly surcharge allocation for each fund account is as follows:<sup>8</sup>

	2015-2016	
	Monthly Surcharge Residence %	Percentage Business %
Relay	90.0	90.0
TDDP	5.0	5.0
PMASP	5.0	5.0
Total Percentage	100.0	100.0

<sup>1</sup> Additional information on TRS may be found at [http://www.puc.pa.gov/utility\\_industry/telecommunications/telecommunications\\_relay\\_service.aspx](http://www.puc.pa.gov/utility_industry/telecommunications/telecommunications_relay_service.aspx)

<sup>2</sup> See Act 34 of 1995, 35 P.S. §§ 6701.1—6701.4 (the statutory provisions were amended by Act 181 of 2002 to be more inclusive of persons with disabilities), establishing the Telephone Device Distribution Program (TDDP) to be funded by the TRS surcharge and which codified Relay and use of the TRS surcharge funding mechanism; and Act 174 of 2004, 35 P.S. § 6701.3a, which established the Print Media Access System Program (PMASP) to be funded in part by the TRS surcharge. PMASP is a reading service for persons with certain vision and physical disabilities. The law is now called the "Universal Telecommunications and Print Media Access Act."

<sup>3</sup> LECs include both incumbent and competitive local exchange carriers.  
<sup>4</sup> Hamilton Relay Inc., (Hamilton) holds the TRS Certificate of Public Convenience to provide TRS throughout the Commonwealth of Pennsylvania. The Commission approved Hamilton's Application filed at A-2014-2447601 by order entered December 4, 2014.

<sup>5</sup> As a result of mergers, acquisitions, and name changes, Fund administration has been handled by Hamilton Bank (1990), CoreStates Bank N.A. (1995), First Union National Bank (1999), Wachovia Bank, N.A. (2002), and U.S. Bank Institutional Trust & Custody (2006).

<sup>6</sup> Separate accounts are maintained for the portions of the surcharge allocated to Relay, TDDP, and PMASP. Relay Advisory Board, CTRS, and outreach activities are funded from the Relay account; Fund administration draws from each respective account.

<sup>7</sup> U.S. Bank Institutional Trust & Custody, Attn: Amanda Brown-Poe, 300 Delaware Ave, Ste 900, Wilmington, DE 19801. The remittance is payable to the "PA Relay Service Fund" and designated for Relay. Wire instructions can be found on the remittance form. LECs will be notified by Commission Secretarial letter that US Bank's contact person and address is changing effective July 1, 2015.

<sup>8</sup> The TRS surcharge appears as a single line item on customers' bills but actually has three components (Relay TDDP and PMASP).

*Operations for 2015-2016*

We shall continue our active oversight of the operations of the Pennsylvania Telecommunications Relay Service. Further, in accordance with 35 P. S. §§ 6701.3a & 4, we shall continue to collaborate with OVR and its TDDP administrator<sup>9</sup> to ensure adequate funding for distribution of TDDP equipment to qualified Pennsylvanians. Further, we shall continue to assist OVR in its mission to ensure adequate funding for PMASP.

*Audits*

The Commission’s Bureau of Audits (Audits) is in the process of finalizing a TRS related audit report, at Docket No. D-2014-2406981, on the TDDP and PMASP for the twelve-month periods ended June 30, 2013, and June 30, 2012.

The audit of the TRS Program (collection and disbursement of the TRS funds), for the twelve-month periods ended February 28, 2015, February 28, 2014, and February 28, 2013, is currently in the planning stages.

*Service of Paper Copies*

In the past, our practice has been to serve the annual TRS surcharge recalculation order on every LEC in the Commonwealth, in addition to the service providers, Office of Vocational Rehabilitation, Office of Consumer Advocate, Office of Small Business Advocate, Pennsylvania Telephone Association, and the Fund Administrator. As proposed in the TRS Surcharge Recalculation order at Docket No M 2013-2341301, entered May 23, 2013, service of paper copies of the recalculation orders on the LECs will only henceforth be served if there is a change in the TRS surcharge or other provision in the order requiring that the LECs file a tariff change or take other

<sup>9</sup> As of January 1, 2007, the TDD program is administered by Pennsylvania’s Initiative on Assistive Technology (PIAT), Institute on Disabilities, Temple University (IDT).

action. As this order does not change the set surcharge rate or require any other tariff changes in response to this order, paper copies will not be served. Additionally, we will continue to publish the recalculation orders in the *Pennsylvania Bulletin* and on the Commission’s website.

*Conclusion*

The Commission has completed the annual recalculation of the TRS Surcharge. The surcharge to be applied beginning July 1, 2015, through June 30, 2016, will remain at \$0.08 for residential and business access lines. We also note that paper copies of this order will not be served on the LECs as there is no change in the set surcharge rate or to impose new requirements on the LECs requiring tariff changes in response to this Order; *Therefore,*

*It Is Ordered That:*

1. For the period of July 1, 2015, through June 30, 2016, the monthly TRS surcharge rate shall be \$0.08 for residence and business, unless we take further action to revise the TRS surcharge prior to June 30, 2016.
2. All local exchange carriers are directed to use the attached form, which contains the new mailing address, to remit the monthly TRS surcharge collections to U.S. Bank, Institutional Trust & Custody. The remittance sheet shall be posted to the PUC web site <http://www.puc.pa.gov>. All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly by the 20th of each month.
3. A copy of this Order be published in the *Pennsylvania Bulletin*.
4. A copy of this Order be posted to the Commission’s website.

ROSEMARY CHIAVETTA,  
*Secretary*

**REMITTANCE FORM FOR MONTHLY TRS SURCHARGE COLLECTIONS**

Effective July 1, 2015 through June 30, 2016

M-2015-2460700

All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly, by the 20th of each month using the following format for the monthly remittance:

*Pennsylvania TRS Surcharge*

For the Month Ending \_\_\_\_\_

Number of Residential access lines	_____
X        \$0.08 per line	_____

Allocated:

TRS Relay	90.0 percent	_____
TDDP	5.0 percent	_____
PMASP	5.0 percent	_____

Number of Business access lines

X        \$0.08 per line	_____
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Allocated:

TRS Relay	90.0 percent	_____
TDDP	5.0 percent	_____
PMASP	5.0 percent	_____

<b>Total Remittance</b>	_____
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Make check payable to: Pennsylvania TRS Fund

<i>Mail Report and payment to:</i>	<i>Wire Instructions:</i>
U.S. Bank Institutional Trust & Custody Amanda Brown-Poe 300 Delaware Avenue, Suite 900 Wilmington DE 19801	BANK U.S. Bank N.A ADDRESS 60 Livingston Avenue, St Paul MN 55107-2292 ABA 091 000 022 BNF ITC Depository South & East ACCOUNT 173 103 781 832 OBI PA Relay ATTN: Amanda Brown-Poe

Remittance for:

Company Name: \_\_\_\_\_

Utility Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Voice Phone Number: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_

E-mail address \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please direct any questions regarding the TRS Surcharge remittance to Mr. Eric Jeschke at (717) 783-3850 or [eyeschke@pa.gov](mailto:eyeschke@pa.gov).

[Pa.B. Doc. No. 15-1040. Filed for public inspection May 29, 2015, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 15, 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.

**Application of the following for approval to *begin operating as common carriers for transportation of persons* as described under the application.**

**A-2015-2481552. Gan Eden Transportation Solutions, LLC** (603 Chess Street, Pittsburgh, PA 15211) for the right to begin to transport, as a common carrier, by motor vehicle, persons, upon call or demand, between points in the City of Pittsburgh, Allegheny County. *Attorney:* Gusty Sunseri, Esquire, 1290 Freeport Road, Pittsburgh, PA 15238.

**Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as contract carriers for the transportation of persons* as described under the application.**

**A-2015-2477443. Kwiksie, LLC t/a Kwiksie Transporters** (6665 Church Lane, Upper Darby, Philadelphia County, PA 19082) for the right to begin to transport as a contract carrier, by motor vehicle, persons for Access2Care and Medical Transportation Management, Inc., from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

**Application 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 the application.***

**A-2015-2477231. John C. Mummau** (7001 Molly Pitcher Highway, Shippensburg, PA 17257) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, from points in Cumberland and Franklin Counties, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1041. Filed for public inspection May 29, 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 June 15, 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 Transportation and Safety v. Vision Health Care Services, Inc.; Docket No. C-2015-2474501**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are

prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Vision Health Care Services, Inc., respondent maintains its principal place of business at 4113 Linglestown Road, Harrisburg, Pennsylvania 17112.

2. That respondent was issued a Certificate of Public Convenience by this Commission on April 27, 2009, at A-6410304.

3. That on January 18, 2013, respondent submitted a letter requesting an one-year voluntary suspension of its operating authority to become effective on January 10, 2013 and expiring on January 9, 2014.

4. That on February 27, 2013, a letter was sent to respondent granting its request for a voluntary suspension until January 9, 2014. Respondent was also informed in said letter that it must notify the Commission, in writing, of its intention to resume operations and file acceptable evidence of insurance. To date, respondent has failed to comply and did abandon or discontinue service without having first filed an application with this Commission.

5. That respondent, by failing to file evidence of insurance and notify the Commission of its intention to resume operations, and by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-6410304.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/17/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and

must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
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 a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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 that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Pine Valley Energy Services LLC; Docket No. C-2015-2475630**

#### 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 Pine Valley Energy Services LLC, (respondent) is under suspension effective March 05, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at PO Box K, Sykesville, PA 15865.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 20, 2014, at A-2014-2423597.

4. That respondent has failed to maintain evidence of Liability 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-2014-24213597 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/16/2015

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. 15-1042. Filed for public inspection May 29, 2015, 9:00 a.m.]

# STATE POLICE

## Sex Offender Registration; Approved Registration Sites

The Commissioner of the State Police, under 42 Pa.C.S. § 9799.23 (relating to court notification and classification requirements), shall publish a list of approved registration sites located throughout this Commonwealth where an individual subject to the requirements of 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders) can report to fulfill the individual's sex offender registration requirements. This notice contains a complete list of sites effective as of May 14, 2015.

The list of approved registration/verification sites now includes several new locations, including some county sheriff's offices, county probation offices and municipal police departments. The list of sites will be periodically updated as locations are added or modified. Prior to going to a site, it is recommended that individuals call the site to ensure that it is currently open to the public or that a registering official is there to process the individuals, or both.

<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Adams	Adams County Prison— Central Booking	45 Major Bell Lane, Gettysburg, PA 17325	717-334-7671 Ext. 6
Adams	State Police Gettysburg	3033 Old Harrisburg Road, Gettysburg, PA 17325	717-334-8111
Allegheny	Allegheny County ID Section, Walk-in, Monday—Friday, 12 p.m.—8 p.m.	660 First Avenue, Municipal Courts Building, 3rd Floor, Pittsburgh, PA 15219	412-350-6700
Allegheny	State Police Pittsburgh	449 McCormick Road, Moon Township, PA 15108	412-787-2000
Armstrong	Armstrong County Adult Probation	500 East Market Street, Kittanning, PA 16201	724-548-3491
Armstrong	State Police Kittanning	184 Nolte Drive, Kittanning, PA 16201	724-543-2011
Beaver	Beaver County Sheriff— Regional Booking Center	6000 Woodlawn Boulevard, Aliquippa, PA 15001	724-512-2391
Beaver	State Police Beaver	1400 Brighton Road, Beaver, PA 15009	724-773-7400
Bedford	Bedford County Adult Probation	200 South Juliana Street, Bedford, PA 15522	814-623-4830
Bedford	State Police Bedford	171 Arthur L. Hershey Drive, Bedford, PA 15522	814-623-6133
Berks	Berks County Sheriff's Department	633 Court Street, Reading, PA 19601	610-478-6240
Berks	State Police Hamburg	90 Industrial Drive, Hamburg, PA 19526	610-562-6885
Berks	State Police Reading	600 Kenhorst Boulevard, Reading, PA 19611	610-378-4011
Blair	Blair County Prison	419 Market Square Alley, Hollidaysburg, PA 16648	814-693-3155
Blair	State Police Hollidaysburg	1510 North Juniata Street, Hollidaysburg, PA 16648	814-696-6100
Bradford	Bradford County Adult Probation	301 Main Street, Towanda, PA 18848	570-265-1706
Bradford	State Police Towanda	101 Hawkins Road, Towanda, PA 18848	570-265-2186
Bucks	Bensalem Township Police	2400 Byberry Road, Bensalem, PA 19020	215-633-3700
Bucks	Bucks County Department of Corrections	1730 South Easton Road, Building L, Doylestown, PA 18901	215-340-8480
Bucks	State Police Dublin	3218 Rickert Road, Perkasie, PA 18944	215-249-9191
Bucks	State Police Trevoise	3501 Neshaminy Boulevard, Bensalem, PA 19020	215-942-3900
Butler	Butler County Prison	202 South Washington Street, Butler, PA 16001	724-284-5256
Butler	Butler County Probation— Parole Office	203 South Washington Street, Butler, PA 16001	724-284-5259
Butler	Cranberry Township Police, Monday—Friday 8 a.m.—3 p.m. (no holidays)	2525 Rochester Road, Suite 500, Cranberry Township, PA 16066	724-776-5180
Butler	State Police Butler	200 Barracks Road, Butler, PA 16001	724-284-8100
Cambria	Cambria County Prison	425 Manor Drive, Ebensburg, PA 15931	814-472-7330
Cambria	State Police Ebensburg	100 Casale Court, Ebensburg, PA 15931	814-471-6500
Cameron	State Police Emporium	12921 Route 120, Emporium, PA 15834	814-486-3321

<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Carbon	Carbon County Correctional Facility	331 Broad Street, Nesquehoning, PA 18240	570-325-2211
Carbon	State Police Lehighton	9170 Interchange Road, Lehighton, PA 18235	610-377-4270
Centre	Centre County Central Booking	700 Rishel Hill Road, Bellefonte, PA 16823	814-548-1186
Centre	State Police Philipsburg	3104 Port Matilda Highway, Philipsburg, PA 16866	814-342-3370
Centre	State Police Rockview	745 South Eagle Valley Road, Bellefonte, PA 16823	814-355-7545
Chester	Chester County Prison	501 South Wawaset Road, West Chester, PA 19382	610-793-1510
Chester	State Police Avondale	2 Moxley Lane, Avondale, PA 19311	610-268-2022
Chester	State Police Embreeville	997 Lieds Road, Coatesville, PA 19320	610-486-6280
Clarion	Clarion County Prison	309 Amsler Avenue, Shippensburg, PA 16254	814-226-9615
Clarion	State Police Clarion	209 Commerce Road, Clarion, PA 16214	814-226-1710
Clearfield	Clearfield County Prison	115 21st Street, Clearfield, PA 16830	814-765-7891
Clearfield	State Police Clearfield	147 Doe Hill Road, Woodland, PA 16881	814-857-3800
Clinton	Clinton County Prison—Central Booking	58 Pine Mountain Road, McElhattan, PA 17748	570-769-7680
Clinton	State Police Lamar	113 Boyd Road, Mill Hall, PA 17751	570-726-6000
Columbia	Bloomsburg Police	301 East 2nd Street, Bloomsburg, PA 17815	570-784-4155
Columbia	State Police Bloomsburg	6850 Hidlay Church Road, Bloomsburg, PA 17815	570-387-4701
Crawford	Crawford County Probation	903 Diamond Park, Meadville, PA 16335	814-333-7350
Crawford	State Police Meadville	11025 Murray Road, Meadville, PA 16335	814-332-6911
Cumberland	Cumberland County Prison	1101 Claremont Road, Carlisle, PA 17015	717-245-8787
Cumberland	State Police Carlisle	1538 Commerce Avenue, Carlisle, PA 17015	717-249-2121
Dauphin	Dauphin County Judicial Center	451 Mall Road, Harrisburg, PA 17111	717-547-4000
Dauphin	State Police Harrisburg	8000 Bretz Drive, Harrisburg, PA 17112	717-671-7500
Dauphin	State Police Lykens	301 State Drive, Elizabethville, PA 17023	717-362-8700
Delaware	Delaware County Probation	201 West Front Street, Media, PA 19063	610-891-4590
Delaware	State Police Media	1342 West Baltimore Pike, Media, PA 19063	484-840-1000
Elk	State Police Ridgway	15010 Boot Jack Road, Ridgway, PA 15853	814-776-6136
Erie	Erie County Sheriff's Department	140 West 6th Street, Room 400, Erie, PA 16501	814-351-6005
Erie	State Police Corry	11088 Route 6 East, Union City, PA 16438	814-663-2043
Erie	State Police Erie	4320 Iroquois Avenue, Erie, PA 16511	814-898-1641
Erie	State Police Girard	5950 Meadville Road, Girard, PA 16417	814-774-9611
Fayette	State Police Uniontown	1070 Eberly Way, Lemont Furnace, PA 15456	724-439-7111
Fayette	Uniontown City Police	45 East Penn Street, Uniontown, PA 15401	724-430-2929
Forest	State Police Marienville	4956 State Route 899, Marienville, PA 16239	814-927-5253
Franklin	Franklin County Sheriff's Department	157 Lincoln Way East, Chambersburg, PA 17201	717-261-3877
Franklin	State Police Chambersburg	679 Franklin Farm Lane, Chambersburg, PA 17202	717-264-5161
Fulton	Fulton County Sheriff's Department	207 North 2nd Street, McConnellsburg, PA 17233	717-485-4221
Fulton	State Police McConnellsburg	500 Fulton Station, McConnellsburg, PA 17233	717-485-3131
Greene	Greene County Courthouse	10 East High Street, Room 103, Waynesburg, PA 15370	724-852-5250
Greene	State Police Waynesburg	255 Elm Drive, Waynesburg, PA 15370	724-627-6151
Huntingdon	Huntingdon County Sheriff's Department	241 Mifflin Street, Suite 1, Huntingdon, PA 16652	814-643-0880



<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Huntingdon	State Police Huntingdon	10637 Raystown Road, Huntingdon, PA 16652	814-627-3161
Indiana	Indiana County Probation	825 Philadelphia Street, Indiana, PA 15701	724-465-3820
Indiana	State Police Indiana	4221 Route 286 Highway West, Indiana, PA 15701	724-357-1960
Jefferson	Jefferson County Prison	578 Service Center Road, Brookville, PA 15825	814-849-1933
Jefferson	State Police DuBois	101 Preston Way, Falls Creek, PA 15840	814-371-4652
Jefferson	State Police Punxsutawney	485 North Findley Street, Punxsutawney, PA 15767	814-938-0510
Juniata	Juniata County Probation Office	11 North 3rd Street, Mifflintown, PA 17059	717-436-7716
Juniata	State Police Lewistown	34 Arch Rock Road, Mifflintown, PA 17059	717-320-1010
Lackawanna	Lackawanna County Probation	130 North Washington Avenue, Scranton, PA 18503	570-963-6876
Lackawanna	Scranton Police	100 South Washington Avenue, Scranton, PA 18503	570-348-4134
Lackawanna	State Police Dunmore	85 Keystone Industrial Park, Dunmore, PA 18512	570-963-3156
Lancaster	Lancaster City Police	39 West Chestnut Street, Lancaster, PA 17603	717-735-3300
Lancaster	Lancaster County Probation	40 East King Street, Lancaster, PA 17603	717-299-8181
Lancaster	State Police Lancaster	2099 Lincoln Highway East, Lancaster, PA 17602	717-299-7650
Lawrence	State Police New Castle	3539 Wilmington Road, New Castle, PA 16105	724-598-2211
Lebanon	State Police Jonestown	3185 State Route 72, Jonestown, PA 17038	717-865-2194
Lehigh	State Police Bethlehem	2930 Airport Road, Bethlehem, PA 18017	610-861-2026
Lehigh	State Police Fogelsville	8320 Schantz Road, Breinigsville, PA 18031	610-395-1438
Luzerne	State Police Hazleton	250 Dessen Drive, West Hazleton, PA 18202	570-459-3890
Luzerne	State Police Shickshinny	872 Salem Boulevard, Berwick, PA 18603	570-542-7105
Luzerne	State Police Wyoming	475 Wyoming Avenue, Wyoming, PA 18644	570-697-2000
Lycoming	Old Lycoming Township Police Department, Monday—Friday, 10 a.m.—2 p.m.	1951 Green Avenue, Williamsport, PA 17701	570-323-4987
Lycoming	State Police Montoursville	899 Cherry Street, Montoursville, PA 17754	570-368-5700
McKean	McKean County Prison	17013 Route 6, Smethport, PA 16749	814-887-2333
McKean	State Police Kane	3178 Route 219, Kane, PA 16735	814-778-5555
Mercer	State Police Mercer	826 Franklin Road, Mercer, PA 16137	724-662-6162
Mifflin	Mifflin County Prison	103 West Market Street, Lewistown, PA 17044	717-248-1130
Monroe	Monroe County Prison	4250 Manor Drive, Stroudsburg, PA 18360	570-992-3232
Monroe	State Police Fern Ridge	127 Parkside Avenue, Blakeslee, PA 18610	570-646-2271
Monroe	State Police Swiftwater	113 Enforcer Lane, Swiftwater, PA 18370	570-839-7701
Montgomery	Abington Township Police	1166 Old York Road, Abington, PA 19001	267-536-1100
Montgomery	Montgomery County Adult Probation	100 Ross Road, Suite 120, King of Prussia, PA 19406	610-992-7777
Montgomery	Plymouth Township Police	700 Belvoir Road, Plymouth Meeting, PA 19462	610-279-1901
Montgomery	State Police Skippack	2047C Bridge Road, Schwenksville, PA 19473	610-410-3835
Northampton	Northampton County Prison	666 Walnut Street, Easton, PA 18042	610-923-4300
Northampton	State Police Belfast	654 Bangor Road, Nazareth, PA 18064	610-759-6106
Northumberland	State Police Milton	50 Lawton Lane, Milton, PA 17847	570-524-2662
Northumberland	State Police Stonington	2465 State Route 61, Sunbury, PA 17801	570-286-5601
Northumberland	Sunbury Police	440 Market Street, Sunbury, PA 17801	570-286-4584
Perry	Perry County Courthouse	2 East Main Street, New Bloomfield, PA 17068	717-582-2131
Perry	State Police Newport	155 Red Hill Road, Newport, PA 17074	717-567-3110
Philadelphia	State Police Philadelphia	2201 Belmont Avenue, Philadelphia, PA 19131	215-452-5216
Pike	Pike County Probation	506 Broad Street, Milford, PA 18337	570-296-7412

## NOTICES

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<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Pike	State Police Blooming Grove	434 Route 402, Hawley, PA 18428	570-226-5720
Potter	Potter County Adult Probation	1 North Main Street, Coudersport, PA 16915	814-274-8791
Potter	State Police Coudersport	3140 East Second Street, Coudersport, PA 16915	814-274-8690
Schuylkill	Schuylkill County Sheriff's Department	401 North 2nd Street, Pottsville, PA 17901	570-628-1440
Schuylkill	State Police Frackville	31 Eleanor Drive, Frackville, PA 17931	570-874-5300
Schuylkill	State Police Schuylkill Haven	23 Meadowbrook Drive, Schuylkill Haven, PA 17972	570-593-2000
Snyder	Snyder County Sheriff's Department	12 South Main Street, Middleburg, PA 17842	570-837-3311
Snyder	State Police Selinsgrove	204 Universal Road, Selinsgrove, PA 17870	570-374-8145
Somerset	Somerset Borough Police	340 West Union Street, Somerset, PA 15501	814-445-4596
Somerset	State Police Somerset	142 Sagamore Street, Somerset, PA 15501	814-445-4104
Sullivan	State Police Laporte	5837 Route 220, Laporte, PA 18626	570-946-4610
Susquehanna	State Police Gibson	2856 State Route 848, New Milford, PA 18834	570-465-3154
Susquehanna	Susquehanna County Adult Probation	81 Public Avenue, Montrose, PA 18801	570-278-4600
Tioga	State Police Mansfield	1745 Valley Road, Mansfield, PA 16933	570-662-2151
Tioga	Tioga County Probation Department	118 Main Street, Wellsboro, PA 16901	570-724-9340
Union	Union County Courthouse/Prison	103 South Second Street, Lewisburg, PA 17837	570-524-8716
Venango	State Police Franklin	6724 US 322, Franklin, PA 16323	814-676-6596
Warren	State Police Warren	22001 Route 6, Warren, PA 16365	814-728-3600
Warren	Warren County Prison	407 Market Street, Warren, PA 16365	814-723-2486
Washington	State Police Washington	83 Murtland Avenue, Washington, PA 15301	724-223-5200
Washington	Washington County Booking Center	29 West Cherry Avenue, Suite 209, Washington, PA 15301	724-229-5931
Wayne	State Police Honesdale	14 Collan Park, Honesdale, PA 18431	570-251-7207
Wayne	Wayne County Courthouse	925 Court Street, Honesdale, PA 18431	570-253-5970
Westmoreland	State Police Belle Vernon	560 Circle Drive, Belle Vernon, PA 15012	724-929-6262
Westmoreland	State Police Greensburg	100 North Westmoreland Avenue, Greensburg, PA 15601	724-832-3288
Westmoreland	State Police Kiski Valley	4451 Route 66, Apollo, PA 15613	724-727-3434
Westmoreland	Westmoreland County Probation	2 North Main Street, Suite 303, Greensburg, PA 15601	724-830-3457
Wyoming	State Police Tunkhannock	6039 State Route 6, Tunkhannock, PA 18657	570-836-2141
Wyoming	Wyoming County Sheriff's Department	1 Courthouse Square, Tunkhannock, PA 18657	570-996-2265
York	State Police York	110 Trooper Court, York, PA 17403	717-428-1011
York	York County Probation	45 North George Street, York, PA 17401	717-771-9602

COLONEL MARCUS L. BROWN,  
Acting Commissioner

[Pa.B. Doc. No. 15-1043. Filed for public inspection May 29, 2015, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Mark A. Robins; Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Carl Friedel and Everyrental**

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Mark A. Robins; Doc. No. 0252-56-14; File Nos. 13-56-00312, 13-56-00369, 13-56-01759 and 13-56-11182;**

**Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Carl Friedel and Everyrental; Doc. No. 0254-56-14; File Nos. 13-56-01760 and 13-56-11181**

*Notice to Mark A. Robins and Everyrental:*

On April 28, 2015, a Proposed Adjudication and Order was issued in the previously-referenced matter. The Proposed Order assessed a civil penalty of \$40,000 to be paid within 30 days of the date of the State Real Estate Commission's (Commission) Final Order in this matter, against Mark A. Robins, license no. RS104701A, of Wayne, Delaware County. On May 13, 2015, the Commission issued a Notice of Intent to Review the Proposed Adjudication and Order.

Individuals may obtain a copy of the Proposed Adjudication and Order by writing to the Prothonotary, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649.

The Proposed Adjudication and Order is a proposed decision issued in this matter by a hearing examiner for the Department of State (Department) in accordance with the General Rules of Administrative Practice and Procedure in 1 Pa. Code § 35.207 (relating to service of proposed reports). A participant who wishes to appeal all

or part of the hearing examiner's proposed report to the Commission must file exceptions with the Prothonotary of the Department at the previously listed address, within 30 days after the date of service by publication, and in accordance with the General Rules of Administrative Practice and Procedure in 1 Pa. Code §§ 35.211—35.214 (relating to exceptions to proposed reports). Failure to file a brief on exceptions within the time allowed under the General Rules of Administrative Practice and Procedure in 1 Pa. Code §§ 35.211—35.214 shall constitute a waiver of all objections to the proposed report.

JOSEPH TARANTINO, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 15-1044. Filed for public inspection May 29, 2015, 9:00 a.m.]

## THADDEUS STEVENS COLLEGE OF TECHNOLOGY

### Request for Bids

Thaddeus Stevens College of Technology is soliciting bids (bid document 15-0001) for a variety of construction products such as lumber, insulation, stair stringers, wall plates, fasteners, hardware and finish materials to complete an entire duplex residence. Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, [harmon@stevenscollege.edu](mailto:harmon@stevenscollege.edu).

DR. WILLIAM E. GRISCOM,  
*President*

[Pa.B. Doc. No. 15-1045. Filed for public inspection May 29, 2015, 9:00 a.m.]



