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## February 4, 2017 (Pages 659-812)

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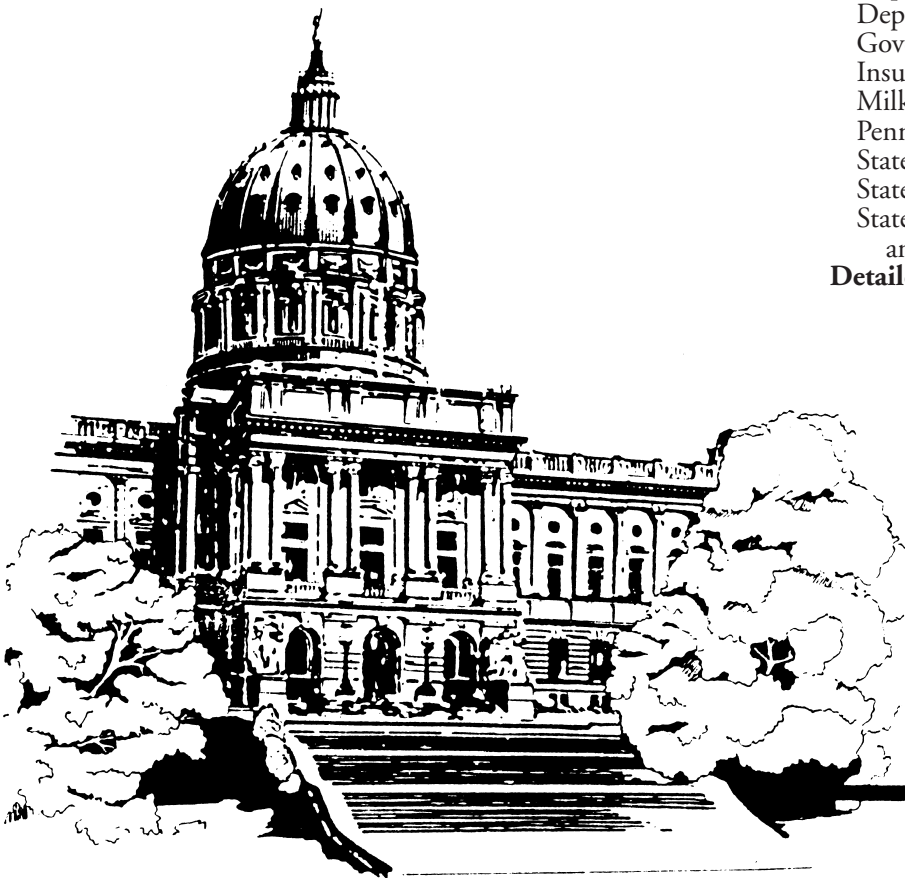
# PENNSYLVANIA BULLETIN

Volume 47  
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Number 5  
Pages 659—812

**Agencies in this issue**

The Courts  
Bureau of Professional and Occupational Affairs  
Delaware River Basin Commission  
Department of Banking and Securities  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Department of Transportation  
Governor's Office  
Insurance Department  
Milk Marketing Board  
Pennsylvania Public Utility Commission  
State Board of Nursing  
State Board of Psychology  
State Board of Vehicle Manufacturers, Dealers  
and Salespersons

**Detailed list of contents appears inside.**



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

**No. 507, February 2017**

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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 2017.

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# THE COURTS

## Title 255—LOCAL COURT RULES

### CAMBRIA COUNTY

Local Rules of Judicial Administration 101, 4007.1  
and 4008.1; Misc. No. 2016-4747

#### Administrative Order

*And Now*, this 22nd day of December 2016, *It Is Hereby Ordered, Directed and Decreed* that the Cambria County Court of Common Pleas adopts the following Local Rules of Judicial Administration governing court reporting and transcripts. These Rules shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

The Cambria County District Court Administrator *Is Hereby Ordered and Directed* to:

1) File one (1) copy of the Local Rules of Judicial Administration with the Administrative Office of Pennsylvania Courts via e-mail to [rulescommittees@pacourts.us](mailto:rulescommittees@pacourts.us) and [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

2) File two (2) paper copies and one (1) computer disk containing the text of the Local Rules of Judicial Administration with the Legislative Bureau for publication in the *Pennsylvania Bulletin*;

3) Publish these Rules on the Cambria County website [www.cambriacountypa.gov](http://www.cambriacountypa.gov);

4) Incorporate these Rules into the set of Local Rules on [www.cambriacountypa.gov](http://www.cambriacountypa.gov) within thirty (30) days after publication of them in the *Pennsylvania Bulletin*; and

5) File a copy of these Rules, which shall be continuously available for inspection, in the Cambria County Prothonotary's Office.

*By the Court*

NORMAN A. KRUMENACKER, III,  
*President Judge*

#### Rule 101. Title and Citation.

These Rules shall be known as the Cambria County Local Rules of Judicial Administration and may be cited as "C.C.L.R.J.A."

#### Rule 4007.1. Requests for Transcripts.

A) All requests for transcripts shall be set forth on a standardized form provided by the Court Administrator which will include the current rates charged for transcripts. The form can be downloaded from the Cambria County website [www.cambriacountypa.gov](http://www.cambriacountypa.gov) or a copy can be obtained from the District Court Administrator's Office.

B) For an ordinary transcript, defined as necessary for the purpose of appeal or to advance litigation, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the District Court Administrator's Office. The requesting party shall also serve copies of the formal request to:

- 1) the judge presiding over the matter;
- 2) the court reporter, court recorder or transcriptionist;
- 3) opposing counsel, but if not represented, the opposing party.

C) Requests for daily, expedited, or same day transcripts shall be filed with the District Court Administrator's Office at least ten (10) days prior to the proceeding. Copies of the written request shall be delivered as required by subsection (B). In the event of an emergency, a party may request by oral motion a daily or expedited transcript.

D) When a litigant requests a transcript:

1) The litigant ordering a transcript shall make partial payment in the amount of 80% of the estimated cost of the transcript which shall be communicated to them by the court reporter or the District Court Administrator's Office within ten (10) days of the request. Payment by self-represented litigants shall be by money order only. Cash shall not be accepted. Checks or money orders are to be made payable to Cambria County and shall be delivered to the District Court Administrator's Office.

2) The court reporter or transcriptionist shall prepare the transcript upon direction of the District Court Administrator's Office after approval of the presiding judge.

3) The court reporter, court recorder, or transcriptionist shall notify the ordering party and the District Court Administrator's Office of the completion of the transcript and of any outstanding balance due. The court reporter, court recorder, or transcriptionist shall deliver a copy of the transcript to the judge presiding over the matter for review and approval.

4) Upon payment of any balance owed, the court reporter, court recorder or transcriptionist shall deliver the original transcript to the appropriate filing office and copies to the parties. Checks or money orders for the final balance are to be made payable to Cambria County and shall be delivered to the District Court Administrator's Office.

E) When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the presiding judge shall determine economic hardship pursuant to the procedure set forth in Cambria County Local Rule 4008.1(B). In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the court. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate reasonable need before the court shall waive or adjust the cost of obtaining the transcript.

F) When a transcript is requested for which the court or county is responsible for the cost, the court reporter, court recorder or transcriptionist shall prepare the transcript without the necessity of a deposit upon receipt of the request.

#### Rule 4008.1. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

A) *Costs Payable*

1) *Electronic format*—The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall be:

a. For an ordinary transcript, \$2.50 per page;

b. For an expedited transcript, \$3.50 per page, if the court reporter is able to accommodate the request; and

c. For a daily transcript, \$4.50 per page, if the court reporter is able to accommodate the request; and

d. For same day delivery, \$6.50 per page, if the court reporter is able to accommodate the request.

2) *Paper Format*—When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

B) *Economic hardship*

1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis or whose income is less than 125 percent of below the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, or same day transcripts may be waived at the court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown. The court shall advise litigants of the procedure for requesting a waiver or reduction of costs.

4) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by the In Forma Pauperis Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application shall be prepared in the form of a Petition to Waive All or a Portion of the Transcript Costs and submitted with the request for transcript.

Counsel for a represented party must provide the presiding judge with a letter of certification, as provided in Pennsylvania Rule of Civil Procedure 240(d), verifying that the client meets the financial eligibility requirements and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

C) *Assignment and allocation of transcript costs*

1) *Assignment of costs*—The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the court.

2) *Allocation of costs*—When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

D) *Copies of transcript*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be filed with the District Court Administrator's Office and be provided according to the following schedule:

- 1) \$0.75 per page bound, paper format; and,
- 2) \$0.50 per page electronic copy.

E) *Additional Costs*

A presiding judge may impose a reasonable surcharge for transcripts in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary. Such charges are at the discretion of the presiding judge.

[Pa.B. Doc. No. 17-186. Filed for public inspection February 3, 2017, 9:00 a.m.]

**FAYETTE COUNTY**

**Local Rule of Judicial Administration 5000.13; No. 94 of 2017 GD**

**Order**

*And Now*, this 12th day of January, 2017, pursuant to Pennsylvania Rule of Judicial Administration 103(c), it is hereby ordered that Fayette County Local Rule of Judicial Administration 5000.13 is rescinded, effective 30 days after publication in the *Pennsylvania Bulletin*.

The Prothonotary is directed as follows:

(1) One copy of this order shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two copies and CD-ROM of this order shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The Administrative Office of Fayette County Courts is directed as follows:

(1) Publish a copy of this order on the website of Administrative Office of Fayette County Courts.

(2) Amend the complete set of Fayette County Local Rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

*By the Court*

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

[Pa.B. Doc. No. 17-187. Filed for public inspection February 3, 2017, 9:00 a.m.]

**FAYETTE COUNTY**

**Rules of Judicial Administration 4007: Requests for Transcripts; and 4008 Transcript Costs Payable by a Requesting Party Other than the Commonwealth or a Subdivision Thereof; No. 95 of 2017 GD**

**Order**

*And Now*, this 12th day of January, 2017, it is hereby Ordered, pursuant to Rule 103 of the Pennsylvania Rules of Judicial Administration, Fayette County Rules of Judicial Administration 4007 and 4008 are adopted as follows.

The Prothonotary is directed as follows:

(1) File one copy of the Local Rules with the Administrative Office of Pennsylvania Courts.

(2) Two copies and CD-ROM of the Local Rules shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One copy of the Local Rules shall be sent to the Fayette County Law Library.

(4) One copy of the Local Rules shall be sent to the Editor of the *Fayette Legal Journal*.

The Administrative Office of Fayette County Courts is directed as follows:

(1) Publish a copy of these rules on the website of Administrative Office of Fayette County Courts.

(2) Compile these rules within the complete set of Fayette County Local Rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

Local Rules of Judicial Administration 4007 and 4008 shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

JOHN F. WAGNER, Jr.,  
President Judge

#### Rule 4007. Requests for Transcripts.

(A) All requests for transcripts shall be set forth on a standardized form provided by the Administrative Office of Pennsylvania Courts. The "Request for Transcript or Copy" form is available in the office or on the website of the Administrative Office of Fayette County Courts. The form shall indicate the current rates authorized to be charged for transcripts under these rules.

(B) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the Administrative Office of Fayette County Courts.

(C) The production of daily, expedited, same day or rough draft transcripts are only available at the discretion of the court reporter.

(D) When a litigant requests a transcript,

(1) the district court administrator shall request the court reporter to estimate the transcript cost. The ordering party shall make partial payment in the amount of seventy-five percent (75%) of the estimated transcript cost. All payments are nonrefundable and shall be made by money order, certified check, or check from an attorney payable to the County of Fayette and delivered to the Administrative Office of Fayette County Courts. No payments shall be made to the court reporter.

(2) upon receipt of the deposit by the Administrative Office of Fayette County Courts, the court reporter shall prepare the transcript.

(3) the court reporter shall notify the ordering party and the district court administrator of the completion of the transcript and of the final balance due.

(4) upon payment of any balance owed to the Administrative Office of Fayette County Courts, the court reporter shall deliver the original transcript to the appropriate filing office and a copy for the ordering party in the form requested to the district court administrator.

(E) When a transcript is requested for which the court or county is responsible for the cost, the court reporter shall prepare the transcript without the necessity of a deposit.

#### Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

(A) *Costs*

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall not exceed:

- (a) for an ordinary transcript, \$2.50 per page;
- (b) for an expedited transcript, \$3.50 per page;
- (c) for a daily transcript, \$4.50 per page; and
- (d) for same day delivery, \$6.50 per page.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(B) *Economic hardship*—In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the court as provided herein. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate good cause shown before the court shall waive or adjust the cost of obtaining the transcript.

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, rough draft or same day transcripts may be waived at the court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) To request a waiver of all or a portion of transcript costs in accordance with Rule 4008(B)(1) through (B)(3), the applicant must attach to the Request for Transcript a "Petition to Proceed In Forma Pauperis and Affidavit" in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. The Petition and Affidavit are available in the office or on the website of the Administrative Office of Fayette County Courts. The applicant must file the Petition and Affidavit in the appropriate filing office and provide a copy to the Administrative Office of Fayette County Courts for presentation as a routine motion to the presiding judge.

(5) To proceed under Rule 4008(B)(3), after presentation of the "Petition to Proceed In Forma Pauperis and Affidavit" through Motions Court, the presiding judge, at his or her discretion, may schedule a hearing to determine whether the applicant has established good cause to



receive a waiver of all or a portion of transcript costs. The determination of good cause shown is at the discretion of the presiding judge.

(6) Litigants who have been approved for representation by legal aid services are not required to prove economic hardship. Legal aid services shall be entitled to obtain ordinary transcripts for no cost by attaching to their Request for Transcript a letter of certification verifying in accordance with Rule 4008(B) that the represented client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

(7) Transcripts requested in accordance with Rule 4008(B)(1) through (B)(3) shall have costs imputed to the County of Fayette for payment to the court reporter. In accordance with Rule 4007(E), no deposit shall be required.

(C) *Assignment and allocation of transcript costs*

(1) *Assignment of costs.* The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Original costs to produce the transcript shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) *Allocation of costs.* When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(D) *Copies of transcript*

(1) A request for a copy of any transcript previously ordered, transcribed and filed of record shall be made pursuant to the "Request for Transcript or Copy" form and the request filed with the Administrative Office of Fayette County Courts.

(a) If the request is for an electronic copy, the Administrative Office of Fayette County Courts shall collect \$0.50 per page and direct the court reporter to provide the electronic copy to the district court administrator for the requesting party.

(b) If the request is for a paper format copy, the district court administrator shall notify the filing office to collect \$0.75 per page, prepare a paper copy of the transcript, and provide the copy to the requesting party.

[Pa.B. Doc. No. 17-188. Filed for public inspection February 3, 2017, 9:00 a.m.]

JEFFERSON COUNTY

**Order Implementing New Local Rules of Judicial Administration Governing Court Reporting and Transcripts; 1-2017 A.D.**

**Order**

*And Now*, this 19th day of January 2017, the Court hereby adopts Local Rules of Judicial Administration (Jeff.Co.R.J.A. or L.R.J.A.) 4002, 4007, and 4008, which shall supplement the corresponding State Rules of Judicial Administration and shall govern in Jefferson County. Copies of those Rules follow this order for reference.

This Order shall become effective thirty (30) days after the date when the corresponding Rules are published in the *Pennsylvania Bulletin*.

*By the Court*

HONORABLE JOHN HENRY FORADORA,  
*President Judge*

**L.R.J.A. 4002. Definitions.**

(A) Commonwealth or subdivision thereof includes any Pennsylvania state, county, regional, or municipal government entity, including any department, board, attorney, employee or agent acting on behalf of that entity.

(B) Transcript includes any electronic or paper record, including orders, prepared by a court reporter of any proceeding presided over by a judge, a magisterial district judge, or a master.

(C) All transcripts fall into one or two categories regarding need and purpose:

(1) An ordinary transcript is either:

(a) required by rule because notice of appeal has been filed; or

(b) required by order or rule to advance litigation in a matter currently before the court.

(2) A non-ordinary transcript is any transcript requested or prepared for any reason other than ordinary as defined in section (C)(1) above.

(D) The terms expedited, daily, and same day delivery refer to variations in the delivery deadline and cost for non-ordinary transcripts.

**L.R.J.A. 4007. Requests for Transcripts.**

(A) All requests for transcripts shall be set forth on a standardized Request for Transcript form provided by the Court Administrator of Pennsylvania. The Request for Transcript form can be downloaded from the Jefferson County website at [www.jeffersoncountypa.com](http://www.jeffersoncountypa.com) or a copy can be obtained at the district court administrator's office.

(B) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the district court administrator. The requesting party shall also serve copies of the formal request to:

(1) the judge presiding over the matter;

(2) the court reporter assigned to the proceeding;

(3) opposing counsel, but if not represented, the opposing party.

(C) Expedited, daily, and same day transcripts are generally not available. If a party wishes to request a non-ordinary transcript, said request shall be filed in writing with the district court administrator at least 10 days prior to the proceeding. Court approval will be required.

(D) When a litigant requests a transcript,

(1) the litigant ordering the transcript shall make a non-refundable, partial payment of 90% of the estimated total cost of the transcript. The payment deposit shall be paid by cash, money order, certified check, or law firm check made payable to Jefferson County and shall be delivered to the district court administrator.

(2) Upon receipt of the 90% deposit, the court reporter(s) assigned to the proceeding shall be directed by the district court administrator to prepare the transcript.

(3) The court reporter shall notify the ordering party and the district court administrator upon completion of the transcript and shall indicate the balance due.

(4) Final payment shall be paid by cash, money order, certified check, or law firm check made payable to Jefferson County and shall be delivered to the district court administrator. Upon payment of any balance owed, the court reporter(s) shall deliver the original transcript to the appropriate filing office and copies to the parties.

(E) Any requests by a litigant for a transcript pursuant to Pa.R.J.A. 4007(E) alleging inability to pay due to economic hardship must be directed to the presiding judge for determination as provided in 4008(B).

(F) When a transcript is requested for which the court or county is responsible for the cost, the court reporter shall prepare the transcript at the direction of the district court administrator after approval by the judge presiding over the matter who will determine the priority of the request.

**L.R.J.A. 4008. Transcript Costs Payable by a Requesting Party Other than the Commonwealth or a Subdivision Thereof.**

(A) *Costs*

(1) *Electronic Format.* The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall not exceed:

- (a) for an ordinary transcript, \$2.50 per page;
- (b) for an expedited transcript, \$3.50 per page, with Court approval;
- (c) for daily transcript, \$4.50 per page, with Court approval;
- (d) for same day delivery, \$6.50 per page, with Court approval.

(2) *Paper Format.* When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(B) *Economic hardship—minimum standards*

The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Pa.R.C.P. 240(h). Such application shall be prepared in the form of a

Petition to Waive All or a Portion of the Transcript Costs and submitted with the request for transcript. No reduction or waiver of costs shall be requested or granted for any non-ordinary transcript unless the requesting party demonstrates extraordinary need.

(C) *Copies of transcript*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

- (1) \$0.75 per page bound, paper format; and,
- (2) \$0.50 per page electronic copy, not to exceed \$50.00.

(D) *Additional Costs*

A trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary. Such surcharges are at the discretion of the trial judge.

[Pa.B. Doc. No. 17-189. Filed for public inspection February 3, 2017, 9:00 a.m.]

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that Scott Browning Gilly having been suspended from the practice of law in the United States District Court for the Southern District of New York by Order dated September 12, 2016; the Supreme Court of Pennsylvania issued an Order dated January 18, 2017 suspending Scott Browning Gilly from the practice of law in this Commonwealth for a period of one year. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 17-190. Filed for public inspection February 3, 2017, 9:00 a.m.]

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# NOTICES

## BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

### Consent Form for Prescribing Opioid Medications to a Minor

The act of November 2, 2016 (P.L. 983, No. 125) (Act 125) added 35 Pa.C.S. Chapter 52A (relating to prescribing opioids to minors). Under 35 Pa.C.S. Chapter 52A, the Bureau of Professional and Occupational Affairs (Bureau) has the authority to prescribe the consent form to be executed by the minor's parent, guardian or other authorized adult for the prescription of opioid medication to a minor as required under 35 Pa.C.S. § 52A04(a)(3) (relating to procedure). Therefore, in accordance with 35 Pa.C.S. § 52A02(b)(2) (relating to administration), the Commissioner of Professional and Occupational Affairs provides notice of the approval of the following written consent form, which is available on the Bureau's web site at [www.dos.pa.gov/ProfessionalLicensing](http://www.dos.pa.gov/ProfessionalLicensing). In accordance with section 2 of Act 125, the provisions of 35 Pa.C.S. §§ 52A03—52A05 are effective upon the publication of this notice.

IAN J. HARLOW,  
*Commissioner*

#### CONSENT TO PRESCRIBE OPIOID MEDICATION TO A MINOR

*Background:* Pennsylvania law requires that in most non-emergency circumstances, a minor may only be prescribed opioid medications (morphine-like drugs) if the prescriber first discusses the potential risks associated with the medication with the minor and also with the minor's parent, guardian, or an adult who has a valid health care proxy to consent to the minor's medical treatment. This consent form memorializes that the prescriber discussed the risks associated with opioid medications with you and the minor-patient. Please review the information listed and put your initials next to each item after you and the minor-patient have discussed the risks with the prescriber and feel you understand and accept what each statement says.

Patient Name:
Patient's Date of Birth:
Name of Parent/Guardian/Authorized Adult:

\_\_\_\_\_  
Signature of parent/guardian/authorized adult  
Circle the appropriate relationship

\_\_\_\_\_  
Dated

Name of Medication (brand or generic name):
Quantity:
Amount of initial dose:
Number of refills:*

The medication being prescribed above is a controlled substance containing an opioid. This means the medication has been identified by the United States Drug Enforcement Administration as having a potential for abuse, dependence or misuse.

As the responsible prescriber, I certify that I have discussed with both the minor, as well as with the minor's parent/guardian/authorized adult the following items:

- |  | Adult Initial |
|--|---------------|
| (i) The risks of addiction and overdose associated with the controlled substance containing an opioid.   | _____         |
| (ii) The increased risk of addiction to controlled substances to individuals suffering from mental or substance use disorders.                                   | _____         |
| (iii) The dangers of taking a controlled substance containing an opioid with benzodiazepines, alcohol or other central nervous system depressants.               | _____         |
| (iv) Any other information in the patient counseling information section of the labeling for controlled substances containing an opioid that I deemed necessary. | _____         |

\_\_\_\_\_  
Signature of prescriber

\_\_\_\_\_  
Dated

\* If the adult consenting to treatment is someone other than a parent or guardian (i.e. an authorized adult acting pursuant to a valid health care proxy), the prescription for an opioid-containing drug must be limited to not more than a single, 72-hour supply and must indicate on the prescription the quantity that is to be dispensed pursuant to the prescription. (35 Pa.C.S. 52A04(c))

This form must be maintained in the minor's record with the prescriber.

[Pa.B. Doc. No. 17-191. Filed for public inspection February 3, 2017, 9:00 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, February 15, 2017. A business meeting will be held on Wednesday, March 15, 2017. The hearing and business meeting are open to the public and will be held at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

*Public hearing.* The public hearing on February 15, 2017, will begin at 1:30 p.m. Hearing items will include draft dockets for the withdrawals, discharges and other water-related projects subject to the Commission's review, and a resolution to adopt the Commission's Water Resources Program for Fiscal Years 2017—2019.

Written comments on matters scheduled for hearing on February 15, 2017, will be accepted through 5 p.m. on February 21, 2017. Time permitting, an opportunity for open public comment will be provided upon the conclusion of Commission business at the March 15, 2017, business meeting; in accordance with recent format changes, this opportunity will not be offered upon completion of the public hearing.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review, and items may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that project details commonly change in the course of the Commission's review, which is ongoing.

1. *Cambridge Lee Industries, Inc., D-1970-120-3.* An application to renew the applicant's existing discharge of industrial process water from its copper pipe manufacturing facility. The facility will continue to discharge 0.0112 million gallons per day (mgd) of cooling tower blowdown and pretreatment system backwash from Plant No. 4 operations (Outfall No. 001), and 0.76 mgd of cooling tower blowdown and noncontact cooling water (NCCW) from Plant Nos. 2 and 3 operations (Outfall No. 002). The application includes a request to continue a total dissolved solids determination of 15,200 mg/l for Outfall No. 001. No modifications to the existing facilities are proposed. The facility will continue to discharge industrial process water from two outfalls (Outfall Nos. 001 and 002) to the Schuylkill River at River Mile 92.47—86.5 (Delaware River—Schuylkill River), located in Ontelaunee Township, Berks County, PA.

2. *Middle Smithfield Township, D-1973-209 CP-3.* An application to renew the approval of the applicant's existing 0.05 mgd Winona Lakes Wastewater Treatment Plant (WWTP) and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to dis-

charge treated effluent to Bush Kill at River Mile 226.9—5.5 (Delaware River—Bush Kill) and is located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which is classified as Special Protection Waters, in Middle Smithfield Township, Monroe County, PA.

3. *Myerstown Borough, D-1974-176 CP-4.* An application to renew the approval of the existing 2.0 mgd Myerstown Borough WWTP and its discharge. No modifications are proposed. The WWTP will continue to discharge to Tulpehocken Creek, which is tributary of the Schuylkill River, at River Mile 92.47—76.8—34 (Delaware River—Schuylkill River—Tulpehocken Creek), in Jackson Township, Lebanon County, PA.

4. *Pennsylvania American Water Company, D-1991-014 CP-4.* An application to renew the approval of the applicant's existing 0.1833 mgd Blue Mountain Lake WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Sambo Creek, a tributary of Broadhead Creek at River Mile 213.0—5.3—2.9 (Delaware River—Broadhead Creek—Sambo Creek), and is located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which is classified as Special Protection Waters, in Stroud Township, Monroe County, PA.

5. *Plum Creek Municipal Authority, D-1991-020 CP-4.* An application to renew the approval of an existing groundwater withdrawal of up to 12.4 million gallons per month (mgm) to supply the applicant's public water supply distribution system from existing Wells Nos. 1, 3, 6 and 8. The requested allocation is not an increase from the previous allocation. The project wells are completed in the Long Run Member of the Catskill Formation. The project is located in the Plum Creek Watershed in Wayne and South Mainheim Townships, Schuylkill County, PA.

6. *Lake Adventure Community Association, D-1993-062 CP-3.* An application to renew the approval of the applicant's existing 0.16 mgd WWTP, its surface water discharge and its discharge to land by spray irrigation. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Birchy Creek at River Mile 273.2—13.3—0.2—0.7 (Delaware River—Shohola Creek—Birchy Creek—UNT Birchy Creek), and is located within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which is classified as Special Protection Waters, in Dingman Township, Pike County, PA.

7. *Downingtown Area Regional Authority, D-1998-033 CP-4.* An application to renew the approval of the applicant's existing 7.5 mgd Downingtown Regional Water Pollution Control Center WWTP and its discharge. Treated effluent will continue to be discharged to the East Branch Brandywine Creek at River Mile 70.7—1.5—20.0—7.7 (Delaware River—Christina River—Brandywine Creek—East Branch Brandywine Creek) by Outfall No. 001, in East Caln Township, Chester County, PA.



8. *Skytop Lodge Corporation, D-2006-013-3*. An application to renew the approval of the existing 0.075 mgd Skytop Lodge WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Leavitt Branch, which is a tributary of Brodhead Creek, at River Mile 213—21.2—3.8 (Delaware River—Brodhead Creek—Leavitt Branch), within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Barrett Township, Monroe County, PA.

9. *Blue Ridge Country Club, D-2006-018-2*. An application to renew the approval of an existing groundwater withdrawal of up to 10.59 mgm to irrigate the applicant's golf course from existing Wells Nos. 1, 2, 4 and 5 and an existing constructed pond. The project wells are completed in the Walcksville Member of the Catskill Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Fireline Creek Watershed in Lower Towamensing Township, Carbon County, PA within the drainage area of the section of the main stem Delaware River known as the Lower Delaware which is classified as Special Protection Waters.

10. *Pocono Manor Investors, LP, D-2006-026 CP-4*. An application to renew the approval of the existing 0.14 mgd Pocono Manor WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge to Swiftwater Creek, which is tributary of Paradise Creek, which is tributary of Brodhead Creek, at River Mile 213.0—11.4—4.4—5.3 (Delaware River—Brodhead Creek—Paradise Creek—Swiftwater Creek) and is located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which is classified as Special Protection Waters, in Pocono Township, Monroe County, PA.

11. *Nestlé Purina Petcare Company, D-1984-002-6*. An application to approve new Well No. 8 for inclusion into the applicant's manufacturing water supply system and to renew the approval of an existing groundwater withdrawal of up to 26.784 mgm from existing Wells Nos. 2, 5—7 and new Well No. 8. The requested allocation is not an increase from the previous allocation. The project wells are completed in the Epler Formation, which is part of the Beekmantown Group in the Jordan Creek Watershed, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which is classified as Special Protection Waters, in South Whitehall Township, Lehigh County, PA.

12. *NGK Metals Corporation, D-1989-053-4*. An application to approve the discharge of remediation water from the existing 0.17 mgd groundwater treatment plant (GTP), as well as withdrawal of up to 5.27 mgm of groundwater from existing Wells Nos. DW-12, DW-13 and DW-32. The requested allocation is not an increase from the previous allocation. The project wells are completed in the Allentown Formation. The GTP will continue to discharge treated groundwater to Laurel Run, which is a tributary of the Schuylkill River by Outfall No. 2 at River Mile 92.47—80.4—2.3 (Delaware River—Schuylkill River—Laurel Run) in Muhlenberg Township, Berks County, PA.

13. *Naval Surface Warfare Center, Philadelphia Division, D-2009-003 CP-2*. An application to renew the approval of an existing surface water withdrawal and increase the allocation from 1,147.25 mgm to 2,263.248 mgm from existing surface water intakes Building No. 633 NCCW 001 and Building No. 824 NCCW 001 located

in the Navy Reserve Basin, which is connected by a channel linked to the Schuylkill River. The surface water is used for the purpose of once-through noncontact cooling of land-based test sites of ship systems associated with the Naval Surface Warfare Center, Philadelphia Division. The intakes and reserve basin are located in the tidal portion of the Schuylkill River in the City of Philadelphia, Philadelphia County, PA.

14. *Naval Surface Warfare Center, Philadelphia Division, D-2009-004 CP-2*. An application to renew the approval of an expansion of the discharge of NCCW and process water from the docket holder's Naval Ship Systems Engineering Station (NAVSES). The NAVSES currently withdraws water from the Navy Reserve Basin, which is located on the tidal Schuylkill River in Delaware River Water Quality Zone 4, for temporary, intermittent, land-based tests of ship systems and discharges up to 24.0 mgd of NCCW from Outfall No. 001 to the Navy Reserve Basin and up to 0.60 mgd of process water from Outfall No. 005 directly to the Delaware River in Water Quality Zone 4. The docket holder proposes to expand the capacity of the ship systems' tests to discharge up to 72.0 mgd of NCCW from Outfall No. 001 to the Navy Reserve Basin. The discharge from Outfall No. 005 will remain at 0.60 mgd. The facility is located in the City of Philadelphia, Philadelphia County, PA.

15. *Upper Makefield Township, D-2016-006 CP-1*. An application to approve the applicant's existing 0.0202 mgd Dutchess Farms WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Jericho Creek at River Mile 144.1—3.7—0.9 (Delaware River—Jericho Creek—UNT Jericho Creek) by Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Upper Makefield Township, Bucks County, PA.

16. *Eastern Shore Natural Gas Company, D-2016-007-1*. An application to approve the construction of the applicant's 2017 Expansion Project, including four loops totaling approximately 7.81 miles of new natural gas pipeline and one above-ground facility (mainline valve) located within the Delaware River Basin. Hydrostatic test water will be obtained from municipal sources and discharged to vegetated, upland areas. The Jennersville Loop portion of the project crosses three designated tributaries of the White Clay Creek Natural Wild and Scenic River and the Summit Loop portion of the project crosses the C & D Canal Wildlife Management Area, which are recreation project areas designated in the Commission's Comprehensive Plan. The Delaware River Basin portion of the project is located in the Doe Run, West Branch White Clay Creek, Upper Christina River and C & D Canal East—Delaware River Watersheds in Highland, Penn, New London and Franklin Townships, Chester County, PA, Cecil County, MD, and New Castle County, DE.

17. *Aqua Pennsylvania Wastewater, Inc., D-2016-011-1*. An application to approve the applicant's existing 0.070 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Pond Creek, which is a tributary of the Lehigh River, at River Mile 183.7—88.8—2.5 (Delaware River—Lehigh River—Pond Creek), within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Thornhurst Township, Lackawanna County, PA.

*Public meeting.* The public business meeting on March 15, 2017, will begin at 10:30 a.m. and will include adoption of the minutes of the Commission's December 14, 2016, business meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel and consideration of any items for which a hearing has been completed or is not required. The latter are expected to include resolutions for the minutes: (a) authorizing the Executive Director to enter into a professional services contract with LimnoTech to support the development of a hydrodynamic and water quality model of eutrophication effects for the Delaware River Estuary; and (b) providing for implementation of an e-comment system for the collection of public comments.

After all scheduled business has been completed and as time allows, the business meeting will also include up to 1 hour of open public comment.

There will be no opportunity for additional public comment for the record at the March 15, 2017, business meeting on items for which a hearing was completed on February 15, 2017, or a previous date. Commission consideration on March 15, 2017, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment on the record during the public hearing

on February 15, 2017, or to address the Commissioners informally during the open public comment portion of the meeting on March 15, 2017, as time allows, are asked to sign up in advance by contacting Paula Schmitt, paula.schmitt@drbc.nj.gov.

*Addresses for written comment.* Written comment on items scheduled for hearing may be delivered by hand at the public hearing or by hand, United States Mail or private carrier to the Commission Secretary, P.O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522 or e-mail (preferred) to paula.schmitt@drbc.nj.gov. If submitted by e-mail, written comments on a docket should also be sent to David Kovach, Manager, Project Review Section, david.kovach@drbc.nj.gov.

*Accommodations for special needs.* Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational meeting, conference session or hearings should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services at 711 to discuss how the Commission can accommodate their needs.

*Additional information, contacts.* Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Carol Adamovic at (609) 883-9500, Ext. 249. For other questions concerning hearing items, contact Judith Scharite, Project Review Section assistant at (609) 883-9500, Ext. 216.

PAMELA M. BUSH,  
*Secretary*

[Pa.B. Doc. No. 17-192. Filed for public inspection February 3, 2017, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 24, 2017.

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

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-17-2017	Univest Bank and Trust Co. Souderton Montgomery County	216 Hartman Bridge Road Strasburg (Ronks) Lancaster County	Filed
1-23-2017	Washington Financial Bank Washington Washington County	1803 Main Street Burgettstown Washington County	Approved

## CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-193. Filed for public inspection February 3, 2017, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0218634 (Sewage)	Heilwood Water Treatment Plant 602 Kolter Drive Indiana, PA 15701	Indiana County Pine Township	Yellow Creek (18-D)	Yes
PA0040843 (Sewage)	Sequanota Lutheran Conference Center & Camp P O Box 245 Jennerstown, PA 15547	Somerset County Jenner Township	Unnamed Tributary to Pickings Run (18-E)	Yes
PA0095303 (Sewage)	Purchase Line High School & South Elementary 16559 Route 286 Highway E Commodore, PA 15729	Indiana County Green Township	Unnamed Tributary to East Run (17-D)	Yes
PA0040843 (Sewage)	Sequanota Lutheran Conference Center & Camp P O Box 245 Jennerstown, PA 15547	Somerset County Jenner Township	Unnamed Tributary to Pickings Run (18-E)	Yes
PA0218561 (Sewage)	Duman Lake Park 200 S Center Street Ebensburg, PA 15931-1941	Cambria County Barr Township	Crooked Run (18-D)	Yes
PA0218634 (Sewage)	Heilwood Water Treatment Plant 602 Kolter Drive Indiana, PA 15701	Indiana County Pine Township	Yellow Creek (18-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0056570 (Storm Water)	Hoover Treated Wood Products Oxford Facility 154 Wire Road Thomson, GA 30824	Chester County East Nottingham Township	Unnamed Tributary to Little Elk Creek (7-K)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261718 (SEW)	Winter Greenes Homeowners Association 12001 Morningstar Place Lovettsville, VA 20180	Franklin County Montgomery Township	Little Conococheague Creek/ 13-C	Y
PA0085014 (SEW)	Conestoga Township 3959 Main St Conestoga, PA 17516	Lancaster County Conestoga Township	UNT Susquehanna River/7-K	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239879 (Sewage)	Joanne K & Timothy R Krahe SRSTP 7012 Bargain Road Erie, PA 16509	Erie County McKean Township	Unnamed Tributary to Walnut Creek (15-A)	Yes



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

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

**PA0110663**, Sewage, **Cresson Borough Municipal Authority**, 631 Second Street, Cresson, PA 16630. Facility Name: Cresson Borough STP. This existing facility is located in Cresson Borough, **Cambria 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), Howells Run and Little Conemaugh River, is located in State Water Plan watershed 18-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 1.5 MGD.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Bis(2-Ethylhexyl)Phthalate (µg/L)	XXX	XXX	Report	XXX	Report	XXX
1st month—36th month						
37th month—expiration	XXX	XXX	1.45	XXX	2.5	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		
Manganese, Total	Report	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Min			
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
			Min			
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	Report	XXX	XXX	XXX
		Daily Max				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	Report	XXX	XXX	XXX
		Daily Max				
Ultraviolet Light Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
			Min			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	312.9	469.4	25.0	37.5	XXX	50
Total Suspended Solids	375.5	563.3	30.0	45.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
Nov 1 - Feb 28, Apr 1 - 30	31.3	XXX	2.5	XXX	XXX	5
May 1 - Oct 31	23.8	XXX	1.9	XXX	XXX	3.8

The EPA Waiver is not in effect.

**PA0038164**, Sewage, SIC Code 4952, **Confluence Borough Municipal Authority**, PO Box 6, Confluence, PA 15424. Facility Name: Confluence Borough STP. This existing facility is located in Confluence Borough, **Somerset 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), Youghiogheny River, is located in State Water Plan watershed 19-E and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.137 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	0.137	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	1.6
CBOD <sub>5</sub>	28.5	42.8	XXX	25	38	50
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	34.3	51.4	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	Report
					Wkly Avg	
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The EPA Waiver is in effect.

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

**PA0023442**, Sewage, SIC Code 4952, **Wrightsville Borough Municipal Authority**, 601 Water Street, Wrightsville, PA 17368-1506. Facility Name: Wrightsville Borough Municipal Authority WWTP. This existing facility is located in Wrightsville Borough, **York 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), Susquehanna River, is located in State Water Plan watershed 7-I 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 0.4 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	83	133	XXX	25.0	40.0	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	100	150	XXX	30.0	45.0	60
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
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
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	6.7	XXX	XXX	2.0	XXX	4.0

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

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

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

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

The EPA Waiver is not in effect.

**PA0027189**, Sewage, SIC Code 4952, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428. Facility Name: Lower Allen WWTP. This existing facility is located in Lower Allen 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), Susquehanna River, is located in State Water Plan watershed 7-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 7.5 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	1,564	2,502	XXX	25.0	40.0	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,877	2,815	XXX	30.0	45.0	60
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
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
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	125	XXX	XXX	2.0	XXX	4.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	114,154	XXX	XXX	XXX
Net Total Phosphorus	Report	15,221	XXX	XXX	XXX



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

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

- Chesapeake Bay Nutrient 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.

**PA0261734**, Sewage, SIC Code 8811, **Moore Genevieve E & Moore Stephen J**, 4350 Old Orchard Road, York, PA 17402. Facility Name: Moore Stephen Residence. This existing facility is located in Springettsbury Township, **York County**.

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

The receiving stream(s), Unnamed Tributary of Kreutz Creek, is located in State Water Plan watershed 07I and is classified for Migratory Fishes and 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 0.0004 MGD.—Limits.

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

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

The NPDES renewal includes the following Part C requirements:

1. Submittal of AMR data.
2. Annual measurement of sludge in all treatments units. Pumping of sludge may be required depending on the amount of sludge present or on at least a 3-year interval.
3. Optimize chlorine dosages for disinfection.
4. Management of stormwater to minimize entry into a storm sewer.
5. Acquisition of necessary property rights by easement.
6. Proper disposal of sludge.

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.

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

**PA0027171**, Sewage, SIC Code 4952, **Municipal Authority of the Town of Bloomsburg**, 301 E 2nd Street, Bloomsburg, PA 17815-1963. Facility Name: Bloomsburg Municipal Authority Wastewater Treatment Plant. This existing facility is located in Town of Bloomsburg, **Columbia 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), Susquehanna River, is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.29 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	890	1,430	XXX	25	40	50
		Wkly Avg			Wkly Avg	
Total Residual Chlorine (TRC) (Interim)	XXX	XXX	XXX	0.78	XXX	4.0
(Final)	XXX	XXX	XXX	0.35	XXX	1.16
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,070	1,610	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Antimony, Total (µg/L)	Report	Report	XXX	Report	Report	XXX
Cobalt, Total	5.36	10.73	XXX	0.15	0.30	0.37
Copper, Total (Interim)	Report	Report	XXX	Report	Report	XXX
Copper, Total (µg/L) (Final)	0.97	1.94	XXX	27.24	54.48	68.1
Acrolein (µg/L)	Report	Report	XXX	Report	Report	XXX
Acrylonitrile (µg/L)	Report	Report	XXX	Report	Report	XXX
3,4-Benzofluoranthene (µg/L)	Report	Report	XXX	Report	Report	XXX
Vinyl Chloride (µg/L)	Report	Report	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	78,355	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	10,447	XXX	XXX	XXX	XXX

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

**PA0028461**, Sewage, SIC Code 4952, **Mifflinburg Borough Union County**, 120 N 3rd Street, Mifflinburg, PA 17844-1134. Facility Name: Mifflinburg Borough Municipal Authority Sewer System STP. This existing facility is located in Mifflinburg Borough, **Union 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), Buffalo Creek, is located in State Water Plan watershed 10-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0 Max XXX	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	292	467	XXX	25	40	50
May 1 - Oct 31	99	140	XXX	8.5	12	17
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	350	525	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs)						
(lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	91	128	XXX	7.8	11	15
May 1 - Oct 31	30	45	XXX	2.6	3.9	5.2
Ammonia-Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)						
(lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
(lbs)						
Mercury, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Ultraviolet light dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs)						
(lbs)	XXX	25,570 Total Annual	XXX	XXX	XXX	XXX
Effluent Net	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
(lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
(lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
(lbs)						

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Phosphorus (Total Load, lbs) (lbs)						
Effluent Net	XXX	3,409 Total Annual	XXX	XXX	XXX	XXX

The proposed effluent limits for Stormwater Outfall 002 are based on a design flow of 0 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

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

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

- Chesapeake Bay Requirements
- Requirements for Stormwater Discharges

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 2316407**, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located Media Borough, **Delaware County**.

Description of Action/Activity: Sanitary sewer pump station.

**WQM Permit No. 4616406**, Sewage, **Schwenksville Borough Authority**, 298 Main Street, P.O. Box 458, Schwenksville, PA 19473.

This proposed facility is located in Schwenksville Borough, **Montgomery County**.

Description of Action/Activity: Conversion of gaseous chlorine to liquid chlorine for disinfection at the Wastewater Treatment Plant.

**WQM Permit No. WQG02461609**, Sewage, **Lower Frederick Township**, 53 Spring Mount Road, Zeiglerville, PA 19492.

This proposed facility is located in Lower Frederick Township, **Montgomery County**.

Description of Action/Activity: Construction of a submersible pump station to accept flow from approximately 75 existing homes & sewer lines to convey flows to an existing treatment plant.

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

**WQM Permit No. 2116409**, Sewerage, **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17050.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction of the Deimler Interceptor and Force Main.

**WQM Permit No. 2216406**, Sewerage, **Dennis and Marley Rivera**, 1049 North Fairville Avenue, Harrisburg, PA 17112.

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

Description of Proposed Action/Activity: Seeking permit approval for the installation of a small flow treatment facility for a proposed single-family residence.

**WQM Permit No. 5016401**, Sewerage, **Justin Zitsch**, 201 Fawn Court, Marysville, PA 17053.

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

Description of Proposed Action/Activity: Seeking permit approval for the installation of a small flow treatment facility for a proposed single-family residence.

**WQM Permit No. 0616409**, Sewerage, **Prime Home Investments**, 1525 Oregon Pike, Suite 2001, Lancaster, PA 17601.

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

Description of Proposed Action/Activity: Seeking permit approval for the installation of a small flow treatment facility for a single-family residence replacing a failed system.

**WQM Permit No. 0616202**, Sewerage, **Zahncroft Dairy, LLC**, 3993 Smaltz Road, Womelsdorf, PA 19567.

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

Description of Proposed Action/Activity: Expansion operation including an existing manure storage facility and two proposed HDPE lined manure storage ponds for an existing dairy farm.

**WQM Permit No. 2117401**, Sewerage, **Colonel Denning State Park**, 1599 Doubling Gap Rd, Newville, PA 17241.

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

Description of Proposed Action/Activity: The demolition of existing campground comfort station and dressing stockade; replace with new campground showerhouse and comfort station. Modify existing sanitary dump station.

**WQM Permit No. 0617401**, Sewerage, **Fleetwood Borough STP**, 110 West Arch Street, Suite 104, Fleetwood, PA 19522.

This proposed facility is located in Fleetwood Borough, **Berks County**.

Description of Proposed Action/Activity: The replacement of sewer force main, gravity sewer, and water lines on East Vine Street.

**WQM Permit No. 3617201**, Sewerage, **S&A Kreider & Sons, Inc.**, 761 Spring Valley Road, Quarryville, PA 17566.

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

Description of Proposed Action/Activity: Construction of a heifer barn, manure storage structure, access drives, stormwater management facilities.

**WQM Permit No. 3674409 A4**, Sewerage, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517.

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

Description of Proposed Action/Activity: The addition of sludge reed beds to supplement the existing reed beds and replacement and automation of reed bed valves.

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

**WQM Permit No. 6217401**, Sewage, **Cathy Hasbrouck**, 595 Plank Road, Corry, PA 16407.

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

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

**WQM Permit No. 4317401**, Sewage, **PA DOT Bureau Of Project Delivery**, P.O. Box 3060, Harrisburg, PA 17105-3060.

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

Description of Proposed Action/Activity: Replace in-ground STP with new 8,700 gpd package treatment plant.

**WQM Permit No. 4317402**, Sewage, **PA DOT Bureau Of Project Delivery**, P.O. Box 3060, Harrisburg, PA 17105-3060.

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

Description of Proposed Action/Activity: Replace in-ground STP with new 8,700 gpd package treatment plant.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150011	Swedesford Square Apartments L/CAL Limited Partnership	Chester	East Whiteland Township	Valley Creek EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390011	Audra Kahr Cedar Crest College 100 College Drive Allentown, PA 18104	Lehigh	City of Allentown	Cedar Creek (HQ-CWF, MF)



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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450004	Kalahari Resorts, LLC 1305 Kalahari Drive P.O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna and Pocono Townships	Swiftwater Creek (EV) UNT to Swiftwater Creek (EV) Indian Run Creek (EV) UNT to Indian Run Creek (EV)
PAD450012	RPM Realty Company 505 Fawn Road East Stroudsburg, PA 18301	Monroe	Hamilton Township	McMichaels Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480007	VerTek Construction Management c/o Mr. Ron Check 7171 Airport Road, Suite 200 Bath, PA 18041	Northampton	East Allen Township	Monocacy Creek (HQ-CWF, MF) Catasauqua Creek (CWF, MF)

*Wayne County Conservation District, 648 Park Street, Honesdale, PA 18431.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD640004	Aqua PA, Inc. 1775 North Main St. Honesdale, PA 18431	Wayne	Paupack and Lake Townships	Purdy 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>
PAD670001	Goodman North American Partnership Holdings, LLC Troy Briggs 1275 Glenlivet Drive Suite 100 Allentown, PA 18106	York	Newberry Township	Fishing Creek (TSF)

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.**Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180002	Renovo Energy Center LLC 12011 Sunset Hills Road, Suite 110 Reston, VA 20190	Clinton	Renovo Borough Chapman Twp	West Branch Susquehanna River (WWF-MF) Dry Run (HQ-CWF, MF) Shintown Run (HQ-CWF, MF) Drury Run (CWF, MF) Brewery Run (HQ-CWF, MF)
PAD180004	Windy Ridge Breeder Farm LLC 166 Dugan Lane Lock Haven, PA 17745	Clinton	Pine Creek Twp	Sulpher Run (HQ-CWF, MF)

*Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI046016003	White Deer Run Drug and Alcohol Treatment Center 202 Cove Forge Road Williamsburg, PA 16693	Union	Gregg Twp	White Deer Hole Creek (HQ-CWF, TSF, MF)

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

PAG-12            CAFOs

### CAFO Notices of Intent Received

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

**NPDES Permit No. PAG122212, CAFO, Will O Bett Farm, 137 Bomboy Lane, Berwick, PA 18603.**

This existing facility is located in Salem Township, **Luzerne County**.

Description of size and scope of existing operation/activity: This facility raises finishing swine (4,800), beef steer (10) and goats (2 bucks, 10 does and 20 kids).

The receiving stream, Unnamed Tributary of Susquehanna River, is in watershed 5-D and classified for: Cold Water Fishes.

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

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

**PAG123602, CAFO, Elvin Hurst Broiler Farm, 61 Clay Rd, Lititz, PA 17543.**

This proposed facility will be located in Warwick Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 351.37 AEU/Poultry (Broiler).

The receiving stream, Lititz Run, classified for: WWF; all in watershed 7-J.

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>
Tanner Bence 544 Shankle Road Schellsburg, PA 16655	Bedford	420	135.28	Duck	NA	New
Rick Cramer Noah W. Kreider & Sons, LLP—Mt. Pleasant Facility 1486 Mount Pleasant Road Lebanon, PA 17042	Lebanon	80.3	7,503	Poultry	NA	Renewal
LHF Enterprises, LLC 932 Turner Camp Rd. Schellsburg, PA 15559	Bedford	1	684.89	Swine	NA	New

**CAFO NMP  
PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Shady Rill Farm, LLC Neil & Jay Paul Hoover 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder	642.9	915.99	Swine	NA	Renewal
Stonewall Pork, LLC 242 Alder Run Road Millerton, PA 16936	Tioga	87.7	713.42	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**

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

<b>Permit No. 0917501</b> , Public Water Supply.	
Applicant	<b>Township of Falls Authority</b>
Township	Falls
County	<b>Bucks</b>
Responsible Official	Timothy Hartman 557 Lincoln Highway Fairless Hills, PA 19030
Type of Facility	PWS
Consulting Engineer	Remington & Vernick Engineers 922 Fayette Street Conshohocken, PA 19030
Application Received Date	January 11, 2017
Description of Action	Applicant requesting permit approval to install a chemical fed system to sequester iron in the distribution system.

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

<b>Permit No. 3217508</b> , Public Water Supply.	
Applicant	<b>Indiana County Municipal Services Authority</b> 602 Kolter Drive Indiana, PA 15701
[Township or Borough]	Creekside; White, Washington, Center, Young and Conemaugh Townships
Responsible Official	Michael Duffalo, Executive Director Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
Type of Facility	Crooked Creek water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	January 9, 2017
Description of Action	Improvements to the Crooked Creek Water System including tank mixers, pump stations, pressure reducing vaults and approximately 20,000 feet of waterline.

#### 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

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

**WA48-560B**, Water Allocation, **Walnutport Authority**, 417 Lincoln Avenue, Walnutport, PA 18088-1633, **Northampton County**. The applicant is requesting the right to withdraw up to a maximum of 350,000 gallons per day (gpd), when available, from Fisher Springs or from Heimbach Quarry, in case of an emergency. These sources are located about 1/4 mile to 2 miles north of Walnutport Borough, in Lehigh Township, Northampton County.

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

**WA WA 36-181C**, Water Allocations. **City of Lancaster (PWS ID No. 7360058)**, **Lancaster County**. Water Allocation Permit Renewal for existing intakes on the Susquehanna River and Conestoga River. Applicant Address: Charlotte Katzenmoyer, Public Works Director, City of Lancaster, 120 North Duke Street, Lancaster, PA 17608-1559. Application Received: 1/10/2017.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

**Rose Transportation, Inc.**, Diesel Fuel Release, 2991 Admire Road, Dover, PA 17315, Dover Township, **York County**. EP&S of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Rose Transportation, Inc., 618 Roadway Boulevard, Pitcairn, PA 15140, and William Evaugh, 2991 Admire Road, Dover, PA 17315, submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel. The site will be remediated to the Residential Statewide Health Standard and remain

residential. The Notice of Intent to Remediate was published in *The York Dispatch/York Sunday News* and *York Daily Record* on January 4, 2017.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass.*

**Kowloon Cleaner**, 270 Main Street, Lower Salford Township, **Montgomery County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, Sui Cheong Lui, Kowloon Cleaners, 270 Mains Street, Harleysville, PA 19438 on behalf of Carey Henning, H&A Properties, LP, 290 Mains Street, Harleysville, PA 19438 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site is expected to remain commercial. A Notice of Intent to Remediate was published in the *Times Herald* on November 26, 2016. PF 814319.

**Martino Muffler**, 674 North Main Street, Doylestown Township, **Bucks County**. Sean M. Damon, P.G., LSRP, Associates, /VP, Langan Engineering and Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976-3653 on behalf of Daniel Flagler, Flagler Properties, Inc., 674 North Mains Street, Doylestown, PA 18901 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of lead. The site continues to operate as an auto repair facility with no change in use proposed. A Notice of Intent to Remediate was published in the *Intelligencer* on December 21, 2016. PF 620391.

**23 125 West Hillendale Road**, 123-125 West Hillendale Road, Kennett Township, **Chester County**. Paul A. Hagerty, Hagerty Environmental, LLC, 415 McFarlan Road, Suite 216, Kennett Square, PA 19348, John, Lynch, T.I. Hillendale, L.P., 337 Barn Hill Road, West Chester, PA 19382 on behalf of James A. Guthrie, 125 West Hillendale Road, Kennett Square, PA 19348 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of arsenic. The property will maintain its residential unrestricted use status. A Notice of Intent to Remediate was published in *The Kennett Paper* on November 24, 2016. PF 814342.

**The Estate of Ronald Barkasy**, 1242 Norton Avenue, Bristol Township, **Bucks County**. Christopher D. Vallingy, LSRP, Advanced GeoServices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19382, Bernard B. Beegle, PG, CPG, Advance GeoServices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19382 on behalf of Estate of Ronald Barkasy, c/o Ms. Dorothy Usas, Estate of Ronald Barkasy, 1 Miracle Lane, Glenville, NY 12302 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain residential. A Notice of Intent to Remediate was published in the *Bucks County Courier Times* on November 18, 2016. PF 814341.

**Rubinstein Property**, 250 East Market, 308 East Market, 100 East Minor and 126 South Franklin Street, Borough of West Chester, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Eli Kahn, 250 East Market Partners, LLC, 55 County Club Drive, Downingtown, PA 19335 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of chlorinated solvents. The future use of

the site will be residential. A Notice of Intent to Remediate was published in the *Daily Local News* on December 01, 2016. PF 814340.

**Connell Property**, 18/22 Prizer Road, East Pikeland Township, **Chester County**. Kimberly Morett, East Pikeland Township, P.O. Box 58, Kimberton, PA 19442 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of lead, copper, and zinc. The proposed future use of the property will be a municipal parking lot in Kimberton Village. A Notice of Intent to Remediate was published in the *Mercury* on November 27, 2016. PF 814334.

**Sunoco Industrial Philadelphia Refinery AO1-8**, 3114 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffanie Doerr, Evergreen Resources Management Operations, Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Charles Barksdale Jr., Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of lead. The future use of the property will remain the same. A Notice of Intent to Remediate was published in the *Philadelphia Daily News* on October 6, 2011. PF 749898.

**Bensalem Dry Cleaner**, 2735 Street Road, Bensalem Township, **Bucks County**. Brendan Moran, Kleinfelder, Inc., 180 Sheree Boulevard, Suite 3800, Exton, PA 19341 on behalf of Philip Bishop, ECHO Bensalem, LLC, 701 Alpha Drive, Pittsburgh, PA 15238 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with pce. This NIR states that a portion of the site was and is currently utilized as dry cleaning facility. A Notice of Intent to Remediate was published in the *Bucks County Courier Times* on December 22, 2016. PF 814333.

**512 East Girard Avenue**, 512 East Girard Avenue, City of Philadelphia, **Philadelphia County**. Shaun Sykes, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382, Michael Sarcinello, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf of Paul Mirabello, 512 East Girard Avenue, L.P., P.O. Box 108, Ardmore, PA 19003 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the property will be for commercial purposes. A Notice of Intent to Remediate was published in the *Philadelphia Daily News* on December 12, 2016. PF814764.

**1301-1331 North 8th Street and 1328-1330 North Perth Street**, 1301-1331 North 8th Street and 1328-1330 North Perth Street, City of Philadelphia, **Philadelphia County**. Andrew D. Hublely, Environmental Consulting Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance, Boulevard, Suite 110, King Prussia, PA 19406 on behalf of Janet Stearns, Project H.O.M.E., 1845 North 23rd Street, Philadelphia, PA 19121 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of pah, metals, and tcl and vocs. The subject property is proposed for residential redevelopment. A Notice of Intent to Remediate was published in the *Philadelphia Weekly* on December 21, 2016. PF814753.

**Coca Cola Refreshment USA, Inc.**, 801 and 949 East Erie Avenue, City of Philadelphia, **Philadelphia County**. Megan Filipovits, Antea Group, 780 East Mar-



ket Street, Suite 120, West Chester, PA 19382, Chrissy Piechoski, Antea Group, 780 East Market Street, Suite 120, West Chester, PA 19382 on behalf of Teresa Jester, Coca-Cola Refreshment USA, Inc., 725 Erie Avenue, Philadelphia, PA 19134 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of voc and arsenic. The intended future use of the properties is the same as current use, to continue to operate as a beverage distribution and storage warehouse. A Notice of Intent to Remediated was published in the *Philadelphia Inquiry* on December 27, 2017. PF814754.

**Sears Auto Center # 1654**, 1067 West Baltimore Pike, Middletown Township, **Delaware County**. Bryan Emilius, Resource Control Consultants, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060 behalf of Michael Couvreure, Sears Holdings Corporation, 3333 Beverly Road, Hoffman Estates, IL 60179 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of petroleum hydrocarbons. The future use of the property will be for retail use. A Notice of Intent to remediate was published in the *Delaware County Daily Times* on November 7, 2016. PF 809277.

**Rohm Hass Company**, River Road, Bristol Township, **Bucks County**. David J. Kistner, P.G., AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Robert Casselberry, Rohm Haas Company, 310 George Paterson Boulevard, Suite 100, Bristol, PA 19007 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of BCEE. The future use of the property will remain the same. A Notice of Intent to Remediate was published in the *Bucks County Digital First Media* on November 13, 2016. PF814264.

**Berwyn Shopping Center**, 500 Lancaster Avenue, Easttown Township, **Chester County**. James Duba, Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355, Aaron Epstein, MEA Inc., 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Theresa Susco, Berwyn Center, LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of tetrachloroethene, vinyl chloride, vocs, pce and pahs. The future use of the property will remain the same. A Notice of Intent to Remediate was published in the *Main Line Media* on November 20, 2016 PF777168.

**Rohm and Chemical Philadelphia Plant**, 500 Richmond Street, City of Philadelphia, **Philadelphia County**. Geoffrey Arbogast, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Carl Coke, The Dow Chemical Company, 310 George Patterson Boulevard, Suite 100, Bristol, PA 19007 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of vocs, svocs, pesticides, herbicides and metals. The future use of the property will remain the same. A Notice of Intent to Remediate was published in the *Philadelphia Weekly* on July 15, 2015. PF742771.

**229 West Lancaster Avenue**, 229 West Lancaster Avenue, Lower Merion Township, **Montgomery County**. William E. Hitcock, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004, Michael Christie, Penn E&R Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Edward S. Murray, III Trust c/o Robert Johnson, Jr., Edward S. Murray, III Trust, 9430 Poinciana Place, Davie, FL 33314 has submitted a Notice of Intent to Remediate. Soil and groundwater

at the site has been impacted with the release of petroleum related compounds. The future use of the property will be non-residential. PF814335.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit Application No. 301350.** Eldredge Inc., 898 Fernhill Road, West Chester, PA 19380-4202. This application is for the ten-year renewal of the residual waste permit for Eldredge Inc. facility, a residual waste oil processing facility, located at 898 Fern Hill Road, West Chester, in West Goshen Township, **Chester County**. The application was received by the Southeast Regional Office on January 11, 2017.

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

#### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments,

protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 400—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

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**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.**

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**10-037H: Sonneborn, LLC** (100 Sonneborn Lane, Petrolia, PA 10650), application received for revisions to their current operating permit in order to comply with RACT II requirements. Emissions from the facility will be reduced as a result of this project. Their existing Title V facility is located in Petrolia Borough and Fairfield Township, **Butler County**.

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**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.**

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

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

**09-0239: Aqua Pennsylvania, Inc.** (762 West Lancaster Avenue, Bryn Mawr, PA 19010) for the installation and operation of two diesel-fired emergency generators at their facility, located in Middle Township, **Bucks County**. The proposed Plan Approval is for a non-Title V facility, and will contain record keeping requirements, monitoring requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

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

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

**36-05001M: Armstrong World Industries, Inc.** (1507 River Road, Marietta, PA 17547) for the replacement/installation of various control devices and equipment on the Prime and Intermediate Line (Source ID 251) and the Tile Finishing Line (Source ID 504) to improve plant hygiene. Specifically, the following items will occur during the project: 1) the replacement of the existing 20,000 cfm internally vented baghouse (Control ID C85) & the 35,000 cfm externally vented baghouse (Control ID D03) with two (2) externally vented 50,000 cfm baghouses, 2) the temporary exhausting of Control ID C85 to the outdoor atmosphere, 3) the installation of four (4) air-knives and additional hoods/pickup points, 4) the replacement of roller conveyors with belt conveyors, 5) the replacement of the existing receiver baghouse with an 830 cfm baghouse, & 6) the replacement of the vacuum feeder stacker and a slice feeder (each equipped with an internally vented fabric filter) with a mechanical stacker (no control) and a vacuum feeder equipped with a 7,063 cfm externally vented baghouse. Actual emissions are expected to decrease due to the project in part to the more efficient dust collectors. Overall tile production at the facility will not increase due to this project since it is currently limited by the boardmill (Source ID 104) upstream. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**11-00536B: CPV Fairview, LLC** (50 Braintree Hill Office Park, Suite 300, Braintree, MA 02184) in accordance with 25 Pa. Code §§ 127.44—127.46, for intent to issue plan approval to incorporate emission reduction credits (ERCs) for nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOCs) at the CPV Fairview Energy



Center to be located at 2862 William Penn Avenue, Johnstown, PA 15909, in Jackson Township, **Cambria County**. In accordance with PA-11-00536A and 25 Pa. Code §§ 127.201—127.217, CPV shall secure 277 tons of NO<sub>x</sub> ERCs and 77 tons of VOC ERCs no later than the date approved by the Department for commencement of operation of the proposed facility. Pursuant to 25 Pa. Code § 127.208(2), the Department proposes to authorize the incorporation into plan approval PA-11-00536B the following ERCs generated at the following facilities: 277 tons of NO<sub>x</sub> ERCs from the shutdown of Boiler # 6 at the UGI Development Co. Hunlock Power Station in Hunlock Township, **Luzerne County**; 3.16 tons of VOC ERCs from Environmental Strategy Consultants, Inc. from the shutdown of various emissions sources at the G-Seven LTD facility in Hatfield Township, **Montgomery County**; 37.00 tons of VOC ERCs from the shutdown of The Hershey Company 19 East Manufacturing facility in Derry Township, Dauphin County; 5.36 tons of VOC ERCs from the shutdown of The Hershey Company Reading Plant facility located in the City of Reading, **Berks County**; 30.0 tons of VOC ERCs from Element Markets, LLC from the shutdown of various emissions sources at the CNH Industrial America, LLC Belleville Plant in Union Township, **Mifflin County**; and 1.4966 ton of VOC ERCs from the shutdown of a paint booth at the Hurst Jaws of Life, Inc. (f.k.a. Hale Products, Inc.) facility in Conshohocken Borough, **Montgomery County**.

CPV Fairview's plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the plan approval application, to receive an electronic copy of the Department's Air Quality review memorandum, or to receive an electronic copy of the Department's proposed Air Quality plan approval for the facility, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department or may submit written comments through Devin P. Tomko via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; via email to dtomko@pa.gov; or via fax to 412-442-4194. Each protest or set of written comments must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Plan Approval (11-00536B) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All written comments and protests must be received prior to the close of business 30 (thirty) days after the date of this publication.

A public hearing may be held if the Department, in its discretion, determines that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. For additional information you may contact Devin P. Tomko at 412-442-5231.

**04-00727B: Five Points Veterinary Clinic** (2057 Brodhead Rd, Aliquippa, PA 15001) in accordance with 25 Pa. Code §§ 127.44—127.46, for intent to issue plan approval to authorize the construction and temporary

operation of one (1) Matthews International-Cremation Division IEB-20 natural gas-fired crematory incinerator for the cremation of animal remains at the above referenced facility located in Hopewell Township, **Beaver County**. The facility also includes one (1) previously installed natural gas-fired crematory incinerator for the cremation of animal remains.

With annual operation of the proposed crematory incinerator limited to 3,744 hours, annual potential to emit (PTE) for the proposed crematory incinerator will not exceed 1.5 ton of carbon monoxide (CO); 0.43 ton of nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC); 0.36 ton of sulfur oxides (SO<sub>x</sub>); 1.33 ton of total particulate matter (PM); 0.99 ton of PM<sub>10</sub> and PM<sub>2.5</sub>; and 0.15 ton of total hazardous air pollutants (HAP). Total emissions from the proposed and previously installed incinerators will not exceed 2.2 tons of carbon monoxide (CO); 0.63 ton of nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC); 0.53 ton of sulfur oxides (SO<sub>x</sub>); 2.0 tons of total particulate matter (PM); 1.5 ton of PM<sub>10</sub> and PM<sub>2.5</sub>; and 0.22 ton of total hazardous air pollutants (HAP).

Best available technology (BAT) for the proposed crematory incinerator includes good combustion practices; operation and maintenance in accordance with the manufacturer's specifications and instructions; and multi-chamber design with a minimum secondary chamber temperature of 1,800DF. The proposed crematory incinerator is subject to applicable portions of 25 Pa. Code Chapters 123 and 127. The proposed Plan Approval has been conditioned to ensure compliance with all applicable regulations and includes emissions limitations, limitations on hours of operation, and also work practice, monitoring, recordkeeping, and reporting requirements.

Five Points' plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the plan approval application, to receive an electronic copy of the Department's Air Quality review memorandum, or to receive an electronic copy of the Department's proposed Air Quality plan approval for the facility, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department or may submit written comments through Devin P. Tomko via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; via email to dtomko@pa.gov; or via fax to 412-442-4194. Each protest or set of written comments must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Plan Approval (04-00727B) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All written comments and protests must be received prior to the close of business 30 (thirty) days after the date of this publication.

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

cation by telephone is sufficient. For additional information you may contact Devin P. Tomko at 412-442-5231.

### 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: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**TVOP-11-00258: Texas Eastern Transmission, LP** (PO 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 intends to issue a renewal Title V Operating Permit (TVOP-11-00258) to Texas Eastern Transmission, LP to authorize the operation of the “Lilly Compressor Station” located in Cresson Township, **Cambria County**.

The Lilly Compressor Station is primarily used for storage and distribution of natural gas. As a result of the levels of nitrogen oxide (NO<sub>x</sub>) emitted, Lilly is a major stationary source. The facility’s air contamination sources consist of four (4) natural gas-fired turbine engines with various ratings, one (1) emergency generator, and area fugitives. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145 including alternative RACT requirements. The facility is also subject to the requirements of 40 CFR Part 60 Subpart GG. The emergency generator is subject to the applicable requirement of 40 CFR Part 63 Subpart ZZZZ. Proposed TVOP renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Texas Eastern Transmission, LP. Title V Operating Permit renewal application, the Department’s Air Quality Review Memorandum, and the proposed Air Quality TVOP for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Title V Operating Permit renewal application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality State Only Operating Permit for this project, a person may contact Thomas Kaminski at tkaminski@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (TVOP-11-00258) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194).

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**37-00013: Cemex Wampum Cement Plant** (1617 Arcola Road Demopolis, AL 36732) the Department intends to re-issue a Title V Operating Permit to the facility located in Wampum Boro, **Lawrence County**. The facility is currently only operating as a terminal and is located at 2001 Portland Park, Wampum, PA 16157-3913. The facility’s major emission sources include cement silos, truck loading, and emissions from truck traffic. The facility deactivated the three cement kilns, three clinker coolers, assorted mills and crushers, and numerous conveyors, transfer points and material storage areas identified in the previous permit as Sources 101–168; 170–180; 183–184; 186–208; 211; 213–215; and 218–250 between December 2008 and February 2010. The deactivated sources were removed from the renewal permit because they will need authorization from the Department prior to reactivation of the sources. The facility is a major facility due to its potential to emit Nitrogen Oxides (NO<sub>x</sub>), Sulfur Oxides (SO<sub>x</sub>), Carbon Monoxide (CO), Particulate Matter less than 10 microns (PM<sub>10</sub>), and Hazardous Air Pollutants (HAPs). The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Industry (40 CFR 63, Subpart LLL). The actual PM<sub>10</sub> emissions in 2015 were 7.5 TPY.

**43-00011: Greenville Metals, Inc.** (99 Crestview Drive Extension, Transfer, PA 16154), the Department intends to issue the renewal of the Title V Operating Permit to operate a secondary smelter and refiner of ferrous and non-ferrous metals in Pymatuning Township, **Mercer County**. The sources at the facility include an electric arc furnace, several induction furnaces, an argon-oxygen decarburization vessel, casting machines, shot blasters, reaction vessels, emergency engine, and miscellaneous support operations. The facility is subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) for electric arc furnace steelmaking facilities (40 CFR 63, Subpart YYYYY) and stationary reciprocating internal combustion engines (40 CFR 63, Subpart ZZZZ), and the New Source Performance Standards (NSPS) for electric arc furnaces and argon-decarburization vessels constructed after August 17, 1983 (40 CFR 60, Subpart AAa). Because of its low potential to emit VOC and NO<sub>x</sub>, the facility is not subject to the



RACT II requirements promulgated on April 23, 2016 (46 Pa.B. 2036). The facility is a Title V facility because it is a major source of CO. The actual emissions reported by the facility for 2015 were 130 TPY CO, 4.5 TPY NO<sub>x</sub>, 5.0 TPY PM<sub>10</sub>, 14.1 TPY SO<sub>x</sub>, and 3.7 TPY VOC.

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

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

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

**09-00211: Pennridge School District** (1303 North 5th Street, Perkasio, PA 18944) for the renewal of a State Only Operating Permit for the operation of five (5) boilers and three (3) emergency generators in East Rockhill Township, **Bucks County**. The main emissions from this facility are Nitrogen Oxides (NO<sub>x</sub>) produced by the consumption of fuels. The proposed operating permit is for a non-Title V (State Only), Synthetic Minor facility. The permit contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**35-00060: Preferred Meal Systems, Inc./Moosic** (4135 Birney Avenue, Moosic, PA 18507-13010). The Department intends to issue a renewal State-Only Natural Minor Permit for this facility located in Moosic Borough, **Lackawanna County**. The main sources at this facility consist of boilers and meat cooking ovens. The control devices consist of grease/carbon filters. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**28-03028: New Enterprise Stone & Lime Co., Inc./Dry Run Quarry** (PO Box 77, New Enterprise, PA 16664) for operation of an existing limestone crushing plant and an existing concrete batch for the facility in Fannett Township, **Franklin County**. The facility has potential PM<sub>10</sub> emissions of 3.5 tons per year after control. 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 60, Subpart OOO-Standards of Performance for Nonmetallic Mineral Processing Plants.

**36-03030: Allan Myers Materials PA, Inc.** (638 Lancaster Avenue, Malvern, PA 19355) to issue a State Only Operating Permit for the Talmage Quarry stone crushing plant located in Upper Leacock Township,

**Lancaster County**. The actual emissions from the facility in the year 2015 are estimated at 0.4 ton of PM<sub>10</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart OOO.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**37-00268: Commercial Asphalt Supply, Inc. Slippery Rock Plant** (PO Box 672, Valencia, PA 16059-2029) for intent to issue the renewal of the Synthetic Minor Permit to operate the asphalt paving mixtures manufacturing facility. The facility's emitting sources include, a counter-flow drum asphalt plant rated at 350 TPH (controlled by a baghouse), an emergency diesel generator engine rated at 605 HP, and a non-emergency generator rated at 250 HP that powers a portable crusher plant. The facility is located in Scott Township, **Lawrence County**. The facility has a throughput restriction of 750,000 tons of hot mix asphalt products based on 12-month rolling total. The emergency generator and the non-emergency engine are subject to 40 CFR Part 63, Subpart ZZZZ pertaining to National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines at an area source of HAPs. The portable crusher is subject to 40 CFR Part 60, Subpart OOO pertaining to Nonmetallic Mineral Processing Plants. The dryer at the facility uses natural gas. The emissions for 2015 were 20.32 TPY CO, 6.55 TPY NO<sub>x</sub>, 0.61 TPY PM<sub>10</sub>, 0.3 TPY SO<sub>x</sub>, and 5.0 TPY VOC.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.*

*Contact: Edward Wiener, Chief—Telephone: 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends to renew a Minor State Only Operating Permit for the following facility:

**OP16-00041: SEPTA-Woodland Trolley Shop** (4901 Woodland Avenue, Philadelphia, PA 19143) for installing two (2) each 7.91 MMBTU/hr, one (1) 0.42 MMBTU/hr boilers firing No. 2 and Natural gas, and one (1) Stage 2 Vapor Recovery Unit, one Trolley Spray Paint Booth, one (1) Baghouse, and a Spray can paint booth.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

**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 and 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.*

**11051301 and NPDES No. PA0235652. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Cresson Mine in Cresson, Allegheny, Washington, and Munster Townships, Cresson and Sankertown Boroughs, **Cambria County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on January 17, 2017. Application received June 13, 2016.

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

**Permit No. 54960202R4. City of Philadelphia**, Trustee, Acting by the Board of Directors of City Trust for Girard Estate, (1101 Market Street, Suite 2600, Philadelphia, PA 19107), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Butler, Union and West Mahanoy Townships, **Schuylkill County** affecting 1,071.0 acres, receiving streams: Shenandoah and Mahanoy Creek, classified for the following use: cold water fishes. Application received: December 27, 2016.

**Permit No. 54960202C9. City of Philadelphia**, Trustee, Acting by the Board of Directors of City Trust for Girard Estate, (1101 Market Street, Suite 2600, Philadelphia, PA 19107), correction to update the post-mining land use from forestland to unmanaged natural habitat of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Butler, Union and West Mahanoy Townships, **Schuylkill County** affecting 1,071.0 acres, receiving streams: Shenandoah and Mahanoy Creek, classified for the following use: cold water fishes. Application received: December 27, 2016.

**Permit No. 49170101. Big Mountain Anthracite**, (PO Box 64, Spring Glen, PA 17978), commencement, operation and restoration of an anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 73.0 acres, receiving stream: unnamed tributary to Zerbe Run, classified for the following use: cold water fishes. Application received: January 3, 2017.

**Permit No. 54940202R4. Direnzo Coal Company, LLC**, (19 Laudemans Lane, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing, refuse disposal and preparation plant operation in Branch Township, **Schuylkill County** affecting 30.3 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: January 12, 2017.

*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.

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

**Permit No. 7975SM5C7 and NPDES Permit No. PA0225649. KPK Development Corp.**, (1082 Temperance Lane, Richboro, PA 18954), correction to an existing quarry operation to add an NPDES Permit for discharge of treated mine drainage from a quarry operation in Falls Township, **Bucks County** affecting 110.0 acres, receiving stream: Martins Creek, classified for the following uses: warm water and migratory fishes. Application received: January 3, 2017.

**Permit No. 7175SM1C13 and NPDES Permit No. PA0613827. Pennsy Supply, Inc.**, (1001 Paxton Street, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in South Hanover Township, **Dauphin County** affecting 280 acres, receiving stream: Swatara Creek, classified for the following uses: warm water fishes. Application received: January 5, 2017.

#### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

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

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



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

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

#### Coal NPDES Draft Permits

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

**NPDES No. PA0235563 (Mining Permit No. 03031301), Bedrock Mines, LP**, (111 Freeport Road, Pittsburgh, PA 15215). A renewal and revision to the NPDES and mining activity permit for the Keystone East Mine in Plumcreek Township, **Armstrong County** to renew Outfalls 001, 002 and 003 and add truck wash discharge to Outfall 002. Surface Acres Affected 32.6, Underground Acres Affected 768.0. Receiving stream: South Branch Plumcreek, classified for the following use: CWF. Crooked Creek Watershed TMDL. The application was considered administratively complete on June 12, 2014. Application received December 12, 2013.

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 permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration.

*Outfall 001* discharges to: South Branch Plum Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 43' 25.1" Long: -79° 17' 07") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	Max	-
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese <sup>d</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Mercury	(mg/l)	-	Report	Report	-
Sulfate	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Chloride	(mg/l)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	Report	Report	-
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

*Outfall 002* discharges to: South Branch Plum Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 43' 25.1" Long: -79° 17' 07") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	Max	-
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese <sup>d</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Mercury	(mg/l)	-	Report	Report	-
Arsenic	(mg/l)	-	Report	Report	-
Lead	(mg/l)	-	Report	Report	-
Sulfate	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Chloride	(mg/l)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	Report	Report	-
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

Outfall 003 discharges to: South Branch Plum Creek

The proposed effluent limits for Outfall 003 (Lat: 40° 43' 25" Long: -79° 17' 07") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	9.0 Max	-
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese <sup>d</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Mercury	(mg/l)	-	Report	Report	-
Copper	(mg/l)	-	Report	Report	-
Lead	(mg/l)	-	Report	Report	-
Nickel	(mg/l)	-	Report	Report	-
Thallium	(mg/l)	-	Report	Report	-
Zinc	(mg/l)	-	Report	Report	-
Sulfate	(mg/l)	-	Report	Report	-
Osmotic Pressure	(mos/kg)	-	Report	Report	-
Chloride	(mg/l)	-	Report	Report	-
Total Dissolved Solids	(mg/l)	-	Report	Report	-
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

EPA Waiver not in effect.

**NPDES No. PA0215210 (Mining Permit No. 11991301), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A renewal and revision to the NPDES and mining activity permit for the Twin Rocks Mine in Blacklick Township, **Cambria County** to renew Outfalls 001 and 003 and remove Outfall 002. Surface Acres Affected 123.3. Receiving stream: UNT 44625 to South Branch Blacklick Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh Watershed TMDL. The application was considered administratively complete on November 30, 2009. Application received December 23, 2009.

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 permittee is authorized to discharge during the period from Permit Effective Date through Outfall Removal.

Outfall 001 discharges to: UNT 44625 to South Branch of Blacklick Creek

The proposed effluent limits for Outfall 001 (Lat: 40° 29' 36" Long: -79° 52' 45") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	9.0 Max	-
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids <sup>d</sup>	(mg/l)	-	35.0	70.0	90.0
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

Outfall 003 discharges to: UNT 44625 to South Branch of Blacklick Creek

The proposed effluent limits for Outfall 003 (Lat: 40° 29' 24" Long: -78° 52' 54") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	Report	Report	-
pH	(S.U.)	6.0	-	9.0 Max	-
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids <sup>d</sup>	(mg/l)	-	35.0	70.0	90.0
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	Report	Report	-
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-



The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

The permittee is authorized to discharge from sediment traps specifically designed using best management practices to capture and contain sediment from normal stormwater runoff. The permittee is not authorized to discharge from any other point sources after Outfalls 001 and 003 are removed.

EPA Waiver not in effect.

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

**NPDES No. PA0243027 (Mining Permit No. 17000111). Gregg Barrett Coal**, 288 Watts Road, Curwensville, PA 16833, renewal of an NPDES permit for surface and auger coal mining in Ferguson Township, **Clearfield County**, affecting 65.0 acres. Receiving stream(s): Unnamed Tributaries to Watts Creek and Watts Creek, classified for the following use(s): HQ. Clearfield Creek Watershed TMDL. Application received: October 9, 2016.

The outfall(s) listed below discharge to Unnamed Tributaries to Watts Creek and Watts Creek.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
C	N
D	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	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

*Noncoal NPDES Draft Permits*

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

**NPDES Permit No. PA0224391 on Surface Mining Permit Nos. 6475SM1 and 40970301. Pennsy Supply, Inc.**, (1001 Paxton Street, P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a sandstone quarry operation in Jenkins Township, **Luzerne County**, affecting 181.74 acres. Receiving stream: Lampblack Creek, classified for the following use: cold water fishes. Application received: August 6, 2014.

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

The outfall listed below discharge to Lampblack Creek.

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

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

**NPDES Permit No. PA0123544 on Surface Mining Permit No. 4874SM2. Pennsy Supply, Inc.**, (1001 Paxton Street, P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in Jackson Township, **York County**, affecting 214.8 acres. Receiving stream: Little Conestoga Creek, classified for the following use: trout stock fishes. Application received: July 22, 2016.

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

The outfall listed below discharge to Little Conestoga Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Groundwater/Pit Sump

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Discharge Rate	2.9			
	MGD			

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

**NPDES Permit No. PA0224065 on Surface Mining Permit No. 67000301. Pennsy Supply, Inc.,** (1001 Paxton Street, P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in Jackson Township, **York County**, affecting 288.75 acres. Receiving stream: Little Conewago Creek, classified for the following use: trout stock fishes. Application received: August 18, 2016.

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

The outfall listed below discharge to Little Conewago Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
002	No	Groundwater/Pit Sump

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids Discharge Rate	2.9 MGD	35.0	70.0	90.0

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

**NPDES Permit No. PA0595543 on Surface Mining Permit No. 38870301. Pennsy Supply, Inc.,** (1001 Paxton Street, P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in North and South Annville, Annville and Londonderry Townships, **Lebanon County**, affecting 1,039.9 acres. Receiving stream: Killinger and Quittapahilla Creeks, classified for the following use: trout stock fishes. Application received: September 23, 2016.

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

The outfalls listed below discharge to Killinger and Quittapahilla Creeks.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Groundwater/Pit Sump
002	No	Groundwater/Pit Sump
003	No	Groundwater/Pit Sump
004	No	Groundwater/Pit Sump
005	No	Stormwater
006	No	Groundwater/Stormwater
007	No	Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Total Site Discharge	32.2 MGD			

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

**NPDES Permit No. PA003469 on Surface Mining Permit No. 5777SM4. Barletta Materials & Construction, Inc.,** (P.O. Box 550, Tamaqua, PA 18252), renewal of an NPDES Permit for a sand and gravel quarry operation in Nescopeck Township, **Luzerne County**, affecting 165.3 acres. Receiving streams: unnamed tributary to Susquehanna River and Susquehanna River, classified for the following uses: cold water & migratory fishes and warm water & migratory fishes. Application received: October 20, 2016.

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

The outfalls listed below discharge to unnamed tributary to Susquehanna River and Susquehanna River.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Stormwater/Treatment Pond
002	No	Stormwater/E&S

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids Discharge Rate	0.13 MGD	1.54 MGD (Pt. 001)	70.0	90.0

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

## 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

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

**E46-1148. Upper Gwynedd Township**, 1 Parkside Place, North Wales, PA 19454-2526, Upper Gwynedd Township, Montgomery County, ACOE Philadelphia District.

To construct and maintain a roadside bioretention swale that will intercept stormwater runoff before discharging into Wissahickon Creek. The bioretention swale is associated with the Sumneytown Pike Roadside Bioretention Project. The site is located on township owned property adjacent to the Wissahickon Creek.

The site is west of the intersection of Dickerson Road and Sumneytown Pike (Lansdale Lat. 40° 12' 55.62"; Long. 75° 17' 25.28").

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

**EA17-017. Curwensville Municipal Authority Anderson Creek Abandon Sanitary Sewer Obstruction Removal Project**, 900 Susquehanna Avenue, Curwensville, PA 16830. Three Abandon Sanitary Sewer Encasement Obstructions of Anderson Creek, Curwensville Borough, **Clearfield County**, ACOE Baltimore District (Curwensville Quadrangle; Latitude 40° 59' 52" N; Longitude 78° 31' 25" W).

Curwensville Municipal Authority is seeking Department approval to remove three abandon concrete encased sanitary sewer crossings of Anderson Creek that prohibit navigability and aquatic species passage. Anderson Creek is designated a Cold Water Fishery (CWF) and Migratory Fishery (MF) by Department Chapter 93 Rules and Regulations. Complete and successful removal of the three below listed abandon structures shall include, but not be limited to, (1) demolition and removal of the concrete encasements, (2) removal of the inoperable sanitary sewers (3) restoration of scoured downstream bed elevations with appropriately sized native rock choked with excavated streambed materials to transition with unaffected downstream bed elevations, and (4) stabilize disturbed streambanks with R-8 rock. As proposed, removal of the abandon concrete encased sanitary sewers pose cumulative temporary impacts of 390-feet with no wetland impacts being incurred.

<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Temporary Impact</i>
Lezzer Sanitary Sewer Crossing	40° 58' 18.8" N	78° 31' 17.5" W	Anderson Creek	130-Feet
Phoenix Sanitary Sewer Crossing	40° 58' 26.4" N	78° 31' 45.7" W	Anderson Creek	125-Feet
NARCO Sanitary Sewer Crossing	40° 58' 40.8" N	78° 32' 14.8" W	Anderson Creek	135-Feet

Upon Curwensville Municipal Authority successful completion of the activities approved by this authorization, the Department shall deem the completed abandon structure removal as mitigation for the pre-existing permanent impacts which prohibited public navigation use

and aquatic species passage and public navigation use in Anderson Creek.

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

**E5829-118: Gibson and Herrick Townships**, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Gibson and Herrick Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary timber mat crossing impacting 147 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 47' 23", Longitude: -75° 34' 09"),

2) a temporary timber mat crossing impacting 82 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 47' 22", Longitude: -75° 34' 07"),

3) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 21", Longitude: -75° 34' 02"),

4) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 525 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 47' 21", Longitude: -75° 34' 02"),

5) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 56 lineal feet of Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 20", Longitude: -75° 33' 59"),

6) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 16", Longitude: -75° 33' 54"),

7) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 59 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 12", Longitude: -75° 33' 50"),

8) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 10", Longitude: -75° 33' 53"),

9) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 56 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 09", Longitude: -75° 33' 55"),

10) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 28 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 47' 08", Longitude: -75° 33' 56"),

11) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 50 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

12) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 1,734 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

13) a temporary timber mat crossing impacting 921 square feet (0.02 acre) of a palustrine scrub-shrub wetlands (PSS) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

14) a 16-inch diameter steel natural gas gathering pipeline crossing impacting 3 square feet (0.01 acre) of a palustrine scrub-shrub wetlands (PSS) (Thompson, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 33' 59"),

15) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 60 lineal feet of an unnamed tributary to Rock Creek (HQ-CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 51", Longitude: -75° 34' 04"),

16) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 2,648 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 34' 04"),

17) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 4,624 square feet (0.11 acre) of a palustrine emergent wetlands (PEM) (Thompson, PA Quadrangle; Latitude: 41° 46' 48", Longitude: -75° 34' 05"),

18) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 51 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 17", Longitude: -75° 33' 29"),

19) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 56 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 06", Longitude: -75° 33' 48"),

20) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 54 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 46' 06", Longitude: -75° 33' 48"),

21) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing temporarily impacting 42 lineal feet of a tributary to Bear Swamp Creek (CWF, MF) (Thompson, PA Quadrangle; Latitude: 41° 45' 04", Longitude: -75° 35' 13").

The Tinglepaugh Pipeline project consists of constructing approximately 6.14 miles of 16" steel natural gas gathering line located in Gibson and Herrick Townships, Susquehanna County. The project will result in 665 lineal feet of temporary stream impacts, 9,760 square feet (0.22 acre) of temporary wetland impacts, and 924 square feet (0.02 acre) of permanent wetland impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

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

**E10-503, David Frydrych**, 3 Northgate Plaza, Unit 2 Route 19 North, Harmony, PA 16037. Frydrych Property Fill, in Jackson Township, **Butler County**, ACOE Pittsburgh District (Zelienople, PA Quadrangle N: 40.811322°, W: -80.128408°).

The Applicant proposes to permanently fill approximately 0.11 acre of wetlands within the floodplain of Scholars Run for the protection and expansion of the parking area around the Bi-Lo gas station at a point approximately 400 feet southwest of the U.S. Route 19



and Little Creek Road intersection. The Applicant proposes to mitigate for the wetland impacts by constructing approximately 0.11 acre of on-site replacement wetlands.

#### WATER QUALITY CERTIFICATIONS REQUESTS

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

401 Water Quality Certification request initiated by: **Philadelphia Regional Port Authority**, 3460 North Delaware Avenue, Philadelphia, PA 19134.

*Project description and location:* This project involves the discharge of supernatant from the Fort Mifflin Confined Disposal Facility (FMCDF) to the Schuylkill River. The FMCDF is located in **Philadelphia County**, and is owned by the United States Army Corps of Engineers (USACE). The project involves maintenance dredging of certain port facilities owned by Philadelphia Regional

Port Authority (PRPA) and the placement of dredged material into the FMCDF. The dredging and placement, including the operation of the CDF in such a manner as to retain the dredged material and prevent it returning to the River in the discharge, will be conducted by a contractor to be retained by PRPA.

Prior to issuance of the final state water quality certification, DEP will consider all relevant and timely comments, suggestions or objections submitted to DEP within 14 days of this notice. Comments should be directed to Ms. Jenifer Fields, Manager, Clean Water Program at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

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## ACTIONS

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

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

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

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

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

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

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

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



**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0053970	Martins Mobile Home Village STP 25 Randy Lane Cochranville, PA19330	Chester County West Nottingham Township	Unnamed Tributary to North East Creek 7-K	Y
PA0056545	Infiana USA, Inc. 2400 Continental Boulevard Malvern, PA 19355-2326	Chester County Tredyffrin Township	Little Valley Creek & Unnamed Tributary to Little Valley Creek 3-F	Y
PA0056944	Sunoco Twin Oaks Pump Station # 4 Hog Island Road Philadelphia, PA 19153-3901	Delaware County Upper Chichester Township	Unnamed Tributary to Marcus Hook Creek 3-G	Y
PA0058955	Eureka Stone Quarry, Inc d/b/a JDM Materials Company 851 County Line Road Huntingdon Valley, PA 19006-1111	Philadelphia County Philadelphia City	Schuylkill River 3-F	Y
PA0058947	Eureka Stone Quarry, Inc d/b/a JDM Materials Company 851 County Line Road Huntingdon Valley, PA 19006-1111	Philadelphia County Philadelphia City	Wooden Bridge Run 3-J	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0046680	Modern Landfill 4400 Mount Pisgah Road York, PA 17406	Windsor Township and Lower Windsor Township, York County	Applicant seeks to discharge to Unnamed Tributary to Kreutz Creek and Kreutz Creek in Watershed(s) 7-I	Y
PA0084492	Halifax Village LLC PO BOX 375 GAP, PA 17527	Halifax Township Dauphin County	Applicant seeks to discharge to Unnamed Tributary to Susquehanna River in Watershed(s) 6-C in	Y

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

<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>
PA0114961 (Sewage)	Hughesville & Wolf Township Joint Municipal Authority 547 Woolen Mill Road Hughesville, PA 17737-9091	Lycoming County Wolf Township	Muncy Creek (10-D)	No
PA0114472 (Sewage)	Cherry Township Wastewater Treatment Plant 11961 Route 87 Dushore, PA 18614-7440	Sullivan County Cherry Township	Birch Creek (10-B)	Yes
PA0228435 (Sewage)	Brady Township SE WWTP 16436 US Route 15 Allenwood, PA 17810-9137	Lycoming County Brady Township	Unnamed Tributary to Black Run (10-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0104272 (Sewage)	North East Access & Marina 450 Robinson Lane Bellefonte, PA 16823-9620	Erie County North East Township	Unnamed Stream (15-A)	Yes
PA0100951 (Industrial)	Penelec Shannon Road Ash Disposal PO Box 16001 2800 Pottsville Pike Reading, PA 19612-6001	Erie County Harborcreek Township	Fourmile Creek (15-A)	Yes

## 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. PA0058742**, Sewage, **Warminster Municipal Authority**, 415 Gibson Avenue, P.O. Box 2279, Warminster, PA 18974.

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

Description of Action/Activity: Approval for renewal to continued operation of Warminster NAWC Wastewater Treatment Plant.

**NPDES Permit No. PA0025976**, Sewage, **Upper Moreland-Hatboro Joint Sewer Authority**, P.O. Box 535, Willow Grove, PA 19090-0535.

This proposed facility is located in Upper Moreland Township, **Montgomery County**.

Description of Action/Activity: Approval for renewal to continue to discharge treated sewage and storm water from UMHJSA WWTP to Pennypack Creek.

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

**NPDES Permit No. PA0023175**, Sewage, SIC Code 4952, **Kane Borough McKean County**, 112 Bayard Street, Kane, PA 16735-1377.

This existing facility is located in Kane Borough, **McKean County**.

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

**NPDES Permit No. PA0264661**, Sewage, SIC Code 8800, **Spear Proukou**, PO Box 327, Elysburg, PA 17824.

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

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

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

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

**WQM Permit No. WQG01021601**, Sewage, **Hoffmann George**, 119 Baker Drive, Jefferson Hills, PA 15025.

This proposed facility is located in Lincoln Borough, **Allegheny County**.

Description of Proposed Action/Activity: Construction of SFTF to replace holding tank that was utilized due to a malfunctioning on-lot system.

**WQM Permit No. WQG016121 T-2**, Sewage, **Morelli Maria**, 834 Blackburn Road, Sewickley, PA 15143.

This existing facility is located in Sewickley Heights Borough, **Allegheny County**.

Description of Proposed Action/Activity: Transfer of SFSTF.

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 0994405**, Sewage, Transfer, **Steven R. Solometo**, 108 Woodlea Terrace, Lansdale, PA 19446-6452.

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

Description of Action/Activity: Permit transfer from Stephen Sitko to Steven Solometo owner of single residence sewage treatment plant.

**WQM Permit No. 0994430**, Sewage, Transfer, **Jeffrey F. Wagner**, 3600 Mantha Drive, Philadelphia, PA 18923.

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

Description of Action/Activity: Permit transferred ownership from Nicholas D'Alonza to Jeffrey Wagner.

**WQM Permit No. WQG02151608**, Sewage, **Caln Township Municipal Authority**, 253 Municipal Drive, P.O. Box 72149, Thorndale, PA 19372.

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

Description of Action/Activity: Construction and operation of a sewer extension.

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

**WQM Permit No. 3516403 A-1**, Sewage, SIC Code 4952, **Pennsylvania-American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033.

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

Description of Proposed Action/Activity:

The installation of four-hundred fifty (450) feet of 96 inch diameter steel reinforced pipe with a volume of approximately 169,200 gallons. The purpose of the project is to provide additional storage capacity to limit combined sewer overflows at CSO Outfall # 18 as per the Authority's Combined Sewer Overflow Long Term Control Plan.

**WQM Permit No. 3516404 A-1**, Sewage, SIC Code 4952, **Pennsylvania-American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033.

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 # 038, by the installation of three 9-foot diameter, steel-reinforced polyethylene pipe system (or equivalent volume fiberglass reinforced pipe-FRP) as a flow equalization structure and pump station return to existing sewer.

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

**WQM Permit No. 6786201 A1**, Sewerage, 4400 Mount Pisgah Road, York, PA 17406.

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

Description of Proposed Action/Activity:

- Four (4) existing 250,000-gallon influent storage tanks; one with a new jet mixing system.
- Existing grit chamber, neutralization tank, two (2) flocculation tanks and two (2) gravity plate separators.
- Two (2) 63,500-gallon pre-anoxic tanks converted from two (2) existing clarifiers.
- New 5,000-gallon methanol storage tank with chemical feed system.
- Two (2) existing 264,000-gallon aeration tanks with new jet aeration systems replacing existing fine bubble aeration systems.
- Two (2) new cross-flow tubular ultrafilter membrane systems (each with three (3) membrane modules).
- New membrane clean-in place (CIP) system consisting of a cleaning tank, hot/cold water storage tanks, chemical metering system for caustic, sodium hypochlorite and citric acid based cleaning chemicals.
- Conversion of the existing phosphoric acid feed system from manual operation to an automatically controlled.
- New flow splitter boxes for pre-anoxic tanks and aeration tanks.
- New two (2) plate-and frame heat exchangers for cooling the activated sludge biomass.
- Elimination of two (2) existing sand filters.
- New effluent flow meter and flow-proportional composite sampler.
- Existing outfall structure.
- Other appurtenances associated with the upgrade project.

**WQM Permit No. 2116407**, Sewerage, **Upper Allen Township Sewer System**, 100 Gettysburg Pike, Mechanicsburg, PA 17055-5604.

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

Description of Proposed Action/Activity: This permit approves the construction of sewage facilities consisting of: Extension and replacement of the existing Allendale Interceptor. The interceptor extension will be 5,321 ft long and the replacement will be 2,625 ft. All sewers will use 18" pipes and drain to the Lower Allen Township Authority WWTP.

**WQM Permit No. 2291409 T-1**, Sewerage, **John and Zonya Stoltzfus Halifax Village LLC**, PO Box 375, Gap, PA 17527.

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

Description of Proposed Action/Activity: Screening unit, flow equalization tank, pre-aeration system, clarifier, chlorine contact tank with tablet chlorination, de-chlorination feeder and aerobic sludge digester.

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

**WQM Permit No. 5711401 A-1**, Sewage, SIC Code 4952, **Eagles Mere Borough Authority**, PO Box 393, Eagles Mere, PA 17731-0393.

This existing facility is located in Eagles Mere Borough, **Sullivan County**.

Description of Proposed Action/Activity: Installation of a tablet dechlorinator immediately downstream of the chlorine contact tank.

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

**WQM Permit No. 6216404**, Sewage, **Spear Proukou**, PO Box 327, Elysburg, PA 17824.

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

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

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

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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>
PAC510009	PECO Energy Company 2301 Market Street Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024016001	Pennsylvania Department of Transportation c/o Mr. Richard Miller 400 North Street 5th Floor Harrisburg, PA 17120	Luzerne	Ross Township	Shingle Run (HQ-CWF, MF)
PAI025216002	Pennsylvania Department of General Services Bureau of Engineering & Architecture 18th and Herr Streets Harrisburg, PA 17125	Pike	Blooming Grove Township	Shohola Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030616002 Issued	Pennsylvania Department of Transportation District 5-0 1002 Hamilton Street Allentown, PA 18101	Berks	Bethel Township	UNT Mill Creek (CWF, MF) EV Wetlands
PAI032815003 Issued	Hissong's Barns Kirby Hissong 6841 Buchanan Tail West Mercersburg, PA17236	Franklin	Montgomery Township	UNT West Branch of Conococheague Creek (TSF)

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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>
Upper Hanover Township Montgomery County	PAG02004616015	Glenwood Chase Associates LP 100 Springhouse Drive Suite 205 Collegeville, PA 19426	Macoby Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG02004616070	Wheeler Construction LLC 2529 Virginia Beach Boulevard Virginia Beach, VA 23452	Pennypack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAG02004616080	PennDot District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Prophecy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG02004616085	Christopher & Stacy Spinio 119 Rose Lane Chalfont, PA 18936	Unnamed Tributary to Little Neshaminy Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lansdale Borough Montgomery County	PAC460007	Cooper Acquisitions, L.P. 404 Sumneytown Pike Suite 200 North Wales, PA 19454	West Branch Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAC090011	Washington Crossing National Cemetery 830 Highland Road Newtown, PA 18940	Hough's Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Hanover Township and Bethlehem City Lehigh County	PAG02003916006(1)	Lehigh-Northampton Airport Authority 3311 Airport Road Allentown, PA 18109	UNT to Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583
Hazle Township Luzerne County	PAG02004016016	Hazle Township c/o Mr. James Montone P.O. Box 506 Harleigh, PA 18225	Tributary to Black Creek (CWF, MF)	Luzerne Conservation District 570-674-7991

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

<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>
Hopewell Borough Hopewell Township Broad Top Township Bedford Issued	PAC050005	PennDOT District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Bedford County	Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900 x 4



<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>
Taylor Township Blair Issued	PAG02000716009	Keystone Custom Homes and Development ATTN: Drew Swope PO Box 69 Hollidaysburg, PA 16648	Halter Creek (WWF, MF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 x5
Hopewell Township Cumberland Issued	PAC210015	New Enterprise Stone and Lime Phil Shontz 3912 Brumbaugh Road New Enterprise, PA 16664	Tributary to Newburg and Peebles Run (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
West Pennsboro Township Cumberland Issued	PAC210012	Big Spring School District/Rick Gilliam 45 Mount Rock Road Newville, PA 17241	Big Spring Creek (CWF-MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Halifax Township Dauphin Issued	PAC220007	B2 Partners Inc. 31 Powells Ridge Road Halifax, PA 17032	UNT Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Londonderry Township Dauphin Issued	PAG02002216027	Londonderry Township 783 South Geyers Church Road Middletown, PA 17057	4 UNT Susquehanna River (WWF) Susquehanna River (WWF) 2 UNT Conewago Creek (TSF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Swatara Township Dauphin Issued	PAG02002216018	Aero Corporation/ Solomon Cramer 1998 West Harrisburg Pike Middletown, PA 17057	Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Brecknock Township Lancaster Issued	PAG02003616081	Delbert Martin 22 Parkway Ephrata, PA 17522	UNT Muddy Creek (WWF)	Lancaster County Conservation District 1283 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Earl Township Lancaster Issued	PAC360007 Major Modification	King Court Properties, LLC 2969 Lincoln Highway East Gordonville, PA 17529	UNT Mill Creek (TSF, MF)	Lancaster County Conservation District 1283 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
East Lampeter Township Lancaster Issued	PAG02003616090	Sherman & Walton Inc. 2071 B Old Philadelphia Pike Lancaster, PA 17602	Mill Creek (WWF)	Lancaster County Conservation District 1283 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Lancaster City Lancaster Issued	PAC360019	Thaddeus Stevens College of Technology 750 East King Street Lancaster, PA 17602	Conestoga River (WWF, MF)	Lancaster County Conservation District 1283 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5

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

<i>Facility Location &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>
Bradford Twp, Clearfield Cnty	PAC170003	Midland Asphalt Materials, Inc. 88 Barrett Road Woodland, PA 16881	Roaring Run—CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
East Conemaugh Borough and East Taylor Township	PAC110002	Peoples TWP, LLC 225 North Shore Drive Pittsburgh, PA 15212	UNT to Little Conemaugh River (CWF) and Little Conemaugh River (WWF)	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
Chartiers Township	PAC630001	Range Resources—Appalachia, LLC 3000 Town Center Boulevard Canonsburg, PA 15317	Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
West Finley Township	PAC630003	Will Donaldson 380 Southpointe Boulevard Suite 405 Canonsburg, PA 15317	UNT to Enlow Fork (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Robinson Township	PAC630016	Peoples Natural Gas, LLC 225 North Shore Drive Pittsburgh, PA 15212	UNTs to Little Raccoon Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Salem Township	PAC650018	Jerome DeFabo 118 Rizzo Road Crabtree, PA 15624	Crabtree Creek (WWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Washington Township, Erie County	PAG02002514008	Mukina Realty Group, Inc. 5401 Gibson Hill Road Edinboro, PA 16412	UNT to Conneaut Creek/WWF	Erie County Conservation District 814-825-6403
Punxsutawney Borough	PAC330004	Punxsutawney Area School District 475 Beyer Avenue Punxsutawney, PA 15767	UNT to Sawmill Run/CWF; UNT to Mahoning Creek/CWF	Jefferson County Conservation District 814-849-7463
Millcreek Township, Erie County	PAG02002516018	Millcreek Township Sewer Authority 3608 West 26th Street Erie, PA 16506	UNT to Mill Creek/WWF;FF	Erie County Conservation District 814-825-6403
Evans City Borough Butler County	PAC100005	Space Center II Self Storage 22237 Perry Highway Zelienople, PA 16063	UNT to Brush Creek/WWF	Butler County Conservation District 724-284-5270
Penn Township Butler County	PAC100006	Frank J. Zottola Construction, Inc. 595 Pittsburgh Road Butler, PA 16002	UNT to Glade Run/WWF	Butler County Conservation District 724-284-5270

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Harborcreek Township Erie County	PAC250003	Penn State University 139J Physical Plant Building University Park, PA 16802-1118	Four Mile Creek/WWF	Erie County Conservation District 814-825-6403
Waterford and LeBoeuf Townships Erie County	PAG02002516019	Barrel-O-Fun East, LLC 821 State Route 97 Waterford, PA 16441	French Creek/WWF	Erie County Conservation District 814-825-6403
<i>General Permit Type—PAG-3</i>				
<i>Facility Location:</i>				
<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>
City of Philadelphia Philadelphia County	PAR800067	Waste Management of PA, Inc. 100 Brandywine Boulevard Newtown, PA 18940	Delaware River 3-J	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
City of Philadelphia Philadelphia County	PAG030058	Duffey Oil Terminal, Inc. 2700 Roberts Avenue Philadelphia, PA 19129	Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
City of Philadelphia Philadelphia County	PAR600025	SPC Corporation 143 Harding Avenue Bellmawr, NJ 08031	Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Upper Merion Township Montgomery County	PAR800037	XPO Logistics Freight, Inc 2211 Old Earhart Road Suite 100 Ann Arbor, MI 48105	Unnamed Tributary to Schuylkill River 3-F	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Collegeville Borough Montgomery County	PAR210038	Trans Fleet Concrete Inc. 101 First Avenue Collegeville, PA 19426	Unnamed Tributary to Manatawny Creek 3-D	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Eddystone Borough Delaware County	PAR900021	Liberty Electric Power, LLC 1000 Industrial Highway Eddystone, PA 19022	Crum Creek 3-G	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Clinton Township Butler County	PAG038335	John W Thrower Inc. 409 Saxonburg Boulevard Saxonburg, PA 16056-9451	Unnamed Tributary to Lardintown Run— 18-F	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
Brownsville Township Fayette County	PAG036165	Brownsville Marine Products LLC 1800 Paul Thomas Boulevard Brownsville, PA 15417	Monongahela River—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-04*

<i>Facility Location Municipality &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>
Lincoln Borough Allegheny County	PAG046463	Hoffmann George 119 Baker Drive Jefferson Hills, PA 15025	Unnamed Tributary of Monongahela River—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Sewickley Heights Borough Allegheny County	PAG046318	Morelli Maria 834 Blackburn Road Sewickley, PA 15143	Unnamed Tributary to Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-8*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Adams County/ New Oxford Borough	PAG083600	New Oxford Municipal Authority 409 Waterworks Road New Oxford, PA 17350	New Oxford Municipal Authority WWTF 106 Tracey Avenue New Oxford, PA 17350	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-12*

<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>
West Beaver Township Snyder County	PAG124839 A-1	Robert S. Martin Ridge Valley Farms 4227 Ridge Road Beaver Springs, PA 17812-9419	South Branch Middle Creek—6-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

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

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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



NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Phillip Hoover 2862 Harvest Rd. Elizabethtown, PA 17022	Lancaster	51.2	6.07	Broilers	NA	A
Garrett Weaver 1501 Eshelman Mill Rd. Willow Street, PA 17584	Lancaster	160.6	144.77	Duck	NA	A
Keith Martin 990 Forest Hills Rd. Stevens, PA 17578	Lancaster	43	275.89	Poultry	NA	A
Scott Wagner 385 King Pen Rd. Quarryville, PA 17566	Lancaster	44.4	350.01	Turkeys	HQ	A

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Operations Permit # 0916513** issued to: **Aqua Pennsylvania, Inc.**, 762 West, Bryn Mawr, PA 19010 [(PWSID)] Bristol Borough, **Bucks County** on December 28, 2016 for the operation of Chlorine Dioxide Generator and Feed System for Pre-Oxidation and Reduction of Disinfectant By-Products—Bristol Water Treatment Plant.

**Operations Permit # 4616517** issued to: **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044, [(PWSID)] Horsham Township, **Montgomery County** on January 5, 2017 for the operation of Temporary Sediment and Granular Activated Carbon Filters at Well Nos. 17 and 21.

**Operations Permit # 0916526** issued to: **Grand View Health**, 700 Lawn Avenue, Sellersville, PA 18960 [(PWSID)] Sellersville Borough, **Bucks County** on December 28, 2016 for the operation of Zinc Orthophosphate Feed.

**Operations Permit # 4616532** issued to: **Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033 [(PWSID)] Norristown Municipality, **Montgomery County** on December 30, 2016 for the operation of Ferric Chloride Polymer Blend as a Primary Coagulant with Retention of Existing Ferric Chloride Feed Capability.

**Operations Permit # 1515550** issued to: **GSP Management Company**, P.O. Box 677, Morgantown, PA 19543 [(PWSID)] West Brandywine Township, **Chester County** on December 28, 2016 for the Indian Run Village MHP 4-Log Piping Installation and Replacement of Existing Booster Pump Facility.

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

**Permit No. 2400090, Operation Permit**, Public Water Supply.

Applicant	<b>PA Department of Corrections (SCI Dallas)</b> 1920 Technology Parkway Mechanicsburg, PA 17050
Municipality	Jackson Township
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	January 18, 2017

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

**Permit No. 2916501 MA, Minor Amendment**, Public Water Supply.

Applicant **McConnellsburg Borough Municipal Authority**  
 Municipality Todd Township  
 County **Fulton**  
 Responsible Official C Diane. Stenger, Secretary  
 PO Box 218  
 McConnellsburg, PA 17233  
 Type of Facility Rehabilitation of Well No. 2 with  
 the installation of a new pump.  
 Consulting Engineer Jamie R. Shambaugh, P.E.  
 Gannett Fleming, Inc.  
 PO Box 67100  
 Harrisburg, PA 17106-7100  
 Permit to Construct 1/10/2017  
 Issued

**Permit No. 3616520 MA, Minor Amendment, Public Water Supply.**

Applicant **Irvin Manheim MHP**  
 Municipality Penn Township  
 County **Lancaster**  
 Responsible Official Nathan G. Irvin, System  
 Operator  
 2535 Mill Road  
 Elizabethtown, PA 17022-8916  
 Type of Facility Modifications to add  
 underground contact piping to  
 maintain 4-log inactivation of  
 viruses.  
 Consulting Engineer Stephen M. Yingst CBIE, P.E.  
 Yingst Engineers & Associates  
 Inc  
 4000 Vine Street  
 Middletown, PA 17057  
 Permit to Construct 1/12/2017  
 Issued

**Permit No. 2816505 MA, Minor Amendment, Public Water Supply.**

Applicant **Antrim Township Municipal Authority**  
 Municipality Antrim Township  
 County **Franklin**  
 Responsible Official Roger Nowell, Public Works  
 Director  
 13431 Worleytown Road  
 Greencastle, PA 17225  
 Type of Facility 1,700 ft. waterline extension to  
 State Line Mobile Home Park  
 (PWSID No. 7280015).  
 Consulting Engineer Chad M. Angle, P.E.  
 CET Engineering Services  
 1240 N. Mountain Road  
 Harrisburg, PA 17112  
 Permit to Construct 1/19/2017  
 Issued

**Comprehensive Operation Permit No. 7220049** issued to: **Capital Region Water (PWS ID No. 7220049)**, Harrisburg, **Dauphin County** on 12/20/2016 for the operation of facilities submitted under Application No. 2216509 MA.

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

**Permit No. MA-GWR—Operation—Public Water Supply.**

Applicant **Ridgebury Volunteer Fire Company**  
 Township/Borough Ridgebury Township  
 County **Bradford**  
 Responsible Official Jason Johnson, President  
 13248 Berwick Turnpike  
 Gillett, PA 16925  
 Type of Facility Public Water Supply  
 Consulting Engineer Karl M. Schwesinger, P.E.  
 Fagan Engineers & Land  
 Surveyors PC  
 113 E. Chemung Place  
 Elmira, NY 14904  
 Permit Issued January 20, 2017  
 Description of Action Permit authorizes operation of  
 new water treatment and supply  
 facilities that have been installed  
 to achieve 4-log inactivation of  
 viruses, metering and sampling  
 at entry point 101 in the  
 waterline that exits the third  
 chlorine contact tank prior to the  
 8 gpm flow restrictor.

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

**Operation Permit issued to Aqua Pennsylvania Inc., PWSID No. 6610019, Emlenton Borough, Venango County.** Permit Number 6109503-MA1 issued January 24, 2017 for the operation of the modified backwash piping to utilize the finished water reservoir as the backwash water supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 18, 2017.

#### WATER ALLOCATIONS

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

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

**WA 14-473B, Water Allocations. State College Borough Water Authority, 1201 West Branch Rd., State College, PA 16801, Harris Township, Centre County.** This Water Allocation Permit grants State College Borough Water Authority the right to withdraw a maximum of 500,000 gallons per day (gpd) from the existing Shingletown Gap Reservoir on Roaring Run in Harris Township, Centre County. The allocation granted takes into account reasonable projections of future use that can be supported by past data. In addition, the allocation is limited by the safe yield of the source.

## SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Douglass Township	1068 Douglass Dr. Boyertown, PA 19512	Berks

*Plan Description:* Approval of a revision to the official plan of Douglass Township, Berks County. The project is known as the Dryja Rattlesnake Hill proposal. The plan revision consists of the use of a new small flow treatment facility as a replacement for a malfunctioning onlot sewage disposal system that currently serves a single family residence. Proposed sewage flows are 400 gallons per day to be discharged to a dry channel that eventually goes to an unnamed tributary of the Schuylkill River. The project is located at 124 Rattlesnake Hill Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06930-118-3S and the APS Id is 921815. Any permits must be obtained in the name of the property owner.

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

#### Plan Disapprovals Under the Pennsylvania Sewage Facilities Act

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Manheim Township	1840 Municipal Drive Lancaster, PA 17601	Lancaster

*Plan Description:* Approval of a revision to the official plan of Manheim Township, Lancaster County. The project is known as The Crossings at Conestoga Creek Development. The plan provides for development of a shopping center, hotel, and apartments to generate 118,470 gpd in sewage flows tributary to the Lancaster Area Sewer Authority system and wastewater treatment plant. The proposed development is located on the west side of Harrisburg Pike across from Long's Park. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-36937-381-3 and the APS Id is 929669. Any permits must be obtained in the name of authority.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301\_308 of the Land Recycling and Environmental Remediation Standards Act (act) (35

P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Lafayette College**, 219 North Third Street, City of Easton, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A23, Allentown, PA 18106, on behalf of Lafayette College, 9 North Campus Drive, Easton, PA 18042, submitted a Final Report concerning remediation of site soils contaminated with VOC's, SVOC's, and lead. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

**Dibose Residence**, 214 Church Street, Bangor Borough, **Northampton County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Ms. Lori Dibose, 214 Church Street, Bangor, PA 18013, submitted a Final Report concerning remediation of site soils contaminated with Toluene, Ethylbenzene, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**PA Turnpike I-76 Mile Marker 283-WB**, Denver, PA 17517, Denver Borough, **Lancaster County**. HDR Engineering, 4900 Ritter Road, Suite 240, Mechanicsburg, PA 17055-4807, on behalf of the FedEx Ground, 1000 FedEx Drive, Moon Township, PA 15108, and PA Turnpike Commission, 700 South Eisenhower Boulevard, Middle-



town, PA 17057, submitted a Final Report concerning site soils and groundwater contaminated with diesel fuel. The Report is intended to document remediation of the site to meet the Non-Residential Statewide Health Standard.

**Former FCI USA, Inc., Emigsville**, 320 Busser Road, Emigsville, PA 17318-0248, Manchester and Springettsbury Townships, **York County**. HRP Associates, Inc., 197 Scott Swamp Road, Farmington, CT 06032, on behalf of AFCI Americas, 825 Old Trail Road, Etners, PA 17319, submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, VOCs and nickel. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Rhonda Johnston Residence**, 685 Pilgrims Way, East Freedom, PA 16637, Freedom Township, **Blair County**. Barry Issett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Sugar Run Spills, 1009 Burn Avenue, Altoona, PA 16601, and Rhonda Johnston, 685 Pilgrims Way, East Freedom, PA 16637, submitted a Final Report concerning remediation of site soils and surface water contaminated with No. 2 fuel oil. The Report is intended to document remediation to the Residential Statewide Health Standard.

**Essendant, Inc. Truck Accident Site**, 501 Fulling Mill Road, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. Enviro Trac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Essendant, Inc., One Parkway North Blvd., Suite 100, Deerfield, IL 60015, and Phillips Office Group, 501 Fulling Mill Road, Middletown, PA 17057 submitted a Final Report concerning remediation of site soil contaminated with used motor oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Pine Creek Structures Retail Outlet**, 3850 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Pine Creek Structures, 102 East Market Street, Gratz, PA 17030 submitted Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel and unleaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Shirley Hall Residence**, 182 Ann Street, Saxton, PA 16678, Liberty Township, **Bedford County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Shirley Hall, 182 Ann Street, Saxton, PA 16678, 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 Residential Statewide Health Standard.

**Dorian Abel Residence**, 195 Heydt's Schoolhouse Road, Bechtelsville, PA 19505, Washington Township, **Berks County**. Mountain Research, 825 25th Street, on behalf of Dorian Abel, 195 Heydt's Schoolhouse Road, Bechtelsville, PA 19505, submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Doughty & Garrett Property**, 1607 Main Street, East Earl, PA 17519, East Earl Township, **Lancaster County**. Liberty Environmental, 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Tim Kauffman, 1562 Briertown Road, East Earl, PA 17519, and Adam Doughty and Lisa Garrett, 1607 Main Street,

East Earl, PA 17519, submitted a Final Report concerning remediation of site soil and groundwater contaminated with kerosene oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**750L Release Site-416 Weaver Road-Buckeye Pipeline**, 416 Weaver Road, Manheim, PA 17545-9141, Rapho Township, **Lancaster County**. Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, on behalf of Buckeye Pipe Line Transportation, LLC, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031, and RJR Leasing, LLC, 416 Weaver Road, Manheim, PA 17545, submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Residential Statewide Health and Site Specific Standards.

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

**1935 Woodville Ave, Inc. (Former Rennekamp Lumber Co)**, City of Pittsburgh **Allegheny County**. Paul Nachlas, Independence Environmental Consulting, 1750 Kaylor Road, Hummelstown, PA 17036 on behalf of 1935 Woodville Ave, Inc., 4520 William Penn Highway, Monroeville, PA 15146 has submitted a Remedial Investigation Report concerning the remediation of site Soil and Groundwater contaminated with volatile and semi-volatile compounds (VOCs & SVOCs). Notification of the Remedial Investigation Report was published in the Pittsburgh Post-Gazette, Pittsburgh, PA on November 18, 2016.

**70 Caldwell Road (former Stewart Compressor Station)**, Mount Pleasant Township **Washington County**. ECS&R, 3237 US Highway 19, Cochranon, PA 16314 on behalf of Williams Northeast Gathering & Processing Laurel Mountain Midstream, 111 Enterprise Lane, Connellsville, PA 15425 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum type lubricants. The report is seeking a residential Statewide health standard attainment.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**Gas Station**, 5300 West Baltimore Avenue, Upper Darby Township, **Delaware County**. Josh Sarett, ALC Environmental, 121 West 27th Street, Suite 402, New York, NY 10001 on behalf of Larry Dugan, Kravitz Properties, Inc., 25 Washington Lane, Suite 4A, Wyncote, PA 19098 has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard. PF773528.

**Woodward Residence**, 2557 Andrew Drive, Hatfield Township, **Montgomery County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell on behalf of Wendy Woodward, 2557 Anthony Drive, Colmart, PA 18915 has submitted a 90 day 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. PF 814902.



**Wawa Food Market No. 8066**, Abington Township, **Montgomery County**. Geoff Kristof, JK Environmental Services, LLC, P.O. Box 509, Lafayette Hill, PA 19444, Joseph Standen, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063 on behalf of Provcio Goodman Jenkintown, LP, The Provcio Group, P.O. Box 190, Villanova, PA 19085 has submitted a 90 day Final Report concerning remediation of site soil contaminated with gasoline/diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF814951.

**Rohm and Haas Chemical, LLC Philadelphia Plant**, 500 Richmond Street, City of Philadelphia, **Philadelphia County**. Paul Brandt Butler, PhD, PE, URS, 625 West Ridge Pike, Suite, E-100, Conshohocken, PA 19428 on behalf of Carl Coker, The Down Chemical Company, 310 George Patterson Boulevard, Suite 100, Bristol, PA 19007 has submitted a Remedial Investigation/Risk Assessment/Final Report concerning remediation of site soil and groundwater contaminated with pesticides, vocs, svocs, metals and herbicides. The report is intended to document remediation of the site to meet the Site Specific Standard. PF742771.

**Overbrook Plaza**, 5610 Lancaster Avenue, City of Philadelphia, **Philadelphia County**. Vincent Pappalardo, Eikon Planning and Design, LLC, 221 High Street, Hackettstown, NJ 07840 on behalf of Jack Friedler, 5610 Associates, LLC, 2076 Flatbush Avenue, Marine Park, NY 11234 has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with heating oil, vocs and pah. The report is intended to document remediation of the site to meet the Site Specific Standard. PF619631.

**Sears Auto Center # 1654**, Middletown Township, **Delaware County**. Bryan Emillius, Resource Control Consultants 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060 on behalf of Michael Couvreur, Sears Holding Corporation, 3333 Beverly Road, Hoffman Estates, IL 60179 has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health standard. PF809277.

**Locker Room Storage**, 4415 Aramingo Avenue, City of Philadelphia, **Philadelphia County**. David B. Farrington, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Randy Feinberg, Locker Room Storage, Inc., P.O. Box 8, Haverford, PA 19041 on behalf of Robert Moser, Prime Aramingo LLC, 83085 Railroad Place, Sarasota Springs, NY 12866 has submitted a Final Report concerning remediation of site groundwater contaminated with dissolved lead. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF809665.

**123/125 West Hillendale**, 123/125 Hillendale Road, Kennett Township, **Chester County**. Paul A. Hagerty Hagerty Environmental, LLC, 415 McFarlan Road, Suite 216, Kennett Square, PA 19348, James Lynch, T.I. Hillendale, L.P., 337 Barn Hill Road, West Chester, PA 19382 on behalf of James A. Guthrie, 125 West Hillendale Road, Kennett Square, PA 19348 has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF814342.

**Sunoco Marcus Hook Refinery A01-1-4**, 100 Green Street, Borough of Marcus Hook/Lower Chichester Township, **Delaware County**. Jim Oppenheim Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, Jennifer Menges, Stantec, 1060 Andre Drive, Suite 140, West Chester, PA 19380 on behalf of Brad Fish, Sunoco Partners Marketing & Terminals, L.P., has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with no. 6 fuel oil. The report is intended to document remediation of the site to meet the site Specific Standard. PF778391/778392/778394/778395.

**Martino Muffler**, 674 North Main Street, Doylestown Township, **Bucks County**. Sean M. Damon, P.G., LSRP, Senior Associate/VP, Langan Engineering & Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976-3653 on behalf of Daniel Flagler, Flagler Properties, Inc., 674 North Mains Street, Doylestown, PA 18901 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF620391.

**Philadelphia Gun Club**, 3051 State Road, Bensalem Township, **Bucks County**. William Schmidt, PE, Pennoni Associates Inc., 3051 Market Street, Suite 200, Philadelphia, PA 19020, Darryl Borelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Jordan Irving, Philadelphia Gun Club, 3051 State Road, Bensalem, PA 19020 has submitted a Risk Assessment/Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with lead. The report is intended to document remediation of the site to meet the Site Specific Standard. PF770790.

**Berwyn Shopping Center**, 500 Lancaster Avenue, Easttown Township, **Chester County**. Arron Epstein, Partner Engineering & Science, 200 Sproul Road, Suite 106, Broomall, PA 19008 has submitted a Risk Assessment/Remedial Investigation Report concerning remediation of site groundwater contaminated with chlorinated solvents The report is intended to document remediation of the site to meet the Site Specific Standard. PF777168.

**Estate of Ronald Barkasy**, 1242 Norton Avenue, Bristol Township, **Bucks County**. Bernard B. Beegle, PG, CPG, Advance Geo Services Corporation, 1005 Andrew Drive, Suite A, West Chester, PA 19382 on behalf of Estate of Ronald Barksasy, c/o Ms. Dorothy Usas, Estate of Ronald Barkasy, 1 Miracle Lane, Glenville, NY 12302 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 Site Specific Standard. PF814341.

**Clermont Property**, 330-340 Leidy Road, 30 Cowpath Road & 329 East Township Line Road, Franconia Township, **Bucks County**. Lawrence W. Bily, RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406, James Sieracki, Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Christopher Canavan, Blecker Acquisitions, L.P., 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Site Specific Standard. PF810251.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Schmidt Property**, 975 Tyler Lake Road, Harford Township, **Susquehanna County**. Geological & Environmental Associates, Inc., 430 West Mountain Road, Plymouth, PA 18651, on behalf of Datom Products, Inc., 113 Monahan Avenue, Dunmore, PA 18512, submitted a Final

Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 19, 2017.

**Donald Pissott Property**, 74 Sorbertown Road, Hunlock Township, **Luzerne County**. Geological and Environmental Associates, Inc., 430 West Mountain Road, Plymouth, PA 18651, on behalf of Datom Products, Inc., 113 Monahan Avenue, Dunmore, PA 18512, submitted a Final Report concerning the remediation of site soils contaminated with Kerosene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 19, 2017.

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

**Dolores Dowd Residence**, 1857 & 1859 Rockvale Road, Lancaster, PA 17602 West Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Dolores Dowd, 1859 Rockvale Road, Lancaster, PA 17602, and Amr A. Shafshak, 1857 Rockvale Road, Lancaster, PA 17602, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on January 6, 2017.

**D&D Distribution Services**, 789 Kings Mill Road, York, PA 17403, Spring Garden Township, **York County**. Arcadis, Inc., 35 Columbia Road, Branchburg, NJ 08876, on behalf of 789 Kings Mill, L.P., 40 Morris Avenue, Suite 230, Byrn Mawr, PA 19010, and Safe Harbor Reserve, Inc., 789 Kings Mill Road, York, PA 17403, submitted Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs, chlorinated solvents and inorganics. The Report was disapproved by the Department on January 11, 2017.

**Bare Development/Miller Chemical Co. Fire**, 275 Radio Road, Hanover, PA 17331, Conewago Township, **Adams County**. Ramboll Environ US Corporation, 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203, on behalf of Miller Chemical and Fertilizer, LLC, 120 Radio Road, Hanover, PA 17331, and Bare Development, L.P. & Radio Hanover, P.O. Box 234, Hanover, PA 17331 submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with inorganics and fertilizer constituents. The Final Report demonstrated attainment of the Residential Statewide Health and Site Specific Standards, and was approved by the Department on January 11, 2017.

**Dollar General/Former Uni-Mart**, 55 York Street, Wellsville, PA 17365, Wellsville Borough, **York County**. United Environmental Services, LP, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of MBC Development LP, 950 East Main Street, Schuylkill Haven, PA 17972, submitted a Final Report concerning remediate of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Non-Residential Statewide Health Standard, and was approved by the Department on January 23, 2017.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**Estate of Ronald Barkasy**, 1242 Norton Avenue, Bristol Township, **Bucks County**. Bernard B. Beegle, PG, CPG, Advanced GeoServices Corporation, 1055 An-



drew Drive, Suite A, West Chester, PA 19382 on behalf of Dorothy Usas, Estate of Ronald Barkasy, 1 Miracle Lane, Glenville, NY 12302 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 10, 2017. PF814341.

**Philadelphia Energy Solutions Refinery, AOI-10**, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffani Doerr, Evergreen Resources Management Operation, 2 Right Parkway, Suite 200, Wilmington, DE 19803, Charles Barksdale, Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 on behalf of Colleen Costello, GHD Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 has submitted a Risk Assessment Report concerning the remediation of site groundwater and soil contaminated with petroleum compounds. The Risk Assessment Report was approved by the Department on November 10, 2016. PF720775.

**Abbonizio Recycling Facility**, Front and Thurlow Street, City of Chester, **Delaware County**. Michael Edelman, TRC Environmental Corporation, 1601 Market, Suite 2555, Philadelphia, PA 19103, Gary Pierce, Convnata Delaware Valley, LP, 10 Highland Avenue, Chester, PA 19013 on behalf of Alex Piscitelli, Covanta Delaware, Valley, LP, 10 Highland Avenue, Chester, PA 19013 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with metals, vocs, pahs, iron and aluminum.. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on December 19, 2016. PF806794.

**1401 Dreshertown Road**, 1401 Dreshertown Road, Upper Dublin Township, **Montgomery County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Chris Magarity, Condor Fort Washington Real Estate LLP, 404 Pennsylvania Avenue, Fort Washington, PA 19034 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with diesel fuel, leaded and unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 19, 2016. PF618744.

**Schmalbach Property**, 14 Constitution Avenue, Doylestown Township, **Bucks County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 EST Mermaid Lane, Glenside, PA 19038 on behalf of Deborah Schmalbach, 14 Constitution Avenue, Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 1, 2016. PF813539.

**US Steel Corporation KIPC-BPNT-4 Area**, One Ben Fairless Drive, Falls Township, **Bucks County**. John A. Garges, GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United State Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 1522 has submitted a Remedial Investigation/Risk Assessment and Final Report concerning the remediation of site soil contaminated with vocs, svocs, metal and pahs. The Remedial Investigation/Risk Assessment and Final Report were approved by the Department on December 1, 2016. PF809297.

**Biddle Residence**, 2803 Diamond Street, Hilltown Township, **Bucks County**. Kevin Burns, CB&I, 200

Horizon Center Boulevard, Trenton, NJ 08691, Gary Ecott, Petro Heating Oil Services, 650 Knowles Avenue Southampton, PA 18966 on behalf of Larry Biddle, 2803 Diamond Street, Hilltown, PA 18972 has submitted a Final Report concerning the remediation of site soil contaminated with fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 19, 2016.

**Swank Residence**, 1481 Forest Grove Road, Buckingham Township, **Bucks County**. Richard Starke, Roux Associates, Inc., 401 Heron Drive, Logan Township, NJ 08085, JR Evangelista, Active Remediation Services, 203 Main Street, Suite 332, Flemington, NJ 08822 on behalf of William Swank, 1481 Forest Grove Road, Forest Grove, PA 18922 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. fuel oil. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on December 16, 2016. PF810391.

**Jaeger Property**, 1876 East Saw Mill Road, Haycock Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P.O. Box 629, Douglasville, PA 19518 on behalf of Charles Jaeger, 9222 Old Easton Road, P.O. Box 629, Douglasville, PA 19518 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 19, 2016. PF808880.

**76 Carriage Company**, 1350 Schuylkill LP, City of Philadelphia, **Philadelphia County**. Andrew Basehoar, TTI Environmental, 1253 North Church Street, Moorestown, NJ 08057 on behalf of Michael Slocum, 1350 Schuylkill, LP, 1350 Schuylkill Avenue, Philadelphia, PA 19146 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with benzene. The Remedial Investigation/Final Report was approved by the Department on December 19, 2016. PF650744.

**Georgia Pacific/Philadelphia Container Facility**, 610 Righter Ferry Road, Lower Merion Township, **Montgomery County**. Michael Christi, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin S. Kyle, Righter Ferry Associates, LP, 2701 Renaissance, Boulevard, 4th Floor, King of Prussia, PA 19406 has submitted a Final Report concerning the remediation of site soil contaminated with pah and inorganic. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on December 21, 2016. PF669339.

**76 Carriage Company**, 1350 Schuylkill Avenue, City of Philadelphia, **Philadelphia County**. Andrew Basehoar, TTI Environmental, 1253 North Church Street, Moorestown, NJ 08057 on behalf of Michael Slocum, 1350 Schuylkill Avenue, Philadelphia, PA 19146 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with benzene. The Remedial Investigation/Final Report was approved by the Department on December 19, 2016. PF650744.

**801 Baltimore Pike**, 801 Baltimore Pike, Springfield Township, **Delaware County**. Brian Loughnane, Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468 on behalf of Joseph S. Botta, Jr., Pineville Properties, LLC, 1288 Valley Forge Road, # 987 Unit 66, Valley Forge, PA 19482 has submitted a Reme-

dial Investigation/Final Report concerning the remediation of site soil contaminated with naphthalene, 1,2,4-TMB and 1,3,5-TMB. The Remedial Investigation/Final Report was approved by the Department on December 19, 2016. PF810291.

**Hypex Inc.**, 1000 Industrial Boulevard, Upper Southampton Township, **Bucks County**. Greg Firely, Langan, 2700 Kelly Road, Suite 200, Warrington, PA 18976 on behalf of James Hasson, Hypex Inc., 1000 Industrial Boulevard, Southampton, PA 18966-4007 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum hydrocarbon. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 14, 2106. PF813024.

**Townhouse @ Evensburg**, Germantown Pike/River Road & Germantown Pike/Crosskeys Road, Lower Providence Township, **Montgomery County**. Walter H. Hungarter, III, PE, RT Environmental Service Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Christopher Canavan, Prospect Acquisitions, LP & Stoneridge Acquisitions, LP, 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with metals and chlorinated solvents. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on January 10, 2017. PF779739.

**Transmontaigen Site**, 58th Street and the Schuylkill River, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, PG, Duffield Associates, Inc., 21 North 13th Street, Suite 704, Philadelphia, PA 19107 on behalf of Monica Trudeau, PE, PAID/PIDC, 1500 Market Street, Suite 2600 West, Philadelphia, PA 19107 has submitted a Final Report concerning the remediation of site groundwater contaminated with vocs, svoc. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on January 5, 2017. PF738660.

**Easton Road Site**, 5707 Easton Road, Plumstead Township, **Bucks County**. Randy Shick, Sr., BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Larry Harder, DCTN3 448 Plumsteadville, PA, LLC, 24 Market Street, Ridgefield, CT 06877 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on December 27, 2016. PF813029.

**Duval Manor Apartments**, 6350 Green Street, City of Philadelphia, **Philadelphia County**. Andrew Hubley, Environmental Consulting Inc., 2002 Renaissance Boulevard, Suite 110, King Prussia, PA 19118, Michael Young, Classic Management, Inc., 229 West Upsal Street, Philadelphia, PA 19118 on behalf of Thomas Farnoly, Duval Manor Associates, LLC, 6350 Green Street, Philadelphia, PA 19118 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with fuel oil, 4, 5 and 6 parameters. The Remedial Investigation/Risk Assessment/Cleanup Plan was approved by the Department on January 5, 2017. PF803702.

**Duval Manor Apartments Parking Lot Parcel**, 6347-6351 Green Street, City of Philadelphia, **Philadelphia County**. Andrew Hubley, Environmental Consulting Inc., 2002 Renaissance Boulevard, Suite 110, King Prussia, PA 19118, Michael Young, Classic Management, Inc.,

229 West Upsal Street, Philadelphia, PA 19118 on behalf of Thomas Farnoly, Duval Manor Associates, LLC, 6350 Green Street, Philadelphia, PA 19118 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with tcl, vocs and pahs. The Remedial Investigation/Risk Assessment/Cleanup Plan was approved by the Department on January 3, 2017. PF8036982.

**National Foam West Chested Site**, 350 East Union Street, Borough of West Chester, **Chester County**. Christopher Zeliznak, PG, EnviroSure, Inc., 319 South High Street, First Floor, West Chester, PA 19382 on behalf of Russell Furtick, National Foam, Inc., 141 Junny Road, Angier, NC 27501 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with vocs, svocs and metals. The Remedial Investigation Report was approved by the Department on December 8, 2016. PF793923.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

#### *Hazardous Waste Transporter License Issued*

**Munoz Trucking Corp.**, 40-48 Porete Avenue, North Arlington, NJ 07031. License No. PA-AH 0850. Effective Jan 20, 2017.

#### *Hazardous Waste Transporter License Reissued*

**Buffalo Fuel Corp.**, 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective Jan 23, 2017.

**MCF Systems Atlanta, Inc.**, 4319 Tanners Church Road, Ellenwood, GA 30294. License No. PA-AH S240. Effective Jan 23, 2017.

**OSI Environmental, Inc.**, 300 Fayal Rd, Eveleth, MN 55734. License No. PA-AH 0780. Effective Jan 23, 2017.

**Triumvirate Environmental, Inc.**, 200 Inner Belt Road, Somerville, MA 02143. License No. PA-AH 0477. Effective Jan 23, 2017.

#### *Renewal Applications Received*

**Buffalo Fuel Corp.**, 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective Jan 23, 2017.

**MCF Systems Atlanta, Inc.**, 4319 Tanners Church Road, Ellenwood, GA 30294. License No. PA-AH S240. Effective Jan 20, 2017.

**OSI Environmental, Inc.**, 300 Fayal Rd, Eveleth, MN 55734. License No. PA-AH 0780. Effective Jan 20, 2017.

**The Pennohio Corporation**, 4813 Woodman Ave, Ashtabula, OH 44004. License No. PA-AH 0618. Effective Jan 24, 2017.

**Smith Systems Transportation, Inc.**, PO Box 2455, Scottsbluff, NE 69361. License No. PA-HC 0262. Effective Nov 21, 2016.



**REGULATED MEDICAL AND  
CHEMOTHERAPEUTIC WASTE TRANSPORTER  
LICENSES**

**Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

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

*Regulated Medical and Chemotherapeutic Waste Transporter Reissued*

**Smith Systems Transportation, Inc.**, PO Box 2455, Scottsbluff, NE 69361. License No. PA-HC 0262. Effective Jan 24, 2017.

**MUNICIPAL WASTE GENERAL PERMIT**

**Permit Issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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 Numbers: WMGM055NW001 & WMGM055SW006. Greentree Landfill Gas Company, LLC & Imperial Gas Company, LLC**, 1925 Isaac Newton Square—Suite 280, Reston, VA 20190. WMGM055 authorizes the processing and beneficial use of: (1) a substitute for high or medium Btu-LFG for natural gas or other fuel; (2) a substitute for natural gas or other fuel to be interconnected with another pipeline for consumer use; and (3) an alternative fuel for the electric generators to produce electricity. These permits were issued by Central Office on January 11, 2017.

Persons interested in reviewing a general permit should be directed to Chris Tersine at 717-787-7381, Environmental Engineer, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**RESIDUAL WASTE GENERAL PERMITS**

**Site Approval Extension Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application Number WMGR097R017. Clean Earth of Williamsport, LLC**, 212 Colvin Rd, Williamsport, PA, 17701. On December 30, 2016, the Department of Environmental Protection, Bureau of Waste Management, received a request to extend

Clean Earth of Williamsport LLC's Bobst Mountain Road Improvement Project under WMGR097R017. Clean Earth of Williamsport, LLC requested a construction extension to complete aggregate top dressing of the processed drill cuttings material that has already been placed at the Bobst Mountain Hunting Club, Strip Mine (Little Gap Run North), Cogan House Township, **Lycoming County**. No additional processed drill cuttings material will be placed on the site as a result of this extension. This extension was approved by the Department of Environmental Protection's Central Office on January 19, 2017, and the approval expires February 28, 2017.

Persons interested in reviewing this proposal may contact Jason M. Dunham, EIT, Compliance and Technical Support Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**DETERMINATION OF APPLICABILITY FOR  
MUNICIPAL WASTE GENERAL PERMITS**

**Determination of Applicability for General Permit Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit No. WMGM044SE002. Accurate Recycling Corporation**, 508 East Baltimore Pike, Lansdowne, PA 19050. This application is for determination of applicability (DOA) under General Permit No. (WMGM044SE002) for processing and beneficial use of unpainted and untreated wood waste; gypsum board, brick, block and concrete waste; non-asbestos containing asphalt shingles; pallets, skids; saw dust; source segregated paper; cardboard and newspaper; plastic waste; scrap metal; unused structural sound building materials; and architectural elements at "Accurate Recycling Corporation—Lansdowne Facility" located at 508 East Baltimore Pike in Upper Darby Township, **Delaware County**. The application for determination of applicability was accepted by the Southeast Regional Office on January 12, 2017.

Persons interested in reviewing the general permit may contact the Waste Management Program Manager, DEP, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

**Determination of Applicability for General Permit issued under the Solid Waste Management Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 relating to authorization for general permit).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR098SC001. McConway & Torley, LLC**, 230 Railroad Street, Kutztown, PA

19530-1199. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR098 to McConway & Torley, LLC, for the beneficial use of waste foundry system sand and sand system dusts, referred to as foundry sand, generated by ferrous metal foundries and steel foundries for use as construction material, or as a soil additive or soil amendment for foundry sand generated at their facility located at 230 Railroad Street, Kutztown, PA in Kutztown Borough and Maxatawny Township, **Berks County**. This Determination of Applicability was issued on January 24, 2017.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 301254. Clean Earth of Southeast Pennsylvania, LLC**, 7 Steel Road East, Morrisville, PA 19067. This permit was issued to allow for the short-term, continued operation of the Clean Earth of Southeast Pennsylvania, LLC facility during the review of the facility's 10-year renewal application. The Clean Earth of Southeast Pennsylvania, LLC facility is an existing residual waste processing facility, located at 7 Steel Road, Morrisville, PA in Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on January 19, 2017.

Persons interested in reviewing the general permit may contact the Waste Management Program Manager, (DEP) Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

#### AIR QUALITY

#### General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

**GP3-46-0143: Tamco Construction Inc.** (539 E. Dark Hollow Road, Pipersville, PA 18947) On January 20, 2016 for a portable Non-metallic Mineral Processing Plant and Water Spray Dust Suppression System in Bridgeport Borough, **Montgomery County**.

**GP9-46-0095: Tamco Construction Inc.** (539 E. Dark Hollow Road, Pipersville, PA 18947) On January 20, 2016 for a diesel-fired Internal Combustion Engine (1) used in

the operation of a portable Non-metallic Mineral Processing Plant in Bridgeport Borough, **Montgomery County**.

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

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

**GP15-21-03124: Archer Daniels Midland** (4666 Faries Parkway, Decatur, IL 62526) on January 18, 2017, for an existing animal feed mill operation, under GP15, at their facility located in Lower Allen Township, **Cumberland County**.

**GP1-06-05045: PA DHS—Hamburg Center** (H&W Building, Room 508, 625 Forster Street, Harrisburg, PA 17120-2675) on January 18, 2017, for a 31.4 MMBtu/hr., No. 2 oil-fired rental boiler, under GP1, at the Hamburg Center located in Windsor Township, **Berks County**.

**GP1-36-03013: Burnham LLC** (1239 Harrisburg Pike, Lancaster, PA 17603) on January 19, 2017, for an existing 16.7 MMBtu/hr. boiler with No. 2 oil and natural gas fuel, under GP1, at the facility located in the City of Lancaster, **Lancaster County**. The general permit authorization was renewed.

#### 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, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**31-05022A: AC Products, Inc., Mt Union Plant** (12393 William Penn Highway, Thompsontown, PA 17094-8649) on January 11, 2017, for a new cabinet manufacturing facility including three automated spray lines and six auxiliary spray booths with hot water heaters/ovens, located in Shirley Township, **Huntingdon County**.

**67-03177A: York Railway Co.** (13901 Sutton Park Drive South, Suite 125, Jacksonville, FL 32224) on January 13, 2017, for an ethanol transloading operation located in West Manchester Township, **York County**.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**16-148B: RV Burns Crematorium Inc.** (638 Wood Street, Clarion, PA 16214), on January 13, 2017 issued a Plan Approval to continue operation of their existing human crematory without installing a door interlock system in Clarion Borough, **Clarion County**.

#### Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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



**23-0038E: Delcora** (100 E 5th Street, PO Box 999, Chester, PA 19016-0999) On January 20, 2017 for the construction and operation of a Biotrickling filter to remove hydrogen sulfide and other odorous compounds from the effluent vapors from the sludge Holding Tanks (Source ID 111) and the Building B-4 grease processing and sludge thickening areas in the City of Chester, **Delaware County**.

**23-0038C: Delcora** (100 E 5th Street, PO Box 999, Chester, PA 19016-0999) On January 20, 2017 for the addition of applicable requirements from 40 CFR Part 63, Subpart DDDDD to four (4) No. 2 Fuel Oil fired boilers used for heating building in Chester City, **Delaware County**.

**46-0025L: Johnson Matthey Inc.** (900 River Road, Conshohocken, PA 19428-2647) On January 20, 2017 for the removal of an ODEX Scrubber and liquid seal pot in Upper Merion Township, **Montgomery County**.

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

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

**34-05001D: AC Products, Inc.** (12393 William Penn Highway, Thompsettown, PA 17094) on January 13, 2017, for modification of the wood cabinet surface coating operation in Delaware Township, **Juniata County**. The plan approval was extended.

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

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

**11-00535A: Laurel Highlands Crematory at Harris Funeral Home, Inc.** (500 Cherry Lane, Johnstown, PA 15904) Plan Approval extension effective on January 28, 2017, with expiration date of July 28, 2017, for continued temporary operation two (2) crematory incinerators at the above referenced facility located in Richland Township, **Cambria County**.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**25-269A: American Tinning and Galvanizing Company** (552 West Twelfth Street, Erie, PA 16501), on January 18, 2017, effective January 31, 2017, has issued a plan approval extension for anodizing, barrel plating, rack plating, and galvanizing operations at their facility in the City of Erie, **Erie County**.

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

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

**15-00137: Johnson Matthey/Advanced Glass Technologies Division** (498 Acorn Lane, Downingtown, PA 19335) On January 12, 2017 for the renewal of a State-Only Operating Permit. This facility is located in Downingtown, **Chester County**.

**23-00119: Sunoco Partners Marketing & Terminals** (100 Green Street, Marcus Hook, PA 19061) on January 20, 2017 a Significant Permit Modification to address the incorporation of the Department's RACT II requirements found in 25 Pa. Code §§ 129.96—129.100. These RACT revisions will be submitted to EPA to add to the State implementation plan. The affected sources for case-by-case RACT are: Three auxiliary boilers (Sources 031, 033 and 034), One Cooling tower (15-2 unit in Source 139), Marine Vessel Loading (Source 115), Vehicle Refueling (Source 368), Blind Changing (Source 402, NESHAP Fugitive Equipment (Source 800, and Fugitive Equipment (Source 801). The facility is located in Marcus Hook Borough, **Delaware County**.

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

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

**31-05011: US Silica Co.** (12942 Oriskany Road, Mapleton Depot, PA 17052-9578) on January 17, 2017, for the rock crushing, screening and drying operations at the facility located in Brady Township, **Huntingdon County**. The Title V permit was renewed.

**36-05013: Lancaster County Solid Waste Management Auth.** (1911 River Road, Bainbridge, PA 17502-9360) on January 19, 2017, for the Lancaster County Resource Recovery facility located in Conoy Township, **Lancaster County**. The Title V permit was renewed.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**15-00042: Southeastern Veterans Center** (1 Veterans Drive, Spring City, PA 19475) On January 20, 2017 for the renewal of a State Only Operating Permit, Synthetic Minor for the facility located in East Vincent Township, **Chester County**.

**23-00222: William Lombardo Funeral Home, Inc.** (33 West Baltimore Avenue, Clifton Heights, PA 19018) On January 20, 2017 for an initial Non-Title V Facility, State-Only, Natural Minor Permit for a Matthews Animal Cremation Unit located at this location in Clifton Heights Borough, **Delaware County**.

**23-00048: West Rock CP,** (100 McDonald Boulevard, Aston, PA 19014-3202) On January 20, 2017 for the renewal of a State Only Operating Permit, Synthetic Minor for their facility located in Chester Township, **Delaware County**.

**15-00038: Flint Group, North America Corp.** (210 Phillips Rd, Lionville, PA 19341) On January 20, 2017 for the renewal of a State Only Operating Permit for their facility that manufactures printing inks located in Uwchlan Township, **Chester County**.

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

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

**48-00092: ASSA Abloy Svc Center** (1000 Conroy Place, Easton, PA 18040) on January 17, 2017 for the administrative amendment to include all applicable requirements from plan approval number 48-00092B at the site located in Forks Twp., **Northampton County**.

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

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

**06-03049: Industrial Metal Plating, Inc.**(153 Wagner Lane, Reading, PA 19601-1195) on January 17, 2017, for the aluminum anodizing and bright dip facility located in Bern Township, **Berks County**. The State-only permit was renewed.

**06-05005: New Enterprise Stone & Lime Co., Inc.** (3742 Crescent Court West, Suite 200, Whitehall, PA 18052) on January 9, 2017, for the Oley Quarry and hot mix asphalt operations located in Oley Township, **Berks County**. The State-only permit was renewed.

**21-03118: Fogelsanger-Bricker Funeral Home, Inc.** (112 West King Street, PO Box 336, Shippensburg, PA 17257-0336) on January 11, 2017, for the human crematory unit at the facility located in Shippensburg Borough, **Cumberland County**.

**28-03008: Edge Rubber LLC** (811 Progress Road, Chambersburg, PA 17201-3257) on January 20, 2017, for the shredded tire processing facility located in Chambersburg Borough, **Franklin County**. The State-only permit was renewed.

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

*Contact: Tom Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**OP-63-00488: Monongahela Valley Hospital Inc.** (1163 Country Club Road, Monongahela, PA 15063-1013) State Only Operating Permit renewal issuance date effective January 19, 2017, for their Monongahela Valley Hospital located in Monongahela City, **Washington County**.

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

*Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.*

**37-00012: Dunbar Asphalt Products Plant 2** (PO Box 477, Wheatland, PA 16161-0477) on January 17, 2017, the Department issued the renewal of the Synthetic Minor Permit to operate an asphalt paving mixtures and block manufacturing facility. The facility's emitting sources include the rotary dryer, stockpiles and aggregate bins, material handling and storage, and recycled asphalt product handling and storage. The rotary dryer is controlled by a cyclone separator and a baghouse. The facility is located in Mahoning Township, **Lawrence County**. The facility is a synthetic minor based on limiting CO emissions. The CO emissions are limited based on a production restriction of 495,000 tons product

per year based on 12-month rolling total for the facility-wide production. The actual emissions reported by the facility for 2015 were 17.3 TPY CO, 1.5 TPY NO<sub>x</sub>, 1.45 TPY PM<sub>10</sub>, 0.4 TPY SO<sub>x</sub>, and 1.5 TPY VOC.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.*

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Minor State Only Operating Permit for the following facility:

**OP16000022: Tenet Health System—Hahnemann University Hospital** (230 North Broad Street, Philadelphia, PA 19107) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source include seven (7) emergency generators firing No. 2 fuel oil, each 450 kilowatt or less; two (2) emergency generators firing natural gas, each 190 kilowatt or less; and three (3) fire pumps firing No. 2 fuel oil, each 302 horsepower or less.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**21-05005: PA Department of Corrections** (2500 Lisburn Road, PO Box 8837, Camp Hill, PA 17001-8837) on January 13, 2017, for the Camp Hill State Correctional Institution located in Lower Allen Township, **Cumberland County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 21-05005D.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**46-00123: Wesco Industrial Products, Inc.** (1250 Welsh Road, North Wales, PA 19454) On January 20, 2016 for demonstrating that the facility is no longer a significant source of emissions and is exempt from operating permit requirements for this location in Montgomery Township, **Montgomery County**.

**09-0233: Bamara Fairless Methanol, LLC.** (375 Park Avenue, New York, NY 10152) On January 13, 2017, the Prevention of Significant Deterioration (PSD) plan approval was denied to construct two methanol plants in Falls Township, **Bucks County**.



## 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.*

**32131303. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Crooked Creek Mine in Washington Township and Creekside Borough, **Indiana County** from Western Allegheny Energy, LLC. No discharges. The application was considered administratively complete on September 20, 2016. Application received May 2, 2016. Permit issued January 13, 2017.

**32041301 and NPDES No. PA0235644. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Brush Valley Mine in Center Township, **Indiana County** and related NPDES Permit from Western Allegheny Energy, LLC to Rosebud Mining Company. No additional discharges. The application was considered administratively complete on July 7, 2016. Application received March 4, 2016. Permit issued January 13, 2017.

**32061303 and NPDES No. PA0235725. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Heilwood Mine in Pine and Cherryhill Townships, **Indiana County**. No additional discharges. The application was considered administratively complete on February 4, 2013. Application received November 29, 2012. Permit issued January 13, 2017.

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County** and East Finley Township, Washington County and related NPDES permit for installation of F27 Powerline. Surface Acres Proposed 24.1. No additional discharges. The application was considered administratively complete on April 13, 2016. Application received November 2, 2015. Permit issued January 20, 2017.

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

**Permit No. 56090106 and NPDES No. PA0262765. Mountaineer Mining Corp.**, 1010 Garrett Shortcut Road, Berlin, PA 15530, renewal for the continued operation and restoration of a bituminous surface and auger

mine in Brothersvalley Township, **Somerset County**, affecting 105.5 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 1, 2016. Permit issued: January 18, 2017.

### *Noncoal Permits Issued*

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

**Permit No. 7775SM4C5 and NPDES Permit No. PA0594563. Lehigh Cement Co., LLC**, (7660 Imperial Way, Allentown, PA 18195), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Oley Township, **Berks County** affecting 180.2 acres, receiving stream: unnamed tributary to Manatawny Creek. Application received: June 10, 2014. Permit issued: January 20, 2017.

**Permit No. 7775SM5C3 and NPDES Permit No. PA0594954. Lehigh Cement Co., LLC**, (7660 Imperial Way, Allentown, PA 18195), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Oley Township, **Berks County** affecting 91.1 acres, receiving stream: Limekiln Creek. Application received: May 19, 2015. Renewal issued: January 20, 2017.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

### *Blasting Permits Issued*

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

**04164105. Wampum Hardware Company** (2856 Stoystown Road, Friedens, PA 15541) Blasting activity permit for road construction in Conway Borough, **Beaver County**. This blasting activity permit expires on December 31, 2017. Permit Issued: January 9, 2017.

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

**02174101. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for construction at the Kelly Run Landfill located in Forward Township, **Allegheny County** with an expiration date of December 31, 2017. Blasting permit issued: January 3, 2017.

**30174101. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the EQT Olkchak Pad, to conduct seismic activity located in Center Township, **Greene County** with an expiration date of December 31, 2017. Blasting permit issued: January 13, 2017.

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

**Permit No. 36174103. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Eden Road Custom Lots in Manheim Township, **Lancaster County** with an expiration date of January 17, 2018. Permit issued: January 19, 2017.

**Permit No. 48174102. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Conagra Mills in Upper and Lower Mt. Bethel Townships, **Northampton County** with an expiration date of January 13, 2018. Permit issued: January 19, 2017.

**Permit No. 67174101. M & J Explosives, LLC**, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Rutters Store 1 in Springettsbury Township, **York County** with an expiration date of January 10, 2018. Permit issued: January 19, 2017.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

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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

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

**E5929-059: Howard Energy Partners, LLC**, 37 Fox Chase Drive, Towanda, PA 18848-9060, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 949 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°36'09"N, 77°06'23"W);

2) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 1,111 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41°36'05"N, 77°06'19"W);

3) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 50 linear feet of an unnamed tributary to Blacks Creek (CWF) (Liberty, PA Quadrangle 41°36'06"N, 77°06'21"W);

4) A temporary road crossing using timber mats impacting 68 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'38"N, 77°06'35"W);

5) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 3,051 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'36"N, 77°06'43"W);

6) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 3,499 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'35"N, 77°06'52"W);

7) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 991 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'36"N, 77°07'05"W);

8) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 2,275 square feet of a palustrine emergent (PEM) wetland and 52 linear feet of Blacks Creek (CWF) (Liberty, PA Quadrangle 41°35'36"N, 77°07'09"W);

9) A temporary road crossing using timber mats impacting 432 square feet of a palustrine emergent (PEM) wetland (Liberty, PA Quadrangle 41°35'36"N, 77°07'21"W).

The project will result in 12,376 square feet (0.28 acre) of temporary wetland impacts and 102 linear feet of temporary stream impacts all for the purpose of installing a natural gas gathering line in Liberty Township, **Tioga County**.

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

**E10-503, David Frydrych**, 3 Northgate Plaza, Unit 2 Route 19 North, Harmony, PA 16037. Frydrych Property Fill, in Jackson Township, **Butler County**, ACOE Pittsburgh District.

The Applicant proposes to permanently fill approximately 0.11 acre of wetlands within the floodplain of Scholars Run for the protection and expansion of the parking area around the Bi-Lo gas station at a point approximately 400 feet southwest of the U.S. Route 19 and Little Creek Road intersection. The Applicant proposes to mitigate for the wetland impacts by constructing approximately 0.11 acre of on-site replacement wetlands. (Zelienople, PA Quadrangle N: 40.811322°, W: -80.128408°).

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.*

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG00129160001	Equitrans, LP 625 Liberty Avenue Suite 1700 Pittsburgh, PA 15222-3114	Westmoreland County	Unity Township and Derry Township	Four Mile Run (WWF) and Loyalhanna Creek (TSF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.*

ESCGP-2 # ESX11-031-0014—Scotch Pad Renewal  
Applicant EXCO Resources (PA), LLC  
Contact Mr. Brian Rushe  
Address 260 Executive Drive, Suite 100  
City Cranberry Township State PA Zip Code 16066  
County Clarion Township(s) Redbanks  
Receiving Stream(s) and Classification(s) Miller Run/  
Upper Redbank Creek

ESCGP-2 # ESX16-059-0005  
Applicant Name EQT Production Company LLC  
Contact Person Todd Klaner  
Address 2400 Zenith Ridge Road, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Greene County  
Township(s) Jackson Township  
Receiving Stream(s) and Classification(s) UNTs to Pennsylvania Fork Fish Creek (WWF)  
Secondary: Pennsylvania Fork Fish Creek

ESCGP-2 # ESX11-059-0027 (Major Modification)  
Applicant Name Chevron Appalachia, LLC  
Contact Person Branden Weimer  
Address 800 Mountain View Drive  
City, State, Zip Smithfield, PA 15478  
County Greene County  
Township(s) Dunkard Township  
Receiving Stream(s) and Classification(s) UNTs to Meadow Run (WWF), UNT to Dunkard Creek (WWF)  
Secondary: Meadow Run (WWF) & Dunkard Creek (WWF)

ESCGP-2 # ESX16-059-0010  
Applicant Name Rice Drilling B, LLC  
Contact Person Joseph C. Mallow  
Address 400 Woodcliff Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene County  
Township(s) Aleppo Township  
Receiving Stream(s) and Classification(s) UNTs to Blacks Creek (TSF), UNTs to Long Run (TSF)  
Secondary Blacks Creek and Long Run

ESCGP-2 # ESX16-125-0002  
Applicant Name Rice Drilling B, LLC  
Contact Person Joseph C. Mallow  
Address 400 Woodcliff Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Somerset Township  
Receiving Stream(s) and Classification(s) UNTs to Little Chartiers Creek (HQ-WWF), Little Chartiers Creek (HQ-WWF), Chartiers Creek

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*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESX29-115-16-0040  
Applicant Name Williams Field Services Co LLC  
Contact Person Lauren Miladinovich  
Address Park Place Corporate Ctr 2, 2000 Commerce Dr  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna  
Township(s) Bridgewater  
Receiving Stream(s) and Classification(s) UNTs to Meshoppen Ck (CWF-MF)



ESCGP-2 # ESX29-015-16-0032  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Brian Davis  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford  
 Township(s) Canton & Leroy  
 Receiving Stream(s) and Classification(s) UNT to  
 Towanda Ck (TSF, MF)  
 Secondary—Towanda Ck

ESCGP-2 # ESX11-023-0009(01)  
 Applicant Name Seneca Resources Corp  
 Contact Person Douglas Kepler  
 Address 5800 Corporate Dr, Suite 300  
 City, State, Zip Pittsburgh, PA 15237  
 County Cameron  
 Township(s) Shippen  
 Receiving Stream(s) and Classification(s) Havens Run  
 (CWF); Six and One Half Mile Hollow (EV); UNTs to  
 Right Branch Cooks Run (EV)  
 Secondary—Potato Ck (TSF); North Ck (EV); Right  
 Branch Cooks Run (EV)

ESCGP-2 # ESG29-015-16-0024  
 Applicant Name Talisman Energy USA Inc  
 Contact Person Lance Ridall  
 Address 337 Daniel Zenker Dr  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Columbia Twp & Sylvania Boro  
 Receiving Stream(s) and Classification(s) Morgan Ck  
 (TSF); UNT to W Branch Sugar Ck (TSFP)  
 Secondary—S Branch Sugar Ck

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## SPECIAL NOTICES

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### Air Quality; Petition for an Alternative Compliance Schedule

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

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

**06-05040D: East Penn Manufacturing Co., Inc.** (PO Box 147, Deka Road, Lyon Station, PA 19536-0147). On December 29, 2016, DEP approved East Penn's October 24, 2016 petition for an alternative compliance schedule for case-by-case RACT 2 implementation for Sources 101/108 at the secondary lead smelting facility located in Richmond Township, **Berks County**. East Penn is proposing to implement burner system modifications to the Source 101/108 smelter furnace system within 3 years of DEP's issuance of a plan approval for these changes. Between the initial compliance date of 1/1/17 and the completion of burner system modifications noted above, the facility would comply with the existing Title V NO<sub>x</sub> permit limits for Source 101/108 of 0.7 lb/MMBtu and 83.4 tpy. DEP approved the petition for alternative compliance schedule with the following caveats: 1.) the final compliance date shall be no later than 3 years after December 29, 2016, and 2.) the petition approval is contingent upon future DEP approval of the case-by-case RACT proposal contained in Plan Approval Application No. 06-05040D, as proposed by East Penn.

### Final State Water Quality Certification Required by Section 401 of the Clean Water Act for the Leach Xpress Project

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita Coleman, 412-442-4149.*

The following description is a revision of the WQ05-012 that was published on December 17, 2016:

**WQ05-012, Columbia Gas Transmission, LLC** (Applicant), 5151 San Felipe Street, # 2400; Houston, TX 77056. Leach Xpress Project (Project), in Richhill Township, **Greene County**, ACOE Pittsburgh District. Within Pennsylvania, the proposed project starts approximately 0.4 mile south of Majorsville, WV (Majorsville, PA Quadrangle N: 39°, 57', 36"; W: -80°, 31', 09") and ends at 0.75 mile north west of the intersection of Fry Hill Road and Coal Rock Road (Majorsville, PA Quadrangle N: 39°, 56', 22"; W: -80°, 31', 09").

On June 8, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-514-000). The FERC Environmental Impact Statement for the Project, which was issued on September 1, 2016, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Docket Search; CP15-514-000).

On March 25, 2016, Applicant requested a State water quality certification from the Pennsylvania Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Project consists of four new natural gas pipelines, totaling 160.67 miles, through West Virginia, Pennsylvania and Ohio. Within Pennsylvania, the Project, includes approximately 1.74 mile of 36-inch pipeline, for the purpose of transporting natural gas from Majorsville, PA to the Pennsylvania-West Virginia state line. The Project, as proposed, will require approximately 29.83 acres of earth disturbance, and impacts to 1,892 linear feet of Unnamed Tributaries of Enlow Fork (WWF), Unnamed Tributaries of Dunkard Creek (WWF), and Dunkard Creek (WWF), 4.03 acres of floodway, 0.14 acre of temporary PEM wetland impacts.

The Department published notice of its proposed state water quality certification in the *Pennsylvania Bulletin* on October 8, 2016 (46 Pa.B. 6331) and received 0 comments from the public.

The Department certifies to Applicant that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Applicant complies with the permitting programs, criteria and conditions established pursuant to State law:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).



2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Threatened and Endangered Species*—Applicant shall implement the Columbia Pipeline Group Multi Species Habitat Conservation Plan and the resulting Incidental Take Permit as reviewed and approved by the United States Fish and Wildlife Service and adhere to any subsequent revisions approved by the United States Fish and Wildlife Service.

6. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

7. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

8. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

9. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

10. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

11. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

12. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

[Pa.B. Doc. No. 17-194. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Availability of the Non-Regulatory Agenda

In accordance with the Department of Environmental Protection's (Department) Policy for Development and Publication of Technical Guidance, the Department provides notice of the availability of the Non-Regulatory Agenda (Agenda). The Department will publish notice of availability of the Agenda twice a year in February and July.

The Agenda serves as a guide and resource to the regulated community, the public, Department staff and members of the Department's advisory committees regarding the focus of the Department's policy development for the coming year. The types of documents listed in the Agenda include policies and technical guidance documents that provide directives, guidance or other relevant compliance-related information.

The Agenda is available on the Department's eLibrary web site at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-11958> (select "DEP Non-Regulatory Agenda").

Questions regarding the Department's Agenda should be directed to Abbey Cadden, Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063 at (717) 705-3769 or [ra-epthepolicyoffice@pa.gov](mailto:ra-epthepolicyoffice@pa.gov).

Questions regarding the specific documents listed on the Agenda should be directed to the respective contact person listed on the Agenda.

PATRICK McDONNELL,  
Acting Secretary

[Pa.B. Doc. No. 17-195. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### Draft Technical Guidance Document—Substantive Revision

**DEP ID:** 263-4200-001. **Title:** Closure Requirements for Aboveground Storage Tank Systems. **Description:** The purpose of this guidance is to establish minimum standards that must be met to comply with the closure requirements for regulated large aboveground storage tank systems. These procedures include closure notification, tank handling, waste management and disposal, site assessment, sampling requirements, analytical requirements, release reporting and recordkeeping.

This technical guidance document is being revised to remove all appendices from the document. In addition, throughout the document, associated regulatory citations have been updated pertaining to the Bureau of Waste Management regulations and the Department of Labor and Industry. Existing language has been expanded to aid in clarity and outdated terminology has been deleted. Document sections have been reorganized and additional information is included that would be relevant to the storage tank owner during storage tank closure activities.

**Written Comments:** Interested persons may submit written comments on this draft technical guidance document by March 6, 2017. 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 encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

**Contact:** Questions regarding this technical guidance document should be directed to Alex Eckman at (717) 772-5827 or [eckman@pa.gov](mailto:eckman@pa.gov).

**Effective Date:** Upon publication as final in the *Pennsylvania Bulletin*.

#### Draft Technical Guidance Document—Substantive Revision

**DEP ID:** 263-4500-601. **Title:** Closure Requirements for Underground Storage Tank Systems. **Description:** The purpose of this guidance is to establish minimum standards that must be met to comply with the closure requirements for regulated underground storage tank systems. These procedures include closure notification, tank handling, waste management and disposal, site assessment, sampling requirements, analytical requirements, release reporting and recordkeeping.

This technical guidance document is being revised to remove all appendices from the document. In addition, throughout the document, associated regulatory citations have been updated pertaining to the Bureau of Waste Management regulations and the Department of Labor and Industry. Existing language has been expanded to aid in clarity and outdated terminology has been deleted. Document sections have been reorganized and additional information is included that would be relevant to the storage tank owner during storage tank closure activities.

**Written Comments:** Interested persons may submit written comments on this draft technical guidance document by March 6, 2017. 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 encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

**Contact:** Questions regarding this technical guidance document should be directed to Alex Eckman at (717) 772-5827 or [eckman@pa.gov](mailto:eckman@pa.gov).

**Effective Date:** Upon publication as final in the *Pennsylvania Bulletin*.

#### Draft Technical Guidance Document—New Guidance

**DEP ID:** 390-3301-001. **Title:** Cryptosporidia, E.coli and Turbidity LT2ESWTR Laboratory Reporting Instructions for Public Water Systems Using Surface Water or Groundwater Under the Direct Influence of Surface Water (GUDI) Sources. **Description:** The guidance is necessary because: (1) The Long-term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) introduces source water quality monitoring and additional treatment requirements for higher risk water systems, to enhance public health protection against pathogenic microbial contaminants, especially Cryptosporidia. For the LT2ESWTR, public water systems that use surface water or GUDI sources must monitor their sources to determine treatment requirements. Some aspects of the LT2ESWTR are of concern to laboratories. The new technical guidance manual Cryptosporidia, E.coli and Turbidity LT2ESWTR Laboratory Reporting Instructions for Public Water Systems Using Surface Water or GUDI Sources provides uniform and detailed instructions for the reporting of drinking water monitoring results to the Department; and (2) Laboratories and public water systems must now report data electronically, according to 25 Pa. Code § 109.810 (relating to reporting and notification requirements). The new technical guidance also provides instructions for submitting Cryptosporidia in source water re-

sults into the Drinking Water Electronic Lab Reporting application by a new CRYPTOSPORIDIUM OOCYSTS form for reporting. In addition, the technical guidance introduces source water reporting of E.coli by enumeration.

*Written Comments:* Interested persons may submit written comments on this draft technical guidance document by March 6, 2017. 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 encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail at [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

*Contact:* Questions regarding this technical guidance document should be directed to Pauline Risser at (717) 772-5970 or [parisser@pa.gov](mailto:parisser@pa.gov).

*Effective Date:* Upon publication of notice as final in the *Pennsylvania Bulletin*.

*Final Technical Guidance Document—New Guidance*

*DEP ID:* 310-2137-002. *Title:* Pennsylvania Wetland Condition Level 2 Rapid Assessment Protocol. *Description:* This guidance provides standard guidelines for evaluating the condition of palustrine wetland aquatic resources for the purposes of meeting regulatory requirements in 25 Pa. Code Chapter 105 (relating to dam safety and waterway management). The guidance outlines how to conduct assessments, the factors to consider when doing so and establishes a scoring system based upon condition categories.

This technical guidance document was revised as result of the comments received from publication of the proposed Pennsylvania Wetland Level 2 Rapid Assessment Protocol at 44 Pa.B. 1396 (March 8, 2014) and 44 Pa.B. 2705 (May 3, 2014), Department regional staff workshops, the Water Resources Advisory Committee, and State and Federal agency meetings. During the comment period, comments were received from 17 different organizations. The comment and response document accompanies the final technical guidance document and is available for public viewing on the Department's web site as previously mentioned. The updates include: inserting sections to provide additional background information on the guidance and the conditions for general use of the guidance; the removal of the qualitative condition user rating, photograph sections and a section regarding hydrogeomorphic classification of wetlands; and the addition of bibliographic resources. The Department will provide updated application forms, instructions and training through webinars and regional settings prior to the effective date of the technical guidance.

*Contact:* Questions regarding this technical guidance document should be directed to David Goerman at (717) 772-5971 or [dgoerman@pa.gov](mailto:dgoerman@pa.gov).

*Effective Date:* July 1, 2017

*Final Technical Guidance Document—New Guidance*

*DEP ID:* 310-2137-003. *Title:* Pennsylvania Riverine Condition Level 2 Rapid Assessment Protocol. *Description:* This guidance provides standard guidelines for evaluating the condition of riverine aquatic resources for the purposes of meeting regulatory requirements in 25 Pa. Code Chapter 105. The guidance outlines how to conduct

assessments, the factors to consider when doing so and establishes a scoring system based upon condition categories.

This technical guidance document was revised as result of the comments received from publication of the proposed Pennsylvania Riverine Level 2 Rapid Assessment Protocol at 44 Pa.B. 1396 and 44 Pa.B. 2705, Department regional staff workshops, the Water Resources Advisory Committee, and State and Federal agency meetings. During the comment period, comments were received from 17 different organizations. The comment and response document accompanies the final technical guidance document and is available for public viewing on the Department's web site as previously mentioned. The updates include: inserting sections to provide additional background information on the guidance and the conditions for general use of the guidance; the removal of the qualitative condition user rating and photograph sections; and the addition of bibliographic resources. The Department will provide updated application forms, instructions and training through webinars and regional settings prior to the effective date of the technical guidance.

*Contact:* Questions regarding this technical guidance document should be directed to David Goerman at (717) 772-5971 or [dgoerman@pa.gov](mailto:dgoerman@pa.gov).

*Effective Date:* July 1, 2017

*Final Technical Guidance Document—New Guidance*

*DEP ID:* 310-2137-004. *Title:* Pennsylvania Lacustrine Condition Level 2 Rapid Assessment Protocol. *Description:* The purpose of this guidance is to provide standard guidelines for evaluating the condition of lacustrine aquatic resources for the purposes of meeting regulatory requirements in 25 Pa. Code Chapter 105. The guidance outlines how to conduct assessments of lacustrine aquatic resources, the factors to consider when doing so and establishes a scoring system based upon condition categories.

This technical guidance document was revised as result of the comments received from publication of the proposed Pennsylvania Lacustrine Level 2 Rapid Assessment Protocol at 44 Pa.B. 1396 and 44 Pa.B. 2705, Department regional staff workshops, the Water Resources Advisory Committee, and State and Federal agency meetings. During the comment period, comments were received from 17 different organizations. The comment and response document accompanies the final technical guidance document and is available for public viewing on the Department's web site as previously mentioned. The updates include: inserting sections to provide additional background information on the guidance and the conditions for general use of the guidance; the removal of the qualitative condition user rating and photograph sections; and the addition of bibliographic resources. The Department will provide updated application forms, instructions and training through webinars and regional settings prior to the effective date of the technical guidance.

*Contact:* Questions regarding this technical guidance document should be directed to David Goerman at (717) 772-5971 or [dgoerman@pa.gov](mailto:dgoerman@pa.gov).

*Effective Date:* July 1, 2017

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-196. Filed for public inspection February 3, 2017, 9:00 a.m.]



### Bid Opportunity

**OSM 19(2000)103.1, Abandoned Mine Reclamation Project, Centralia Demolition Project, Womer Residence, Conyngham Township, Columbia County.** The principal items of work and approximate quantities include: filter sock, 8" diameter, 245 linear feet; clearing and grubbing; asbestos and hazardous materials; engineering survey; demolition/removal of buildings, structures, equipment and materials; grading 265 cubic yards; offsite topsoil 296 tons; seed mixture 1,254 square yards; commercial fertilizer 180 pounds; pulverized agricultural limestone 1,075 pounds; mulching materials 1,254 square yards; and photographic documentation.

This bid issues on February 17, 2017, and bids will be opened on March 16, 2017, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection's web site at [www.dep.pa.gov/ConstructionContracts](http://www.dep.pa.gov/ConstructionContracts). 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 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-197. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Federal Consistency under the Coastal Zone Management Act; Issuance and Reissuance of Nationwide Permits

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the United States Army Corps of Engineers (USACE) is proposing the issuance and reissuance of Nationwide permits (NWP).

The USACE is reissuing 50 existing NWPs, general conditions and definitions, with some modifications. The USACE is also issuing two new NWPs and one new general condition. The effective date for the new and reissued NWPs is March 19, 2017. These NWPs will expire on March 18, 2022. The USACE has determined that the NWPs will protect the aquatic environment and the public interest while effectively authorizing activities that have no more than minimal individual and cumulative adverse environmental effects. The complete reauthorization of the 2017 NWPs was published at 82 FR 1860 (January 6, 2017).

This activity is subject to Department review for Federal consistency because it is a Federal agency activity and will have reasonably foreseeable effects on the Commonwealth's coastal resources or uses. In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart C (relating to consistency for Federal agency activities), the

USACE has determined that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Determination from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at (717) 772-2196 or [RA-Fed\\_Consistency@pa.gov](mailto:RA-Fed_Consistency@pa.gov).

The Department will consider all comments received on or before February 21, 2017, before issuing a final Federal consistency concurrence or objection. 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 encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted by mail to the Department of Environmental Protection, Compacts and Commissions Office, 400 Market Street, P.O. Box 8465, Harrisburg, PA 17101-8465.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-198. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Federal Consistency under the Coastal Zone Management Act; Maintenance Dredging at the Philadelphia Shipyard

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the Philadelphia Shipyard (Shipyard) is proposing to conduct maintenance dredging.

The Shipyard is located along the Delaware River in Philadelphia, PA and consists of piers and dry docks that are utilized to construct vessels for operation in the Jones Act market. The Shipyard is proposing to conduct maintenance dredging of Dry Docks 4 and 5 to ensure continued successful operation of these docks. Sediment build-up in front of the gates of the dry docks has the potential to cause damage to the gate operating system. The Shipyard plans to dredge material from the two dry dock areas and dispose of the material in White's Basin, Logan Township, NJ. Dredging will be completed to a depth of -40 feet lower low water (mean lower low water) plus 2 feet mean of allowable overdredge. Approximately 50,000 cubic yards of material will be removed.

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on the Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the Shipyard has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the



Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at (717) 772-2196 or RA-Fed\_Consistency@pa.gov.

The Department will consider all comments received on or before February 21, 2017, before issuing a final Federal consistency concurrence or objection. 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 encouraged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted by mail to the Department of Environmental Protection, Compacts and Commissions Office, 400 Market Street, P.O. Box 8465, Harrisburg, PA 17101-8465.

PATRICK McDONNELL,  
Acting Secretary

[Pa.B. Doc. No. 17-199. Filed for public inspection February 3, 2017, 9:00 a.m.]

**Proposed General Plan Approval and/or General Operating Permit No. 5A for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations; Proposed Modifications to General Plan Approval and/or General Operating Permit No. 5 for Natural Gas Compressor Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5); Proposed Modifications to the Air Quality Permit Exemption List (275-2101-003)**

The Department of Environmental Protection (Department) proposes a new General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A or GP-5A); revisions to the existing General Plan Approval and/or General Operating Permit for Natural Gas Compressor Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5 or GP-5) issued in February 2013, and modified in January 2015; and revisions to the Air Quality Permit Exemptions document (275-2101-003) with this notice. The General Permits establish Best Available Technology (BAT) requirements and other applicable Federal and State requirements including air emission limits, source testing, leak detection and repair, recordkeeping, and reporting requirements for the applicable air contamination sources.

The proposed GP-5A was developed under the authority of section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f)) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits), and will be applicable to unconventional natural gas well site operations and remote pigging stations. Remote pigging stations are defined as a pigging station not located at an unconventional natural gas well site, natural gas compressor station, natural gas processing plant or natural gas transmission station and that emits more than 200 tons per year (tpy) of methane, 2.7 tpy of

volatile organic compounds (VOC), 0.5 tpy of any individual hazardous air pollutant (HAP) or 1.0 tpy of total HAP.

The revised GP-5 was developed under the authority of section 6.1(f) of the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter H, and will remain applicable to natural gas compressor stations and processing plants and add applicability to natural gas transmission stations.

*Proposed GP-5A and GP-5 Requirements*

Both the proposed GP-5A and proposed modifications to GP-5 include requirements for the following:

(1) *Fugitive Particulate Matter*—which includes requirements to maintain a written procedures document that describes the methods used to reduce emissions of fugitive particulate matter from the facility and records documenting their implementation.

(2) *Natural Gas-Fired Combustion Units*—which includes requirements for combustion units rated greater than or equal to 10 MMBtu/h to meet emission limits for oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO) and particulate matter (PM) and for all combustion units to keep records of fuel usage and throughput to facilitate emissions calculations. Combustion units at unconventional natural gas well sites and remote pigging stations are limited to a rating less than 10 MMBtu/h.

(3) *Glycol Dehydration Units*—which includes a control threshold requirement of 200 tpy of methane, 2.7 tpy VOC, 0.5 tpy of a single HAP or 1.0 tpy of total HAP and a control efficiency requirement of 98% if any of the stated thresholds are exceeded.

(4) *Stationary Natural Gas-Fired Spark Ignition Internal Combustion Engines*—which includes a BAT requirement to meet emission limits for NO<sub>x</sub>, CO, nonmethane, nonethane, hydrocarbons (NMNEHC) and formaldehyde.

(5) *Reciprocating Compressors*—which includes the Federal requirements from 40 CFR Part 60, Subpart OOOOa (relating to standards of performance for crude oil and natural gas facilities for which construction, modification, or reconstruction commenced after September 18, 2015). This includes the requirement to replace the rod-end packing every 26,000 hours of operation or every 3 years.

(6) *Storage Vessels*—which includes a control threshold requirement of 200 tpy of methane, 2.7 tpy VOC, 0.5 tpy of a single HAP or 1.0 tpy of total HAP and a control efficiency requirement of 98% if any of the stated thresholds are exceeded.

(7) *Tanker Truck Load-Out Operations*—which includes a requirement to use a vapor recovery system and that trucks that perform load-out operations are appropriately certified. The requirement is met by keeping records that detail the load-out operations, including the identification (ID) number of the truck performing the load-out and the volume of liquids loaded and keeping a list of trucks authorized to perform load-out operations with an ID number and the date of their most recent certification test.

(8) *Fugitive Emissions Components*—which includes requirements to perform monthly audio, visual and olfactory inspections and quarterly leak detection and repair (LDAR) inspections. LDAR inspections can be performed using an optical gas imaging camera, a Method 21 gas analyzer or other approved methods. For LDAR programs at unconventional natural gas well sites and remote

pigging stations, there is an option to track the number of leaking components and reduce the inspection frequency to the Federally required semiannual increment if less than 2% of components are found to be leaking in two consecutive inspections. If 2% or more of components are found to be leaking at the reduced frequency, the LDAR returns to the quarterly schedule.

(9) *Controllers*—which includes a requirement that electric controllers be installed where electricity is available onsite. For sites where electricity is not available onsite, the Federal requirements from 40 CFR Part 60, Subpart OOOOa must be met.

(10) *Pumps*—which includes a requirement that electric pumps be installed where electricity is available onsite. For sites where electricity is not available onsite, the Federal requirements from 40 CFR Part 60, Subpart OOOOa must be met. There are also recordkeeping requirements for pumps that are not subject to 40 CFR Part 60, Subpart OOOOa.

(11) *Control Devices*—which includes the Federal requirements from 40 CFR Part 60, Subpart OOOOa. The only modification of these requirements is that if the option to monitor combustion zone temperature is chosen instead of stack testing an enclosed flare or other combustion device, the combustion zone temperature must be 1,600°F to ensure a 98% methane destruction efficiency.

(12) *Pigging Operations*—which includes the requirements to install a liquids drain in pig receiver chambers, to route emissions from a high-pressure pig launcher or receiver to a low-pressure vessel or line, a control threshold requirement of 200 tpy of methane, 2.7 tpy VOC, 0.5 tpy of a single HAP or 1.0 tpy of total HAP, and a control efficiency requirement of 98% if any of the stated thresholds are exceeded.

#### *Additional Proposed GP-5A Requirements*

The proposed GP-5A also includes requirements for the following:

(1) *Well Drilling and Hydraulic Fracturing Operations*—which includes requirements to notify the Department at least 24 hours prior to the beginning of either type of operation and ensuring that engines used during the operation meet the applicable nonroad engine standards. Records of engine usage are required to facilitate emissions calculations.

(2) *Well Completion Operations*—which includes the Federal requirements from 40 CFR Part 60, Subpart OOOOa. This includes the requirement to perform a reduced emissions completion, also known as Green Completion, to notify the Department at least 24 hours prior to the beginning of flowback and to keep records of the duration of flowback and the disposition of gas during the flowback period.

(3) *Wellbore Liquids Unloading Operations*—which includes a requirement that an operator remain onsite for the duration of a manual unloading operation.

#### *Additional Proposed GP-5 Requirements*

The proposed GP-5 also includes requirements for the following:

(1) *Stationary Natural Gas-Fired Combustion Turbines*—which includes a BAT requirement for turbines rated above 1,000 hp to meet emission limits for NO<sub>x</sub>, CO, NMNEHC and PM.

(2) *Centrifugal Compressors*—which includes the Federal requirements from 40 CFR Part 60, Subpart OOOOa, except that the required control efficiency is 98%. There

are also recordkeeping requirements for centrifugal compressors that are not subject to 40 CFR Part 60, Subpart OOOOa.

A Technical Support Document (TSD) will also be made available for review. The TSD provides background information and the details of the Department's BAT analyses that serve as the bases for the conditions found in both General Permits.

#### *Proposed Revisions to the Air Quality Exemptions Technical Guidance Document*

The proposed revisions to the Air Quality Exemptions document include:

(1) Dividing Category Number 38 into two separate categories, Category Number 38a and Category Number 38b.

(2) Category Number 38a will be applicable only to conventional and unconventional natural gas well sites that were constructed or modified between August 10, 2013, and the effective date of the proposed amendment.

(3) Category Number 38b will be applicable only to conventional natural gas well sites constructed after the effective date of the proposed amendment.

#### *Public Comment*

Interested persons may submit written comments on the Draft General Permits and Air Quality Permit Exemption List by Wednesday, March 22, 2017. 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 encouraged to review the proposed General Permits and Air Quality Permit Exemption List and submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-200. Filed for public inspection February 3, 2017, 9:00 a.m.]

### **Proposed State Implementation Plan Revision; Base Year Inventory for the Delaware County Nonattainment Area for the 2012 Annual PM<sub>2.5</sub> Fine Particulate Matter National Ambient Air Quality Standard; Public Hearing**

On January 15, 2015, the United States Environmental Protection Agency (EPA) designated Delaware County as a moderate nonattainment area for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS), effective April 15, 2015, 80 FR 2206 (January 15, 2015). As required by section 189(a)(2)(B) of the Clean Air Act (42 U.S.C.A. § 7513a(a)(2)(B)), a revision to the State Implementation Plan (SIP) demonstrating attainment of the 2012 annual PM<sub>2.5</sub> NAAQS is due to the EPA no later than 18 months after the area's designation as nonattainment, which in this case was October 15, 2016. However, with significant improvements in air quality in the Delaware County Area, this nonattainment area now meets the 2012 annual PM<sub>2.5</sub>

NAAQS based on 2013—2015 quality assured, quality controlled and certified ambient monitoring data.

On December 13, 2016, the EPA finalized a direct final rule indicating that the Delaware County Area is monitoring attainment of the 2012 annual  $PM_{2.5}$  NAAQS, also known as a “Clean Data Determination.” See 81 FR 89868 (December 13, 2016). The issuance of a Clean Data Determination by the EPA suspends certain planning requirements as long as the area continues to attain the 2012 annual  $PM_{2.5}$  NAAQS, including the attainment demonstration, reasonably available control measures, a reasonable further progress plan and contingency measures. The Clean Data Determination does not suspend the base year inventory requirement in section 172(c)(3) of the Clean Air Act (42 U.S.C.A. § 7502(c)(3)). In anticipation of the effective date of the EPA’s rule, the Department is proposing the proposed base year inventory SIP revision for the Delaware County nonattainment area.

The Department is seeking public comment on a proposed SIP revision containing the 2011 comprehensive base year inventory, as required under section 172(c)(3) of the Clean Air Act, for a nonattainment area. The proposed SIP revision is available on the Department’s web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity for a public hearing to receive comments on the proposal on March 8, 2017, at 1 p.m. at the Department’s Southeast Regional Office, 2 East Main Street, Norristown, PA.

Persons wishing to present testimony should contact Roma Monteiro, P.O. Box 8468, Harrisburg, PA 17105, at (717) 787-9495 or [rmonteiro@pa.gov](mailto:rmonteiro@pa.gov) to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by Friday, March 3, 2017, no person has expressed an interest in testifying at the hearing, the hearing will be cancelled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is cancelled. Persons may also contact the Department to find out if the hearing is cancelled by contacting Roma Monteiro at (717) 787-9495 or [rmonteiro@pa.gov](mailto:rmonteiro@pa.gov).

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Roma Monteiro at (717) 787-9495 or [rmonteiro@pa.gov](mailto:rmonteiro@pa.gov). TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than March 10, 2017. Commentators are encouraged to submit comments using the Department’s eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use “Delaware County PM<sub>2.5</sub>” as the subject line in written communication.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-201. Filed for public inspection February 3, 2017, 9:00 a.m.]

## Request for Applications for Local Stormwater BMP Implementation Grant Program; Public Notice of Availability

*(Editor’s Note: This grant program was previously announced at 46 Pa.B. 8241 (December 31, 2016). Bold print indicates updates to that announcement.)*

Applications are now being accepted for grants to provide funds for the construction of urban stormwater Best Management Practices (BMP) to reduce the discharge of nutrients and sediments delivered to local waters and to the Chesapeake Bay. Counties, cities, boroughs, townships, incorporated towns and municipal authorities within the Chesapeake Bay drainage area and within Blair, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Luzerne, Lycoming and York Counties are eligible to apply. Other parties interested in promoting stormwater BMP construction are encouraged to approach local officials and offer to assist in application development and project management.

The due date for applications is March 3, 2017. **Funding for this grant opportunity is provided by the United States Environmental Protection Agency.** The maximum funding amount per applicant is \$200,000. Construction must be complete by April 30, 2019. Federal requirements will apply to construction procurement. Funding recipients will be selected on a competitive basis.

Projects must be:

1. Within urbanized areas according to the latest Decennial Census in which National Pollutant Discharge Elimination System permit coverage is required for the discharge of stormwater from municipal separate storm sewer systems (MS4).
2. Located within the Chesapeake Bay watershed.
3. Within Blair, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Luzerne, Lycoming and York Counties.

Projects cannot be associated with new development. In addition, new detention basins are not eligible.

Projects must result in structural, on-the-ground BMPs that meet the requirements of the Commonwealth’s Stormwater Best Management Practices Manual (363-0300-002), as applicable, and have been demonstrated to reduce the discharge of nutrient or sediment loads, or both, to surface waters. Examples include:

1. Bioretention/raingardens
2. Bioswales
3. Permeable pavement
4. Urban nutrient management
5. Urban stream restoration
6. Urban tree planting
7. Vegetated open channels
8. Vegetated roofs
9. Wet ponds and wetlands

10. Other projects that reduce the flow of stormwater into MS4s



To apply visit the Department of Environmental Protection's web site at [www.dep.pa.gov](http://www.dep.pa.gov) and search "Stormwater Management." Individuals with questions should contact Dave Edinger at (717) 772-4060 or [dedinger@pa.gov](mailto:dedinger@pa.gov).

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-202. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Water Resources Advisory Committee Rescheduled Meeting

The February 8, 2017, meeting of the Water Resources Advisory Committee (Committee) has been rescheduled for Wednesday, March 29, 2017, from 9:30 a.m. to 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the Committee can be directed to Diane Wilson at (717) 787-3730 or [diawilson@pa.gov](mailto:diawilson@pa.gov). The agenda and meeting materials for the next meeting will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Water Resources Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-5017 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-203. Filed for public inspection February 3, 2017, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Children's Surgery Center LLC	28 Pa. Code § 551.22(3)(ii) (relating to criteria for performance of ambulatory surgery on pediatric patients) (Dr. Eric Felix) 28 Pa. Code § 551.22(3)(ii) (Dr. John Dryden) 28 Pa. Code § 553.31(a) (relating to administrative responsibilities) 28 Pa. Code § 559.2 (relating to director of nursing)
Children's Surgery Center of Malvern, LLC	28 Pa. Code § 551.22(3)(ii) (Dr. Andrew Greenstein) 28 Pa. Code § 551.22(3)(ii) (Dr. Eric Felix) 28 Pa. Code § 551.22(3)(ii) (Dr. Francis Hoerz) 28 Pa. Code § 551.22(3)(ii) (Dr. Mark Simeone) 28 Pa. Code § 551.22(3)(ii) (Dr. Pooja Sukumar) 28 Pa. Code § 551.22(3)(ii) (Dr. Thomas Gamba) 28 Pa. Code § 551.22(3)(ii) (Dr. Scott Smith) 28 Pa. Code § 553.31(a) 28 Pa. Code § 559.2
Elite Surgery Center, LLC	28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery) (CPT Codes 27447 and 27130)
Jefferson Endoscopy Center at Bala, LLC	28 Pa. Code § 551.3 (relating to definitions), specifically subparagraph (ii) of the definition of "classification levels," regarding Class B facilities PS III patients
Main Line Endoscopy Center, South	28 Pa. Code § 553.31(b) 28 Pa. Code § 559.2
Main Line Endoscopy Center, West	28 Pa. Code § 553.31(b) 28 Pa. Code § 559.2

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163 or [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. 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. 17-204. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Hospitals; Requests for Exceptions

The following hospital has filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Penn Highlands Clearfield (809 Turnpike Avenue)	28 Pa. Code § 145.1 (relating to principle) (professional library services)
	28 Pa. Code § 145.5 (relating to materials) (professional library services)
	28 Pa. Code § 145.6 (relating to procedures) (professional library services)
	28 Pa. Code § 145.7 (relating to catalogue) (professional library services)
	28 Pa. Code § 145.8 (relating to facilities) (professional library services)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Chambersburg Hospital	2.1-2.2.6.3	Room features (patient toilet rooms)	2014
	2.2-2.2.2.7(2)(b)(i)	Number (patient bathing facilities)	2014
Geisinger Wyoming Valley Medical Center	2.2-3.1.4.2(1)	Airborne infection isolation (all rooms)	2014
	2.1-3.2.2.1(1)	Area (space requirements)	2014
Hospital of the University of Pennsylvania	2.2-3.1.3.6(2)(a)	Area (treatment room or area)	2014
	2.1-8.5.3.2	Size (TDRs)	2014

All previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163 or 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 previously listed address. 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. 17-205. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

Forestview  
2301 Edinboro Road  
Erie, PA 16509  
FAC ID # 054102

This request is 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 previously listed address.

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. 17-206. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Temporary Scheduling of Substance: U-47700 (aka PINK) as a Schedule I Controlled Substance

The Secretary of Health (Secretary) of the Department of Health (Department) is issuing this notice of intent to issue a final notice to temporarily schedule the synthetic opioid, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (also known as U-47700 or PINK) as a schedule I controlled substance under The Controlled Substance, Drug, Device and Cosmetic Act (act) (35 P.S. §§ 780-101—780-144). The Secretary is taking this action because the scheduling of this synthetic opioid in this Commonwealth on a temporary basis is necessary to avoid an imminent hazard to public safety.

At the time of publication in the *Pennsylvania Bulletin*, the Secretary will transmit a copy of the proposed notice to the Attorney General under section 3(d)(4) of the act (35 P.S. § 780-103(d)(4)) for his review. The Attorney General shall, by law, have 30 days from receipt of the proposed notice to provide written comments to the Department, if any.

Any formal order may not be issued before the expiration of 14 days after both:

(i) The date of publication in the *Pennsylvania Bulletin* of this proposed notice of the intention to issue a final notice and the grounds upon which the order is to be issued.

(ii) The date the Secretary transmitted the notice to the Attorney General.

#### Background

The United States Drug Enforcement Administration (DEA) temporarily scheduled this synthetic opioid as a schedule I narcotic under the Federal Controlled Substance Act (CSA) (21 U.S.C.A. §§ 801—971) effective November 14, 2016. Under the CSA, every controlled substance is classified into one of five schedules based upon its potential for abuse, its currently accepted medical use in treatment in the United States and the degree of dependence the drug or other substance may cause. 21 U.S.C.A. § 812. The initial schedules of controlled substances established by Congress are found at 21 U.S.C.A. § 812(c), and the current list of all scheduled substances, including U-47700, is published at 21 CFR Part 1308. See 21 CFR 1308.11(h)(18) (2017).

Section 201 of the CSA (21 U.S.C.A. § 811) provides the United States Attorney General with the authority to temporarily place a substance in schedule I of the CSA for 2 years if he finds that such action is necessary to avoid an imminent hazard to the public safety. The United States Attorney General has delegated his scheduling authority under 21 U.S.C.A. § 811 to the Administrator of the DEA. To find that placing a substance temporarily into schedule I of the CSA is necessary to avoid an imminent hazard to the public safety, the Administrator of the DEA is required to consider: (1) the substances' history and current pattern of abuse; (2) the scope, duration and significant of abuse; and (3) what, if any, risk there is to the public health. 21 U.S.C.A. § 811(h)(3).

Substances in schedule I are those that have a high potential for abuse, no currently accepted medical use in treatment in the United States and a lack of accepted safety for use under medical supervision. 21 U.S.C.A. § 812(b)(1). The Administrator for the DEA determined that, because U-47700: (1) has a high potential for abuse; (2) has no currently accepted medical use in treatment in the United States; and (3) lacks accepted safety for use under medical supervision, it was necessary to temporarily schedule the substance into Schedule I of the CSA to avoid an imminent hazard to the public safety. The final order temporarily scheduling U-47700 was effective on November 14, 2016, the date of publication in the *Federal Register*, and will be in effect for a period of 2 years, with a possible extension of 1 additional year, pending completion of the regular, permanent, scheduling process.

This synthetic opioid, however, is not currently a scheduled substance in the Commonwealth. The Commonwealth has recently seen an increase in use of U-47700 to mix with other narcotics such as heroin. The substance has a high potential for abuse and is 7.5 times stronger than morphine. It is also widely available over the internet as a "research chemical," allowing for potential widespread use and abuse within the Commonwealth. Because U-47700 poses a substantial risk to the citizens of the Commonwealth, the Secretary has determined to schedule it as a Schedule I controlled substance on a temporary basis. In doing so, the Secretary is acting to protect the citizens of this Commonwealth and bring the Commonwealth into conformity with Federal law.

#### Legal Authority and Action

Under section 3 of the Act, the Secretary shall control all substances listed in schedules I through V of the Act. Under section 3(d) of the act, the Secretary is authorized to schedule any substance on a temporary basis to avoid an imminent hazard to public safety. When determining

whether a substance poses an imminent hazard to public safety, the Secretary is required to consider: (1) the substance's history and current pattern of abuse; (2) the substance's scope, duration and significance of its abuse; (3) the risk to the public health; and (4) whether the substance is controlled under Federal law. When a substance is already controlled under Federal law, the Secretary is not required to take the remaining factors into consideration.

In addition, the Secretary is authorized under section 3(d) of the act to schedule on a temporary basis a substance under one of the schedules in section 4 of the act (35 P.S. § 780-104), regarding schedules of controlled substances, if the substance is not listed in any other schedule in section 4 of the act or 28 Pa. Code §§ 25.72 and 25.75 (relating to schedules of controlled substances; and paregoric) and if no exception or approval is in effect for the substance under section 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 355). As previously noted, the United States Food and Drug Administration has not approved U-47700 for any type of medical use.

Because this substance is a schedule I narcotic under the CSA, the Secretary has the authority to temporarily schedule this substance under the act. Although not required to do so in taking this action, the Secretary has considered: (1) the increased current use of U-47700 in combination with other narcotics; (2) U-47700's addictive nature; (3) the availability of U-47700 through online distributors; and (5) the lack of a valid, medical use for U-47700. Accordingly, the Secretary determined that U-47700 is a danger to public safety.

To revise 28 Pa. Code § 25.72 to conform to any final notice issued by the Secretary under section 3(c) of the Act to temporarily schedule U-47700 as a schedule I controlled substance, the Department plans to promulgate a conforming amendment to 28 Pa. Code § 25.72 through final rulemaking with proposed rulemaking omitted.

#### *Accessibility*

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of Community Program Licensure and Certification, Division of Home Health, Drug, Device and Cosmetic Program, 132A Kline Plaza, Harrisburg, PA 17104, (717) 783-1379, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 17-207. Filed for public inspection February 3, 2017, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Annual Inflation Adjustment for Distributions to Counties and Municipalities; Pennsylvania Gam- ing Cash Flow Management

In accordance with 61 Pa. Code § 1001.8 (relating to State Gaming Fund transfers), the Secretary of Revenue announces that, for the year beginning January 1, 2017, the Annual Inflation Adjustment as proscribed in 4 Pa.C.S. § 1403(d) (relating to establishment of State Gaming Fund and net slot machine revenue distribution) is 1.7%.

Section 1403(c) of 4 Pa.C.S. requires the Department of Revenue (Department) to utilize the most recent Consumer Price Index effective immediately prior to the date the adjustment is due to take effect to calculate the quarterly distributions from the State Gaming Fund to counties or municipalities. This adjustment was published by the United States Department of Labor, Bureau of Labor Statistics on January 18, 2017. Therefore, the Department is publishing notice of the Annual Inflation Adjustment.

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 17-208. Filed for public inspection February 3, 2017, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Commission Meeting

The State Transportation Commission will hold a meeting on Thursday, February 16, 2017, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information, contact Ellen E. Sweeney, (717) 787-2913, [ellsweeney@pa.gov](mailto:ellsweeney@pa.gov).

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-209. Filed for public inspection February 3, 2017, 9:00 a.m.]

# GOVERNOR'S OFFICE

## Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit an agenda of regulations under development or consideration, for publication on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>Office of Administration (OA)</b>			
No regulations being developed or considered at this time.			
<b>Department of Aging</b>			
Older Adult Daily Living Centers 6 Pa. Code Chapter 11	Fall 2017, as Proposed	The purpose of 6 Pa. Code Chapter 11 is to protect the health, safety and well-being of persons with functional impairments for the licensure and operation of Older Adult Daily Living Centers (OADLC). These regulations—the statutory authority for which is found in Act 118 of 1990 and in 62 P.S., Chapter 2 § 1511—were adopted on July 2, 1993 and effective October 12, 1993. The Pennsylvania Department of Aging is responsible for the enforcement of these regulations. OADLC services provide a structured program of services to clients who require the service along with valuable respite to caregivers. The proposed rulemaking would update the existing regulatory language to address changes in other statutes, regulations, codes, ordinances, and other professional standards and practices, along with addressing the increasing frailty of clients served in OADLC.	Kevin Longenecker (717) 265-7568



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Pennsylvania Community Adult Respite Services Program Act 166 of 2014	Fall 2017, as Proposed	Act 166 of 2014 (P.L. 2615, Oct. 22, 2014, No. 166) created a new program called the Pennsylvania Community Adult Respite Services Program (CARP), authorizing the Department of Aging to license and inspect community adult respite services programs that serve participants with minor functional impairments. The purpose of the proposed rulemaking is to provide guidance to persons wishing to provide community adult respite services to eligible persons for part of a 24-hour day, filling a niche between senior centers and older adult daily living centers, as required by Act 166 of 2014.	Kevin Longenecker (717) 265-7568
<b><i>Department of Agriculture</i></b>			
Domestic Animal 7 Pa. Code Chapters 2, 3, 16, 18 and 20a	December 2017, as Proposed	The long-term project is intended to update the Department's Regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	David Wolfgang, DVM, Director (717) 772-2852
Weights and Measures Regulations 70 Pa. Code Chapters 1—101	July 2017, as Proposed	This long-term project is intended to update the Department's regulations authorized by the Consolidated Weights and Measures Act. The Department may delay this project to pursue statutory changes before proceeding.	Walt Remmert (717) 787-6772
Agriculture Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	April 2017, as Proposed	This regulation will address statutory changes made by Act 61 of 2005 and Act 46 of 2006, and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
Pennsylvania Preferred Program Regulations 7 Pa. Code Chapter 107	April 2017, as Proposed	This regulation will establish standards required under the Pennsylvania Preferred Act (3 Pa.C.S. §§ 4601—4611).	Hannah Smith- Brubaker (717) 783-8462
Tuberculosis and Brucellosis Testing Requirements for Animals 7 Pa. Code Chapters 3, 5 and 7	July 2017, as Proposed	This regulation will rescind outdated and unnecessary tuberculosis and brucellosis testing requirements relating to animals.	David Wolfgang, DVM, Director (717) 772-2852
Pennsylvania Vegetable Marketing Program 7 Pa. Code Chapter 104	April 2017, as Proposed	This regulation will update and simplify the process by which the Pennsylvania Vegetable Marketing Program collects "producer charges" to fund its marketing and research efforts from participating Pennsylvania vegetable producers.	William Troxell (717) 694-3596

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Rabies Prevention and Control 7 Pa. Code Chapter 16	March 2017, as Proposed	The regulation will update current regulations to reflect statutory changes and otherwise update the current regulations.	Nanette Hanshaw, DVM (717) 783-6677
Domestic Animal Technicians 7 Pa. Code Chapter 20a	March 2017, as Proposed	This regulation will implement a provision of the Domestic Animal Law, addressing certification, training and recordkeeping requirements for Domestic Animal Technicians.	Nanette Hanshaw, DVM (717) 783-6677
Commercial Kennel Canine Health Regulations 7 Pa. Code Chapter 28a	April 2017, as Proposed	The regulation will rescind a provision that Commonwealth Court has determined is not authorized by the underlying statute and is contradictory to the legislative intent.	Kristen Donmoyer (717) 705-8896
Weights, Measures and Standards 7 Pa. Code Chapter 9	April 2017, as Proposed	The regulation will rescind outdated paperwork requirements relating to the issuance of weighmaster certificates.	Walt Rimmert (717) 787-6772
<b><i>Department of Banking and Securities (DOBS)</i></b>			
Merger-related amendatory regulations under the Pennsylvania Securities Act of 1972 10 Pa. Code §§ 1.1, 102.021—1001.010	Spring 2017, as Final	The rulemaking amends various sections of the Securities Regulation to: replace obsolete terminology; correct formatting and word choice issues; delete multiple statements of policy; reduce compliance requirements; permit electronic format submissions as well as electronic filing; and align the language of the regulation with NASAA model rules and SEC rules and regulations. (Required pursuant to 70 P.S. § 1-609.)	Leo Pandeladis (717) 787-1471
Modernization of banking regulations under the Banking Code of 1965	Fall/Winter 2017, as Proposed	The Banking Code of 1965 underwent substantial modernization in 2014 and there is a need for the regulations to reflect recent legislative changes. (Act of November 30, 1965, P.L. 847, No. 356, as amended.)	Leo Pandeladis (717) 787-1471

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Community and Economic Development (DCED)</i></b>			
Local Earned Income Tax (Act 32 of 2008 Regulations) 12 Pa. Code Chapter 151 (# 4-97)	Winter 2017, as Final	The proposed regulation interprets and makes specific the provisions of the Local Tax Enabling Act, as provided in Chapter 5 of the act (53 P.S. § 6924.501 et seq.). The proposed regulation establishes procedures to supplement the implementation of the act which will facilitate consolidated collection of local income taxes in this Commonwealth. The proposed regulations were approved by the Office of General Counsel on May 17, 2016 and are currently under review with the Office of Attorney General.	Lori Irwin (717) 720-7311
<b><i>Department of Conservation and Natural Resources (DCNR)</i></b>			
Conservation of Pennsylvania Native Wild Plants 17 Pa. Code Chapter 4	October 2017, as Proposed	The purpose of the rulemaking is to update the department's listing of Pennsylvania's classified plant species. The legal basis for the rulemaking is: Section 7 of the Wild Resource Conservation Act (32 P.S. § 5307); as well as Sections 305 and 313 of the Conservation and Natural Resources Act (71 P.S. § 1340.305 and § 1340.313).	Ellen Shultzbarger (717) 214-3818 Stephen Ekema-Agbaw, Esq. (717) 772-4171
Snowmobile and All-Terrain Vehicle Grants, 17 Pa. Code Chapter 53	September 2017, as Proposed	The purpose of this rulemaking is to comply with the Act of July 20, 2016, P.L. 837, No. 97, codified in 75 Pa.C.S. § 7706(b.1) of the Vehicle Code, which mandates this rulemaking. The Act instructs the Department to promulgate regulations implementing a grant program using funds from the snowmobile and ATV management restricted accounts, created by the Act.	Mark Hansford (717) 772-3704 Stephen Ekema-Agbaw (717) 772-4171
<b><i>Department of Corrections (DOC)</i></b>			
Reception and Discharge of Inmates 37 Pa. Code § 91.3	Fall 2017, as Proposed	The county reception regulations are being revised to be consistent with statutory law mandating that certain documentation be presented by the counties before inmate reception can occur.	Tracey Tubbs (717) 728-7763
Inmate Correspondence 37 Pa. Code § 93.2	Fall 2017, as Proposed	The inmate correspondence regulations are being revised for clarification and to more accurately comport with current standards.	Tracey Tubbs (717) 728-7763

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Purchase for Inmates by Family and Friends 37 Pa. Code § 93.4	Fall 2017, as Proposed	Purchase for inmates by family and friends regulations are being revised for clarification and more accurately comport with current standards.	Tracey Tubbs (717) 728-7763
Motivational Boot Camps 37 Pa. Code §§ 93.301—93.308	Fall 2017, as Proposed	The Motivational Boot Camp regulations are being revised to conform the statutory references and to reduce costs by eliminating unnecessary mandates.	Tracey Tubbs (717) 728-7763
Inmate Correspondence 37 Pa. Code § 93.2	Fall 2017, as Proposed	Revise and/or repeal regulations regarding inmate correspondence to align with more robust internal policies that have been developed, and where necessary reconcile any such policies and regulations that may conflict with one another.	Tracey Tubbs (717) 728-7763
Inmate Discipline 37 Pa. Code § 93.10	Fall 2017, as Proposed	Revise and/or repeal regulations regarding inmate discipline to align with more robust internal policies that have been developed, and where necessary reconcile any such policies and regulations that may conflict with one another.	Tracey Tubbs (717) 728-7763
County Correctional Institutions 37 Pa. Code §§ 95.220—95.248	Fall 2017, as Proposed	The Department will undertake a review of existing regulations related to county correctional institutions, with the goal of updating them and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify these regulations.	Tracey Tubbs (717) 728-7763
<b><i>Department of Drug and Alcohol Programs (DDAP)</i></b>			
Standards for Licensure of Treatment Facilities 28 Pa. Code Chapter 709 (# 74-3)	Spring 2017, as Proposed	The regulation will be revised to enlarge the amount of time between inspections for the free standing drug and alcohol facilities that, for the last two years, have not had any citations in four critical areas (conduct or omissions that jeopardized the safety of any persons, compromised the quality of treatment provided, violated a client's confidentiality rights or resulted in treatment being provided without informed consent) and have reasonably and timely taken any remedial measure requested by the Department. Act 50 of 2010 authorizes DDAP to modify existing drug and alcohol regulations.	Tawny Mummah (717) 736-7448



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Education (PDE)</i></b>			
State Board of Private Licensed Schools 22 Pa. Code Chapter 73 (# 6-334)	Fall 2017, as Final	These regulations define the requirements for obtaining licensure or registration and for operating as a Private Licensed School. The regulations also define the investigatory and hearing process for enforcement of statutory and regulatory requirements. The Board plans to update the regulations which were promulgated in 1988 to reflect inflation and to address certain issues that have arisen during that time. The regulations are promulgated under the authority of the Private Licensed Schools Act—24 P.S. § 6514.	Patricia Landis (717) 783-8228
Department of Education 22 Pa. Code Chapter 741 (# 6-337)	Spring 2017, as Final-Omitted	These new regulations will implement Act 35 of 2016 to establish fees to support the administrative work of the Department in joining a regional education compact, participating in the State Authorization Reciprocity Agreement (SARA) and registering and monitoring Pennsylvania institutions of higher education that seek to participate in SARA.	Patricia Landis (717) 783-8228
Regulations of the State Board of Private Academic Schools 22 Pa. Code Chapters 51, 53, 55, 57, 59, 61, 63, 73	Spring 2017, as Proposed	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board is currently in the process of updating the regulations, which were promulgated in 1988. The regulations are promulgated under the authority of the Private Academic Schools Act (24 P.S. § 6701 et. seq.).	Matthew Stem (717) 787-2127
Standards for Approved Private Schools 22 Pa. Code Chapter 171, Subchapters A and C	Summer 2017, as Proposed	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). This subchapter contains general provisions, which the Department seeks to update to conform to intervening changes in applicable law. The standards are promulgated under the authority of sections 1376 and 1376.1 of the Public School Code of 1949, 24 P.S. §§ 13-1376 and 1376.1.	Alaina Koltash (717) 787-5500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Regulations of the State Library and Advisory Council on Library Development 22 Pa. Code Chapters 127, 131, 133, 135, 141, 142 and 143	Winter 2017, as Proposed	The Department will be promulgating regulations under the authority of the Library Code of 2012, Act 210 of 2012, P.L. 2411. The Department plans to update the regulations (promulgated in 1962) in 2017. These regulations will address the use of the State Library, the Advisory Council on Library Development, general provisions and plans for the use of State Aid, certification of library personnel, grants for public library facilities and State document depositories.	Glenn Miller (717) 783-2466
State Board of Education 22 Pa. Code Chapter 11 (# 6-336)	Winter 2016-17, as Final	These regulations concurrently address proposed regulatory changes of the Department of Health related to school immunization requirements. The proposed revisions would scale back the current period for provisional admission to school from eight months to five school days and ensure that provisions addressing the admission of non-immunized students are consistent with the immunization requirements set forth by the Department of Health. The regulation is promulgated under the authority of the Public School Code of 1949 (24 P.S. §§ 26-2603-B, 26-2604-B).	Karen Molchanow (717) 787-3787
State Board of Education 22 Pa. Code Chapter 405	Summer 2017, as Proposed	Amending the regulation to provide the Secretary of Education with waiver authority. These regulations are authorized under 24 P.S. § 15-1513-D(1) of the Public School Code.	Ernest Helling (717) 787-5500
Standards of the Pennsylvania Department of Education 22 Pa. Code Chapter 403	Spring 2017, as Proposed	Amending the current regulations to comply with the Every Student Succeeds Act, (Pub.L. 114-95). These regulations are authorized under section 2603-B(d)(10)(i) of the Public School Code of 1949 (24 P.S. § 26-2603-B(d)(10)(i)).	Samantha Snyder (717) 787-5500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Professional Standards and Practices Commission 22 Pa. Code Chapter 235	Winter 2016-17, as Proposed	This chapter sets forth the standards for professional practice and conduct applicable to educators. The Commission plans to update this chapter to conform to the 2014 amendments to the Educator Discipline Act (24 P.S. § 2070.1a et seq.) and to endorse the Model Code of Ethics for Educators developed under the leadership of the National Association of State Directors of Teacher Education and Certification (NASDTEC). The regulation is promulgated under the authority of sections 5(a)(10) and 5(a)(14) of the Educator Discipline Act (24 P.S. § 2070.5(a)(10) and § 2070.5(a)(14)).	Shane Crosby (717) 787-6576
Professional Standards and Practices Commission 22 Pa. Code Chapter 237, Subchapter A	Winter 2016-17, as Final-Omitted	This subchapter contains definitions of statutory terms, which the Commission plans to update to conform to the 2014 amendments to the Educator Discipline Act (24 P.S. § 2070.1a et seq.). The regulation is promulgated under the authority of sections 5(a)(14) and 9c(b) of the Educator Discipline Act (24 P.S. § 2070.5(a)(14) and § 2070.9c(b)).	Shane Crosby (717) 787-6576
Department of Education	Spring 2017, as Proposed	These regulations will address the possession and use of medical marijuana by students and employees on the grounds of a preschool, primary school and a secondary school. These regulations are promulgated under authority of the Medical Marijuana Act (2016 Pa. Laws 16).	Wallace Rejrat (717) 787-5500
Department of Education 22 Pa. Code Chapter 354	Spring 2017, as Proposed	Amending the current teacher preparation regulations to comply with the final regulations promulgated by the U.S. Department of Education in October 2016 regarding teacher preparation reporting requirements as part of Title II of the Higher Education Act.	Wil Del Pilar (717) 772-3737

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Environmental Hearing Board (EHB)</i></b>			
Practice and Procedure 25 Pa. Code Chapter 1021 (# 106-12)	Winter 2017, as Final	<p>The Environmental Hearing Board proposed revisions to its rules which were published in the December 9, 2015 issue of the <i>Pennsylvania Bulletin</i>. Comments were received from IRRC and the public. Final rulemaking was submitted to the Governor's Office of Policy, Office of the Budget and Office of General Counsel on October 24, 2016 for review and approval before further action. The proposed revisions to the Environmental Hearing Board Rules of Practice and Procedure that will go into effect as final rulemaking are as follows: (1) amend sec. 1021.21 to correct an omission in the prior rule and recognize that an appeal can be instituted by the filing of a notice of appeal or a complaint depending on the statute at issue; (2) add a comment to sec. 2010.21 to notify out-of-state attorneys that they are not subject to the IOLTA fee when they appear pro hac vice in a Board proceeding; (3) clarify rules in sec. 1021.32 pertaining to electronic filing registration to conform to the registration form that is provided on the Board's electronic filing site; (4) clarify language in sec. 1021.33 pertaining to service by the Board; (5) amend sec. 1021.34 to explain that the Board will only serve copies of orders by mail to parties who have been excused from electronic filing; (6) clarify language in sec. 1021.39 to clarify when the date and time of filing will appear by the electronic filing provider; (7) amend 1021.51 to explain what appellant must attach with its notice of appeal; (8) correct a typographical error in sec. 1021.52(b); (9) amend the title of sec 1021.103 to include notices to attend and notices to produce; (10) amend comment to sec 1021.141 to clarify that the Board makes the determination of a dismissal with or without prejudice on a case-by-case basis; (11) add sec 1021.153 to explain the procedure for filing an application for interlocutory appeal; and (12) amend sec. 1021.21 to correspond to appellate rules on filing petitions for review with the Commonwealth Court.</p>	Maryanne Wesdock, Senior Assistant Counsel (412) 565-5245



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Environmental Protection (DEP)</i></b>			
Underground Coal Mine Safety Sensitive Ground Fault 25 Pa. Code Chapter 208	Quarter 3, 2017, BCMS Consideration, as Final	This rulemaking includes proposed revisions to Chapter 208 in order to enhance the safety of electrical cables in underground mines through the use of more sensitive ground fault protection. (Bituminous Coal Mine Safety Act)	Colvin "Craig" Carson (724) 404-3154 cocarson@pa.gov
Underground Coal Mine Safety Proximity Detection Systems 25 Pa. Code Chapter 208	Quarter 3, 2017, BCMS Consideration, as Final	This rulemaking adds regulatory provisions relating to proximity detection systems. Currently in Pennsylvania, safety requirements involving the use of proximity detection systems on continuous mining machines at underground bituminous coal mines are implemented pursuant to recently published Federal Mine Safety and Health Administration regulations. This rulemaking makes those Federal regulations independently enforceable by the Commonwealth. These requirements ensure that continuous mining machines at underground bituminous coal mines are safely operated and maintained in order to reduce the risk of accidents and injuries. (Bituminous Coal Mine Safety Act)	Colvin "Craig" Carson (724) 404-3154 cocarson@pa.gov
Handling and Use of Explosives 25 Pa. Code Chapters 210 and 211	Quarter 1, 2017, EQB Consideration, as Final	This rulemaking revises current explosives regulations to address blasting activities relating to seismic exploration. The rulemaking also updates explosives use requirements, enforcement authority and eliminates outdated requirements. (Explosives Acts of 1937 and 1957; Surface Mining Conservation and Reclamation Act; and Noncoal Surface Mining Conservation and Reclamation Act)	Rick Lamkie (814) 472-1885 rlamkie@pa.gov
Federal Office of Surface Mining (OSM) Program Consistency Updates 25 Pa. Code Chapters 86, 89 and 90	Quarter 3, 2017, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 86 in order to comply with Federal regulatory requirements; to revise (Chapter 89) effluent limits for passive treatment systems to comply with Federal regulations, and to update (Chapter 90) coal refuse site selection regulations to comply with the revised Coal Refuse Disposal Control Act. (Surface Mining Conservation and Reclamation Act)	Bill Allen (717) 783-9580 wallen@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Noncoal Program Fee Amendments 25 Pa. Code Chapter 77	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to increase fees in order to provide the funding for the Noncoal Mining Program, which implements the Noncoal Surface Mining and Conservation and Reclamation Act (NSMCRA). The rulemaking proposes to provide more revenue in order to implement the NSMCRA, which requires operators to apply for and maintain active permits and licenses to mine noncoal minerals in Pennsylvania. In administering the noncoal mining program, DEP reviews and issues permits and conducts inspections to assure compliance with the permits and performance standards. (Noncoal Surface Mining Conservation and Reclamation Act, Clean Streams Law)	Bill Allen (717) 783-9580 wallen@pa.gov
Well Drilling, Operation, and Plugging 25 Pa. Code Chapter 78, Subchapter D	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to revise Chapter 78 (Oil and Gas Wells) Subchapter D, regulating the drilling, casing, cementing, completion, operation, production, plugging and other subsurface activities associated with Oil and Gas exploration and development, including revisions to well plugging procedures, venting, alternative methods, and to address the plugging of unconventional wellbore laterals and coal bed methane wells. (Oil and Gas Act, Clean Streams Law)	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov
Environmental Protection Performance Standards for Conventional Oil and Gas Operators 25 Pa. Code Chapter 78	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. (2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014)	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Disinfection Requirements Rule 25 Pa. Code Chapter 109	Quarter 3, 2017, EQB Consideration, as Final	This rulemaking amends Chapter 109 to revise the minimum disinfectant residual level maintained in public water distribution systems and the related monitoring and reporting requirements. This rulemaking also clarifies other existing provisions to obtain primacy for the Federal Long Term 2 Enhanced Surface Water Treatment Rule, Short-term Revisions to the Lead and Copper Rule, and the Stage 2 Disinfection Byproducts Rule. (Pennsylvania Safe Drinking Water Act)	Lisa Daniels/ Dawn Hissner (717) 772-4018 ldaniels@pa.gov dhissner@pa.gov
Safe Drinking Water General Update and Fee Amendments 25 Pa. Code Chapter 109	Quarter 2, 2017, EQB Consideration, as Proposed	This rulemaking proposes to strengthen turbidity standards for surface water filtration plants, update and clarify permitting requirements for new sources, and clarify source water protection requirements and other sections of Chapter 109. This rulemaking also proposes to establish new annual fees and increase permit fees to supplement State costs for administering the Safe Drinking Water Program. (Pennsylvania Safe Drinking Water Act)	Ed Chescatti (717) 772-2184 echescatti@pa.gov
Water Quality Standards— Class A Stream Redesignations 25 Pa. Code Chapter 93	Quarter 2, 2017, EQB Consideration, as Final	The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC's fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)	Rodney Kime (717) 787-9637 rkime@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Quality Standards— Sobers Run et al., Stream Redesignations 25 Pa. Code Chapter 93	Quarter 3, 2017, EQB Consideration, as Final	This rulemaking contains waterbodies that are candidates for redesignation. Stream evaluations were conducted by DEP to determine the appropriate designated use of the candidate waterbodies. The streams included in this rulemaking were evaluated in response to four petitions. Section 303(c)(1) of the Federal Clean Water Act requires states to periodically review and revise, as necessary, water quality standards. (Pennsylvania Clean Streams Law)	Rodney Kime (717) 787-9637 rkime@pa.gov
Triennial Review of Water Quality Standards and Updates to Toxics Management Strategy—Statement of Policy 25 Pa. Code Chapters 93 and 16	Quarter 2, 2017, EQB Consideration, as Proposed	This rulemaking proposes to revise the Commonwealth's water quality criteria and standards in Chapter 93 and to update the Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act. (40 CFR Section 131.20)	Tom Barron (717) 787-9637 tbarron@pa.gov
Water Quality Management Fee Amendments and NPDES Program Fee Amendments 25 Pa. Code Chapters 91 and 92a	Quarter 3, 2017, EQB Consideration, as Proposed	This rulemaking proposes to amend fees related to water quality management permitting (Chapter 91) and proposes to amend the fee schedule for NPDES permit applications (Chapter 92a). Chapter 91 establishes, among other things, a water quality management (WQM) permitting program for the construction of sewage and industrial waste treatment facilities and for land application of sewage and industrial wastes. DEP began its Chapter 92a annual invoicing and fee collection program in December 2010. Chapter 92a updated the fee schedule for NPDES permit applications for persons to discharge pollutants from point sources into surface waters. In addition, Chapter 92a introduced an annual fee for certain facilities authorized to discharge pollutants by individual NPDES permits. A fee analysis that DEP presented to the EQB in 2014 highlighted that, despite the fee increase in 2010, revenue continues to fall short of expenses, impeding the work of Programs to carry out necessary tasks for protecting water resources in the Commonwealth. (Pennsylvania Clean Streams Law)	Sean Furjanic (717) 787-2137 sefurjanic@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Nutrient Credit Trading and Offsetting Program 25 Pa. Code § 96.8	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to update Chapter 96.8 related to the implementation of a nutrient credit trading program to address United States Environmental Protection Agency (EPA) concerns, and streamline the current process for the certification, registration and verification of credits.	Sean Furjanic (717) 787-2137 sefurjanic@pa.gov
Administration of Sewage Facilities Planning and Permitting Programs and Standards for Onlot Sewage Treatment Facilities 25 Pa. Code Chapters 71, 72 and 73	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to create 25 Pa. Code Chapters 71a, 72a and 73a, replacing the current Chapters 71, 72 and 73. The proposed amendments would provide necessary updates and clarity to the regulations to address environmental and public health and safety issues. (Pennsylvania Sewage Facilities Act, Clean Streams Law)	Lee McDonnell (717) 787-5017 lmcdonnell@pa.gov
Environmental Laboratory Accreditation 25 Pa. Code Chapter 252	Quarter 2, 2017, EQB Consideration as Final	This rulemaking establishes appropriate standards for laboratories performing DEP compliance testing of environmental samples. The rulemaking outlines the minimum requirements to which laboratories must adhere when producing environmental data. The regulation also includes changes to the qualifications for laboratory supervisors, clarifications to recordkeeping requirements, and changes to the application fees and out-of-state travel expense reimbursement rate. The Environmental Laboratory Accreditation Act requires that the accreditation fees cover the cost of the operation of the laboratory accreditation program. (Environmental Laboratory Accreditation Act)	Aaren Alger (717) 346-8212 aalger@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of the Storage Tank and Spill Prevention Program 25 Pa. Code Chapter 245	Quarter 3, 2017, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 245 to strengthen the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment. Currently, UST owners and operators are required to have spill prevention, overflow prevention, and release detection equipment in place, but are not required to periodically verify the functionality of some of that equipment. The proposed changes are expected to result in improvements in the routine operation, maintenance and monitoring of underground storage tanks. This will help to further reduce the number of releases from underground storage tanks and, in turn, protect public health and the environment. (Storage Tank and Spill Prevention Act)	Kris Shiffer (717) 772-5806 kshiffer@pa.gov
Radiation Protection Program Fees 25 Pa. Code Chapters 218 and 240	Quarter 3, 2017, EQB Consideration, as Final	This rulemaking amends Chapters 218 and 240 relating to fees. DEP must review the adequacy of established fees every three years. The current fee review indicates the need for a fee increase in two program areas. The Radioactive Materials and Decommissioning Program and the Radon Program fee revenue for these program areas is insufficient to cover program costs. (Radiation Protection Act and Radon Certification Act)	Joseph Melnic (717) 783-9730 jmelnic@pa.gov
Radiological Health 25 Pa. Code Chapters 215—240	Quarter 4, 2017, EQB Consideration, as Final	This rulemaking proposes to amend Chapters 215—240 to update Computed Tomography and Fluoroscopic regulations; to address new X-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section. (Radiation Protection Act and Radon Certification Act)	Joseph Melnic (717) 783-9730 jmelnic@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Repeal of Gasoline Volatility Requirements 25 Pa. Code Chapters 121 and 126</p>	<p>Quarter 4, 2017, EQB Consideration, as Final</p>	<p>This rulemaking proposes to repeal §§ 126.301—126.303. These regulations impose requirements for summer low Reid Vapor Pressure (RVP) gasoline in the Pittsburgh-Beaver Valley Area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland Counties) from May 1 to September 15 as an emission reduction measure to address attainment and maintenance of the 1-hour ozone National Ambient Air Quality Standard (NAAQS). The rulemaking is in response to Act 50 of 2014 (P.L. 674, May 14, 2014), which directs the EQB to promulgate regulations to repeal the requirements for low RVP gasoline upon demonstration of continued compliance with the NAAQS through the use of commensurate emission reductions from other air pollution control measures. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)</p>	<p>Susan Hoyle (717) 772-2329 shoyle@pa.gov</p>
<p>Control of VOC Emissions from Industrial Cleaning Solvents; General Provisions; Aerospace Manufacturing and Rework; and Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOCs 25 Pa. Code Chapter 129</p>	<p>Quarter 1, 2017, EQB Consideration, as Proposed</p>	<p>This rulemaking proposes to amend Chapter 129 to adopt requirements to reduce the emissions of volatile organic compounds from industrial cleaning solvents not regulated elsewhere in Chapter 129 or Chapter 130 to meet the Clean Air Act “reasonably available control measures.” This includes “reasonably available control technology” (RACT) requirements for ozone nonattainment areas. The proposed emission limits and work practice standards will be consistent with the recommendations of the EPA included in the corresponding CTG for industrial cleaning solvents. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a revision to the State Implementation Plan (SIP). (Air Pollution Control Act)</p>	<p>Susan Hoyle (717) 772-2329 shoyle@pa.gov</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Air Quality Fee Schedule Amendments 25 Pa. Code Chapters 127 and 139	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to revise existing requirements and fee schedules codified in Chapter 127, Subchapter I to ensure that fees collected are sufficient to cover the costs of administering the air program as required under Section 6.3(a) of the Air Pollution Control (35 P.S. § 4006.3(a)). Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a revision to the SIP or the Title V Program Approval, as appropriate. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Control of VOCs from Gasoline Dispensing Facilities (Stage II) 25 Pa. Code §§ 121.1, 129.61 and 129.82	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to amend the requirements for installing new Stage II vapor recovery systems under § 129.82. The rulemaking proposes to establish procedures for the decommissioning of existing Stage II systems and to require Stage II systems that are not decommissioned to still comply with existing regulatory maintenance requirements. The rulemaking also proposes to amend § 129.61 to establish requirements for the installation and monitoring of Stage I enhanced vapor recovery systems and amend § 121.1 to add terms to support the amendments to §§ 129.61 and 129.82. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Amendments to Mobile Equipment Repair and Refinishing 25 Pa. Code Chapters 121 and 129	Quarter 4, 2017, EQB Consideration, as Proposed	This rulemaking proposes to amend existing surface coating regulations to harmonize the emission limits and work practice requirements of the Clean Air Act RACT requirements for automobiles and light-duty trucks and the 2011 updated Ozone Transport Commission model rule requirements for motor vehicle and mobile equipment non-assembly line coating operations. Clarifying amendments will also be proposed for the adhesives, sealants, primers and solvents regulations. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of General Services (DGS)</i></b>			
Committee on Construction Contract Documents 4 Pa. Code Chapter 62 (# 8-21)	2017, as Final-Omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Selections Committee 4 Pa. Code Chapter 64 (# 8-22)	2017, as Final-Omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Emergency Construction Repairs 4 Pa. Code Chapter 67 (# 8-23)	2017, as Final-Omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Contract Compliance— Prequalification of Vendors and Nonconstruction Contractors 4 Pa. Code Chapter 68, Subchapter A (# 8-24)	2017, as Final-Omitted	These regulations should be rescinded since the subject matter of these rules is now covered by the directives management system.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Methods of Awarding Contracts 4 Pa. Code Chapter 69 (# 8-25)	2017, as Final-Omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Ken Hess Pamela Cross (717) 214-7739
Surplus State Property 4 Pa. Code Chapters 41, 43, 45 and 47 (# 8-26)	2017, as Final-Omitted	These regulations should be rescinded since they are outdated and have been superseded by new Commonwealth procedures as well as the Commonwealth Procurement Code.	Ken Hess Pamela Cross (717) 214-7739
State Metrology Laboratory fee schedule 70 Pa. Code Chapter 110 (# 8-27)	Delivered May 23, 2016 for review pursuant to Executive Order 1996-1, as Proposed	These regulations will increase the fees charged by the State Metrology Laboratory, provide for an automatic yearly increase, and update the description fields to accurately reflect the Metrology Lab's measurement parameters and ranges.	Ken Hess Mary Fox (717) 787-6789
Commonwealth Buildings 4 Pa. Code Chapters 85, 86 and 87 (# 8-28)	2017, as Proposed	These regulations (Chapters 85 and 87) and statement of policy (Chapter 86) will be amended to update the procedures for the public to request use of the public areas of the Capitol Complex and the Forum auditorium.	Matthew Bembenick (717) 787-5996 Shawn E. Smith (717) 787-5599 Mary Fox (717) 787-6789

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Health (DOH)</i></b>			
Communicable and Non-Communicable Diseases 28 Pa. Code Chapter 27	July 2017, as Proposed	These existing regulations are being revised to improve the Department's ability to prevent and control the spread of communicable and non-communicable diseases. The Department's authority to promulgate these regulations is found in the Disease Prevention Control Law of 1955, 35 P.S. §§ 21.1 et seq. (the Act). Section 16(a) of the Act (35 P.S. § 521.16(a)) gives the Board authority to issue rules and regulations on a variety of matters related to communicable and non-communicable diseases. Section 16(b) of the Act (35 P.S. § 521.16 (b)) gives the Secretary of Health the authority to review existing regulations and make recommendations to the Board for changes that the Secretary considers to be desirable. There is also a legislative authority for specific provisions of the regulations. Administrative Code of 1929 (71 P.S. §§ 51 et seq.) (Code) Section 20102(g) of the Code (71 P.S. § 532(g)) provides general authority for the Department to promulgate regulations.	Samantha Jallah (717) 783-2500 Atmaram Nambiar (717) 787-3350
Photo Identification Tag Regulations 28 Pa. Code Chapters 54 and 55	July 2017, as Proposed	The Health Care Facilities Act (35 P.S. §§ 448.101 et seq.) was amended by the passage of Act 2010-110 on November 23, 2010. This new section of the Act (35 P.S. § 448.809.2) requires persons working in health care facilities and physician practices to wear photo identification badges that also contain other information including the person's name, title and name of the health care facility.	Karin Simpson (717) 783-2500 Susan Coble (717) 783-8665
Home Health Care Agencies 28 Pa. Code Chapter 601	August 2017, as Proposed	Federal rules addressing covered Medicare and Medicaid services have been amended to allow other health care professionals (in addition to physicians) to order home health services. The Department anticipates amending the home health licensure regulations to permit other health care professionals to order home health services and approve the plan of care.	Karin Simpson (717) 783-2500 Susan Coble (717) 783-8665

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Hospice Regulations	August 2017, as Proposed	Currently, there are no hospice-specific licensure regulations in the Commonwealth. The Health Care Facilities Act (HCFA) permits the Department, pending promulgation of regulations, to use the standards set forth in Federal regulations (42 CFR Part 418) for hospices certified as providers of the Medicare program under Title XVIII of the Social Security Act as licensure standards. The Department anticipates promulgating licensure regulations for hospice facilities in Pennsylvania that mirror the Federal conditions of participation and address additional quality assurance requirements and fees for licensure, as permitted by the HCFA.	Karin Simpson (717) 783-2500 Susan Coble (717) 783-8665
Indoor Tanning Regulations	August 2017, as Proposed	The newly enacted Pennsylvania Indoor Tanning Act requires the Department to promulgate regulations to implement the Act. The Department anticipates proposing regulations that will outline the requirements for the operation of tanning facilities and to provide for safety of consumers using tanning equipment.	Keith Fickel (717) 783-2500 Susan Coble (717) 783-8665
Health Facilities and Hospitals 28 Pa. Code Chapters 51 and 101—158	September 2017, as Proposed	The Secretary of Health created a task force of hospital industry representatives to review the current hospital regulations and provide recommendations to improve the quality of care in hospitals across the State. The hospital regulations will be updated to reflect those recommendations.	Tanya Leshko (717) 783-2500 Ann Chronister (717) 787-8015
Long Term Care Facilities 28 Pa. Code Chapters 201—211	November 2017, as Proposed	Pennsylvania's long-term care facility licensure regulations were last updated in 1999. Since that time, the clinical complexity of nursing home residents has changed substantially. The Nursing Home Quality Improvement Task Force was commissioned by the Secretary of Health to make recommendations for revisions to the regulations. The long-term care facility regulations will be updated to reflect those recommendations.	Karin Simpson (717) 783-2500 Ann Chronister (717) 787-8015

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Marijuana	Temporary regulations will be published periodically prior to June 30, 2017	The newly enacted medical marijuana program, Act 16, was signed into law on April 17, 2016 and became effective on May 17, 2016. As of the end of December 2016, the Department has released temporary regulations for safe harbor letters, grower/processors, dispensaries and approved laboratories. During the first six months of 2017, the Department anticipates proposing temporary regulations for practitioners, patients and caregivers, and academic clinical research centers.	Wendy Carson (717) 783-2500 Lawrence Clark (717) 547-3058
Emergency Medical Services 28 Pa. Code Chapters 1001—1033	August 2017, as Proposed	The amendments to existing regulations will add Community Paramedic as a class of Emergency Medical Services Provider pursuant to the Emergency Medical Services Act 35 Pa.C.S. §§ 8101 et seq.	Doug Snyder (717) 783-2500 Richard Gibbons (717) 787-8740
<b><i>Department of Human Services (DHS)</i></b>			
Administration of County Children and Youth Social Service Programs 55 Pa. Code Chapter 3130	December 2017, as Proposed	This regulation will incorporate the amendments to the State Juvenile Act and the Federal regulations for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services.	Jen DeBell (717) 772-4141
Planning and Financial Reimbursement Requirements for County Children and Youth Social Service Programs 55 Pa. Code Chapter 3140	September 2017, as Proposed	This regulation provides the requirements for reimbursement for services to county children and youth agencies. The regulations are in need of revision to ensure consistency with Federal requirements and policy and to ensure the validity of State and Federal claims.	Jen DeBell (717) 772-4141
Child Protective Services 55 Pa. Code Chapter 3490	February 2018, as Proposed	This regulation will incorporate the amendments to the Child Protective Services Law related to child protective services and general protective services, including statutory changes to mandatory reporting, training, clearances and the Statewide database.	Jen DeBell (717) 772-4141
Outpatient Psychiatric Services and Psychiatric Outpatient Clinics 55 Pa. Code Chapters 1153 and 5200	February 2017, as Proposed	These amendments will update the current regulations to align outpatient psychiatric services with current industry standards and parity requirements and will include provisions for mobile mental health treatment.	Jen DeBell (717) 772-4141



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5231	April 2017, as Proposed	This regulation will be amended to govern psychiatric rehabilitation services for individuals 14 years of age and older with serious mental health conditions to support the transition to adulthood, implement an initiative to improve coordination between the child and adult mental health care systems, and amend outdated language throughout.	Jen DeBell (717) 772-4141
Intensive Behavioral Health Services 55 Pa. Code Chapter 5270	February 2017, as Proposed	This regulation will govern the provision of the array of in-home and community-based behavioral health rehabilitation services for children, including services for children with autism spectrum disorder.	Jen DeBell (717) 772-4141
Mental Health Targeted Case Management 55 Pa. Code Chapters 5220 and 5221	April 2017, as Proposed	This regulation will rescind Chapter 5221 and replace it with a new Chapter 5220 which will govern the provision of mental health case management services, including resource coordination, intensive case management and blended case management.	Jen DeBell (717) 772-4141
Subsidized Child Care Eligibility 55 Pa. Code Chapter 3041	April 2017, as Proposed	This regulation will be updated to add new requirements imposed by the 2014 Federal Reauthorization of the Child Care Development Block Grant. This regulation will include amendments to requirements regarding redetermination, continuation of subsidy during job loss, reporting and verification, financial eligibility, and prioritized groups.	Jen DeBell (717) 772-4141
Child Day Care Centers, Group Child Care Day Care Homes, Family Child Day Care Homes 55 Pa. Code Chapters 3270, 3280 and 3290	March 2017, as Proposed	This regulation will add new requirements imposed by the 2014 Federal Reauthorization of the Child Care Development Block Grant. This regulation will include amendments regarding employment, background checks and training requirements. In addition, additional proposed amendments include water safety training and equipment requirements.	Jen DeBell (717) 772-4141
Early Intervention Services 55 Pa. Code Chapter 4226	April 2017, as Final-Omitted	This regulation will amend Section 4226.5 (relating to definitions) to reflect the requirements of Act 2014-143 (Act 143). Act 143 added an additional tracking category for infants and toddlers experiencing homelessness.	Jen DeBell (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Home and Community-Based Supports and Licensing 55 Pa. Code Chapters 51, 2380, 2390, 6100, 6200, 6400 and 6500	September 2017, as Final	This regulation will rescind Chapter 51 and replace it with a new Chapter 6100, which will govern the program, operational and fiscal components of the Office of Developmental Programs' home and community-based waiver programs, State plan services, block grant and base-funded programs and licensing requirements.	Jen DeBell (717) 772-4141
Adult Protective Services 55 Pa. Code Chapter 15	April 2017, as Proposed	This regulation will govern the investigation of allegations of abuse, neglect, exploitation or abandonment of adults between the ages of 18 and 59 years, and the provision of protective services as indicated by the results of those investigations. The authority for the regulation and resulting services are under Act 70 of 2010, the Adult Protective Services Act.	Jen DeBell (717) 772-4141
Medical Assistance Disqualifications and Hearing Requirements 55 Pa. Code Chapters 255 and 275	August 2017, as Proposed	This regulation will add disqualification penalties for individuals who were prosecuted for Medical Assistance fraud. These amendments will mirror Federal law at 42 U.S.C. § 1320a-7b to provide for a 1-year disqualification based on a court conviction for a crime against the Medical Assistance program. These amendments will update current regulations with client overpayments, referrals, noticing and collections, and ADH processes.	Jen DeBell (717) 772-4141
Definitions and Requirements 55 Pa. Code Chapters 123 and 133	August 2017, as Proposed	This regulation will expand the types of interviews that must be undertaken for Temporary Assistance to Needy Families (TANF) applicants and recipients by eligibility workers.	Jen DeBell (717) 772-4141
Medical Assistance Manual 55 Pa. Code Chapter 1121	April 2017, as Proposed	These regulations implement changes mandated by the Affordable Care Act to address key areas of Medicaid drug reimbursement in the Fee-for-Service delivery system, including changes to the Federal Upper Limit and reimbursement based on actual acquisition cost.	Jen DeBell (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Assistance Manual 55 Pa. Code Chapter 1101	April 2017, as Proposed	This amendment rescinds the outdated “shared space” regulation at § 1101.51(b)(3) and provides a more integrated approach to the provision of health care by retail clinics, some of which are placed within the same building structure as a pharmacy, as well as multi-disciplinary co-location arrangements between separate providers, including arrangements between physical and behavioral health providers.	Jen DeBell (717) 772-4141
Medical Assistance Manual 55 Pa. Code Chapters 1101 and 1150	July 2017, as Proposed	These regulations will align current Medical Assistance (MA) Program regulations related to General Provisions and MA Program Payment Policies, to the HealthChoices Expansion reforms which provide the same level of MA benefits to all MA adult beneficiaries. The amendments will eliminate amount, duration and scope variations between categories of eligibility and update terminology. These amendments also update terminology, incorporate Statements of Policy and rescind outdated policies.	Jen DeBell (717) 772-4141
Medical Assistance Manual 55 Pa. Code Chapters 1140, 1142, 1229 and 1241	October 2017, as Proposed	These regulations align current Medical Assistance (MA) Program regulations for specific services, to the HealthChoices Expansion reforms which provide the same level of MA benefits to all MA adult beneficiaries. The amendments pertain to the Healthy Beginnings Plus Program, Midwives’ Services, Health Maintenance Organization Services, and the Early and Periodic Screening, Diagnosis and Treatment Program, and will eliminate amount, duration and scope variations between categories of eligibility and update terminology. These amendments also update terminology, incorporate Statements of Policy and rescind outdated policies.	Jen DeBell (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Assistance Manual 55 Pa. Code Chapters 1101, 1121, 1126, 1141, 1163 and 1221	February 2017, as Final-Omitted	These regulations align current Medical Assistance Program regulations to the Office of Civil Rights final rule implementing Section 1557 of the Affordable Care Act. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs and activities. The amendment will rescind the regulations in Chapters 1141 and 1163 prohibiting surgical procedures and medical care provided in connection with sex reassignment. The amendment will also update the nondiscrimination regulation in Chapter 1101.	Jen DeBell (717) 772-4141
Outpatient Drug and Alcohol Clinic Services 55 Pa. Code Chapter 1223	March 2017, as Proposed	The amendments will update the current regulations to align outpatient drug and alcohol clinic services with current industry standards and parity requirements.	Jen DeBell (717) 772-4141
<b><i>Pennsylvania Insurance Department (PID)</i></b>			
Medicare Supplement (NAIC Model Reg update)	Winter 2017-18, as Proposed	Amendments to Chapter 89 based upon NAIC Model amendments.	Bridget E. Burke Regulatory Coordinator (717) 787-2567
Health Insurance Reserves (NAIC Model Reg)	Winter 2017-18, as Proposed	Amendments to Chapter 84a based upon NAIC Model amendments.	Bridget E. Burke Regulatory Coordinator (717) 787-2567
<b><i>Department of Labor and Industry (L&amp;I)</i></b>			
Boiler and Unfired Pressure Vessel Regulations Title 34, Part I, Chapter 3a Bureau of Occupational and Industrial Safety	Winter 2017, as Proposed	Update regulations based on Act 104 of 2013 and adopt certification standards for third party inspection agencies.	Jennifer Berrier (717) 783-6304
Flammable and Combustible Liquids Title 34, Part I, Chapters 14 and 14a Bureau of Occupational and Industrial Safety	Spring 2017, as Proposed	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel.	Jennifer Berrier (717) 783-6304
Propane and Liquefied Petroleum Gas Regulations Title 34, Part I, Chapter 13 Bureau of Occupational and Industrial Safety	Spring 2017, as Proposed	Update regulations for cylinder exchange cabinet requirements.	Jennifer Berrier (717) 783-6304
Unemployment Compensation Title 34 Chapter 101 Board of Review	Summer 2017, as Proposed	Update regulation to reflect statutory and operational changes.	Randall Brandes (717) 787-5122



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Apprenticeship and Training Council Title 34, Part IV, Chapters 83 and 84 Apprenticeship and Training Office	Fall 2017, as Proposed	Amend regulations to reflect Federal requirements. Will need legislative change to statute first.	Eric Ramsey (717) 787-6997
Language Interpreters and Transliterators Title 34 Chapter 501 Registration of Sign Office of Deaf and Hard of Hearing	Winter 2017, as Proposed	Amend regulations to be consistent with amendments in Sign Language Interpreter and Transliterator State Registration Act, 63 P.S. §§ 1725.1—1725.11, that were enacted in November 2010.	Sharon Behun (717) 783-6381
Employment of Minors Title 34, Part 1, Chapter 11 Bureau of Labor Law Compliance	Spring 2017, as Proposed	Revise/update current regulations in light of the new Child Labor Act, Act 151 of 2012.	Terry Peck (717) 787-3681
Prohibition of Excessive Overtime in Health Care Act Regulations Title 34, Part XII, Chapter 225 Bureau of Labor Law Compliance	Summer 2017, as Proposed	Revise/update current regulations for Act 102 of 2008.	Terry Peck (717) 787-3681
<b><i>Department of Military and Veterans Affairs (DMVA)</i></b>			
Veterans' Homes Regulations 43 Pa. Code Chapter 7	Spring 2017, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S § 903(10)). These regulations are out-of-date. They were last updated in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Michael Barrett (717) 861-8503
Veterans' Affairs Regulations 43 Pa. Code Chapter 5	Spring 2017, as Final-Omitted	43 Pa. Code Ch. 5 contains regulations on a number of Commonwealth veterans' benefit programs. These include the Disabled Veteran Real Estate Tax Exemption, the Blind Veterans' Pension, the Paralyzed Veterans; Pension, Veterans' Emergency Assistance and the Educational Gratuity Program. All of these regulations need to be updated to take into account changes in the law as well as changes in organizational structures.	Michael Barrett (717) 861-8503

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Municipal Police Officers' Education and Training Commission (MPOETC)</i></b>			
Administration of the Municipal Police Officers' Education and Training Program 37 Pa. Code Chapter 203	Spring 2017, as Proposed	Title 53 Pa.C.S. § 2164(14) conveys powers and duties to the Municipal Police Officers' Education and Training Commission to make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers. Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's municipal police officers, are necessary to modernize these regulations, as they have not undergone a major revision since 1996. The amendments that will be proposed are the product of an extensive review project that included key stakeholders of the regulated community.	Sergeant Robert L. Bailey (717) 783-5566
<b><i>Pennsylvania Board of Probation and Parole (PBPP)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania Commission on Crime and Delinquency (PCCD)</i></b>			
Sheriffs' and Deputy Sheriffs' Education and Training Program 37 Pa. Code Chapter 421	Spring 2017, as Proposed	The Deputy Sheriffs' Education and Training Board (Board), an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 421 (relating to Deputy Sheriffs' Education and Training Board) due to statutory changes in Act 114 of 2014 (Act of Jul. 9, 2014, P.L. 1006, No. 114).	Derin Myers (717) 265-8466 Debra Sandifer (717) 265-8517
Preliminary Provisions and Administrative Proceedings of the Commission on Crime and Delinquency 37 Pa. Code Chapters 401 and 407	Summer 2017, as Proposed	The Commission on Crime and Delinquency plans to amend the regulations at 37 Pa. Code Chapter 401 (relating to Preliminary Proceedings) and 407 (relating to Administrative Proceedings) pursuant to Section 3(12) of the Act of Nov. 22, 1978 (P.L. 1166, No. 274).	Derin Myers (717) 265-8466 Debra Sandifer (717) 265-8517

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Pennsylvania Emergency Management Agency (PEMA)</i></b>			
Act 187 of 2014	Spring 2017, as Proposed	Act 187 of 2014 established the Public Disaster Assistance Grant Program within the Pennsylvania Emergency Management Agency provide grants to political subdivisions and municipal authorities for assistance with repair of disaster-related damage in a disaster emergency area when the damages to public facilities are beyond the financial capabilities of the political subdivision or authority. The Pennsylvania Emergency Management Agency is directed to Promulgate any regulations necessary to implement and administer the program which include: (i) Development of additional procedures or requirements for the submission of grant applications; (ii) Development of procedures to verify adjusted loss; (iii) Development of criteria for the determination of the amount of assistance to be given to a political subdivision or municipal authority; and (iv) Development of a methodology to prioritize projects based on the potential impact to the health and safety of the citizens of the affected community.	Stephen Bekanich (717) 651-2146 Westburn Majors (717) 651-2728
<b><i>Pennsylvania Higher Education Assistance Agency (PHEAA)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania Housing Finance Agency (PHFA)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania Infrastructure Investment Authority (PENNVEST)</i></b>			
Pennsylvania Infrastructure Investment Authority Assistance 25 Pa. Code §§ 963.1—963.20, including inter alia: 963.12(a)(7) 963.13(c) 963.15(a) 963(15)(c) 963(16) 963.18(c)	Summer 2017, as Proposed	Revisions under consideration include, inter alia: Amendments to 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P.L. 51, No. 16, enacted June 19, 2013 and guidance revisions implemented by the Department of Environmental Protection and to incorporate any provisions necessary to accommodate for the deletion of 25 Pa. Code § 965 in its entirety, including,	Shawn W. Weis (717) 783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		<p>but not limited to the following:</p> <p>(1) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor.</p> <p>(2) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment on principal and interest on the 60th month.</p> <p>(3) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization.</p> <p>(4) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date.</p> <p>(5) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define "bond interest rate" to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the date of the approval of the loan.</p> <p>(6) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST.</p> <p>Delete 25 Pa. Code § 963.18(c)(2)(iii) to eliminate the requirement for prior written approval of change orders that exceed \$25,000 or 2 percent of the amount of the project's construction cost, or an aggregate of all change orders that exceed 10 percent of the project's construction cost.</p>	
<b><i>Pennsylvania Municipal Retirement System (PMRS)</i></b>			
No regulations being developed or considered at this time.			



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Pennsylvania State Police (PSP)</i></b>			
Training and Minimum Standards Under the Wiretapping and Electronic Surveillance Control Act 37 Pa. Code Chapter 51	February 2017, as Proposed	Title 18 Pa.C.S. § 5724 requires the Commissioner of the Pennsylvania State Police (PSP) and the Attorney General to establish a training course for certification related to conducting wiretapping and electronic surveillance. Revisions to Chapter 51 as it relates to officer certification/re-certification and authorization to engage in the conduct of communications interception will be proposed to adjust the training to current technology and operational needs.	Sergeant Robert L. Bailey (717) 783-5566
Procedures and Specifications for Firearm Record Forms Under the Uniform Firearms Act 37 Pa. Code Chapter 33	February 2017, as Proposed	A revision to 37 Pa. Code Chapter 33, § 33013(e) is being proposed to enhance public safety and close a current loophole. This specific subsection addresses mental health records information received or maintained by the PSP. Currently, this information can only be used to verify if a person has a firearms prohibition for the purposes of purchasing or transferring a firearm, as well as for issuing a License to Carry a Firearm.	Sergeant Robert L. Bailey (717) 783-5566
Administration of Megan's Law—Neighbor Notification 37 Pa. Code Chapter 55	Spring 2017, as Final-Omitted	Title 42 Pa.C.S. § 9799.1, in part, required PSP to write regulations regarding neighbor notification of the current residence of sexually violent predators. This section expired December 20, 2012, and on that date the requirements of Title 42 Pa.C.S. § 9799.32 became effective. These new requirements, in part, place a duty on PSP to write guidelines regarding neighbor notification under § 9799.27(b)(1). Since there is no longer statutory authority for Chapter 55, it will be removed and reserved in its entirety. The contents will be updated and published as guidelines in a Statement of Policy.	Sergeant Robert L. Bailey (717) 783-5566
<b><i>Pennsylvania State System of Higher Education (PASSHE)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Public School Employees' Retirement System (PSERS)</i></b>			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Revenue (DOR)</i></b>			
Amendments to Local Option Small Games of Chance (SGOC) 61 Pa. Code Chapter 901a	May 2017, as Proposed	The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184 of 2012 and Acts 90 and 92 of 2013.	John Brenner (717) 705-3906
General Provisions Application of Payments 61 Pa. Code Chapter 5a	June 2017, as Proposed	The Department is promulgating this regulation to clarify the provisions of the Taxpayers' Bill of Rights and provide a procedure for the application of a payment received from a taxpayer to tax liability owed the Department.	Douglas Berguson (717) 346-4633
Amendments to Realty Transfer Tax (RTT) Regulations 61 Pa. Code Chapter 91	May 2017, as Proposed	Amendments to the RTT regulations are being proposed to improve the clarity and effectiveness of the regulations. Additionally, the proposed amendments will be consistent with Department policy and the language in the RTT statute.	John Brenner (717) 705-3906
<b><i>Department of State (DOS)</i></b>			
<b><i>State Board of Accountancy</i></b>			
General Revisions (Act 73 and Act 15 Amendment) 49 Pa. Code Chapter 11 (# 16A-5513)	Spring 2017, as Final	This final rulemaking implements the amendments to the CPA Law made by the act of July 9, 2008 (P.L. 954, No. 73) (Act 73), and the act of June 19, 2013 (P.L. 46, No. 15) (Act 15). Act 73 provided for practice in this Commonwealth under substantial equivalence by persons licensed in other states and provided new education and experience standards for licensure. Act 15 eliminated the requirement that applicants for licensure demonstrate 400 hours of experience in attest activity as a condition of licensure.	Sara Fox (717) 783-1404
Schedule of Civil Penalties 49 Pa. Code Chapter 43b (# 16A-5514)	Spring 2017, as Final	This final rulemaking amends the schedule of civil penalties for certain violations of the CPA Law (63 P.S. §§ 9.1—9.16b) and the regulations of the State Board of Accountancy (Board) to comport with amendments made by the Board to its substantive regulations relating to continuing education violations.	Sara Fox (717) 783-1404

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Athletic Commission</i></b>			
Prohibited Drug Testing 58 Pa. Code, Part I, Subpart A, Chapter 15 (# 16-58)	Spring 2017, as Proposed	The proposed rulemaking would revise existing regulations on drug testing for boxers, mixed martial arts participants and kick boxers, as authorized under the Boxing Act.	Martha Brown (717) 787-6802
<b><i>State Architects Licensure Board</i></b>			
Electronic Seals and Signing 49 Pa. Code Chapter 9 (# 16A-4110)	Summer 2017, as Proposed	In addition to updating their current regulations on seals, the three boards that regulate design professionals in this Commonwealth (including the State Architects Licensure Board, the State Registration Board for Engineers, Land Surveyors and Geologists, and the State Board of Landscape Architects) are proposing new regulations setting forth standard requirements for electronic seals and electronic signing of design documents. The goal of these proposals is to provide all design professionals with regulations that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients.	Amanda Li (717) 783-3397
<b><i>State Board of Auctioneer Examiners</i></b>			
Schedule of Civil Penalties 49 Pa. Code § 43b.12a (# 16A-648)	Spring 2018, as Proposed	The proposed rulemaking would make updates to the current schedule of civil penalties for violations of the Auctioneer Licensing and Trading Assistant Registration Act and regulations of the State Board of Auctioneer Examiners.	Terrie Kocher (717) 783-3397
<b><i>State Board of Barber Examiners</i></b>			
Schedule of Civil Penalties 49 Pa. Code § 43b.4 (# 16A-4210)	Spring 2017, as Final-Omitted	This rulemaking would simply change the authority under which many of the current civil penalties are being issued from the statutory provision in the Barber License Law to the applicable provision in the regulations of the State Board of Barber Examiners. In making this change, the legal authority supporting the schedule of civil penalties will be clearer.	Kelly Diller (717) 783-7130

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code Chapter 3 (# 16A-429)	Fall 2017, as Proposed	The proposed rulemaking would update the regulations for barber managers, temporary student licenses, barber shops and schools of barbering to update obsolete provisions of the Board's regulations. Some of the regulations contain outdated terminology. Also, the Board would update the regulations to make them consistent with the Barber License Law and current practices of the Board and its licensees.	Kelly Diller (717) 783-7130
<b><i>State Board of Chiropractic</i></b>			
Chiropractic Specialties 49 Pa. Code Chapter 5 (# 16A-4312)	Spring 2017, as Proposed	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. The proposed rulemaking would prohibit a chiropractor from advertising that the chiropractor holds certification or otherwise is a specialist in a chiropractic specialty unless the chiropractor holds certification or diplomate status from a specialty board recognized by the American Board of Chiropractic Specialties. These specialty boards all require passing a certification examination after either a full-time residency of at least 3 years or a part-time program of more than 300 hours of education and clinical practice. This proposal protects consumers of chiropractic services who can be misled by advertising of "certifications" that do not truly reflect advanced knowledge, training or skill.	Michelle Roberts (717) 783-7155
Volunteer License 49 Pa. Code § 5.20 (# 16A-4321)	Winter 2017-18, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments made to the Volunteer Health Services Act.	Michelle Roberts (717) 783-7155



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 5.91—5.96 (# 16A-4322)	Summer 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Chiropractic obtain required training in child abuse recognition and reporting.	Michelle Roberts (717) 783-7155
Radiological Procedures Examination 49 Pa. Code §§ 5.6 and 5.63 (# 16A-4324)	Spring 2017, as Final	Section 522(a)(ii) of the act (63 P.S. § 625.522(a)(ii)) prohibits auxiliary personnel from performing radiologic procedures on the premises of a chiropractor unless the person has passed an examination approved by the Board and administered by a third-party testing service. The proposed rulemaking would delete the fee for the radiological procedures examination and reference to the application forms and would require auxiliary personnel to submit applications and pay the fee directly to the testing service rather than applying to the Board. This change is needed to comport to actual practice.	Michelle Roberts (717) 783-7155
Government Employee Liability Coverage 49 Pa. Code §§ 5.17(f) and 5.41 (# 16A-4325)	Summer 2017, as Proposed	The Chiropractic Practice Act requires chiropractors to maintain professional liability insurance, including self-insurance. This regulation would permit a licensee who practices exclusively on behalf of the government to meet this requirement by reliance upon the coverage provided under the Federal Tort Claims Act or the Sovereign Immunity Act as administered by the Commonwealth's Employee Liability Self-insurance Program.	Michelle Roberts (717) 783-7155
Sexual Misconduct 49 Pa. Code § 5.81 (# 16A-4328)	Fall 2017, as Proposed	The proposed rulemaking would amend the Board's regulations to provide clearer and broader standards in prohibiting sexual misconduct with a patient.	Michelle Roberts (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Bureau of Commissions, Elections and Legislation</i></b>			
Lobbying Disclosure Thresholds 51 Pa. Code §§ 51.1 and 57.2 <i>(number not yet assigned)</i>	Spring 2017, as Final-Omitted	Section 13A08(j) of the Lobbying Disclosure Act (act) (65 Pa.C.S. § 13A08(j)) requires the Department to review the threshold for exemption from registration and reporting every two years and increase those thresholds to “rates deemed reasonable for assuring appropriate disclosure” of lobbying expenditures. The Department has already published a notice of its intent to raise the thresholds from \$2,500 to \$3,000, effective January 1, 2017. This rulemaking would amend the regulations to reflect the updated threshold amounts.	Ian Everhart (717) 346-0462
Notaries Public 4 Pa. Code Part VIII, Subpart C <i>(# 16-59)</i>	Summer 2017, as Proposed	The proposed rulemaking would implement the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA).	Martha Brown (717) 787-6802
Electronic Recording Commission—Real Property Electronic Recording Standards 4 Pa. Code, Part VIII, Subchapter G <i>(# 16-57)</i>	Spring 2017, as Temporary Regulations	These temporary regulations would implement the act of July 5, 2012 (Uniform Real Property Electronic Recording Act) (P.L. 935, No. 100). The temporary regulations put forth initial standards relating to electronic recording of real property documents developed by the Electronic Recording Commission.	Martha Brown (717) 787-6802
<b><i>Bureau of Corporations and Charitable Organizations</i></b>			
Names (including Symbols and Characters) 19 Pa. Code Chapter 17 <i>(number not yet assigned)</i>	Summer 2017, as Proposed	Section 133(a)(vi) of the Association Transactions Act authorizes the Department to specify the symbols or characters which do not make a name distinguishable on the records of the Department or may be used in the name of an entity. This rulemaking will revise the chapter on Names and add provisions on symbols and characters.	Martha Brown (717) 787-6802
UCC Revised Article 9 <i>(# 16-35)</i>	Fall 2017, as Proposed	This proposed rulemaking would adopt, with some revisions, the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments.	Martha Brown (717) 787-6802

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Cosmetology</b>			
General Revisions 49 Pa. Code Chapter 7 (# 16A-4516)	Winter 2017-18, as Proposed	This proposed rulemaking would update the Board's regulations to conform to modern standards within the profession.	Kelly Diller (717) 783-7130
Schedule of Civil Penalties 49 Pa. Code § 43b.5 (# 16A-4517)	Fall 2017, as Proposed	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology promulgated by the Commissioner of Professional and Occupational Affairs under the authority of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48). The State Board of Cosmetology (Board) has participated in the Act 48 citation program from its inception in 1996 and has not increased the amounts in the schedule of civil penalties since they were originally promulgated. The Board believes that it is necessary to increase the civil penalties in order to improve their deterrent effect.	Kelly Diller (717) 783-7130
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 7 (# 16A-4518)	Fall 2017, as Proposed	The act of September 24, 2014 (P.L. 2476, No. 136) (Act 136) allows massage therapists to practice within the licensed square footage of a cosmetology or esthetician salon and requires the State Board of Cosmetology and the State Board of Massage Therapy to jointly promulgate regulations to implement these changes. This rulemaking effectuates these provisions of Act 136.	Kelly Diller (717) 783-7130
Examination 49 Pa. Code Chapter 7 (# 16A-4519)	Fall 2017, as Proposed	Historically, the licensure examinations for licensees of the State Board of Cosmetology required the passing of a written (theory) portion and a practical portion in which the candidate demonstrated the necessary skills. Act 136 eliminated the practical portion of the examination, leaving the Board with only a written examination that covers both theory and practical application questions. This rulemaking comports the regulations to that portion of Act 136.	Kelly Diller (717) 783-7130

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Crane Operators</b>			
Schedule of Civil Penalties 49 Pa. Code Chapter 43b (# 16A-7103)	Spring 2017, as Proposed	The proposed regulation would create a schedule of civil penalties for violations of the Crane Operator Licensure Act and regulations of the State Board of Crane Operators.	Amanda Li (717) 783-1404
<b>State Board of Dentistry</b>			
Anesthesia Update 49 Pa. Code, Subchapter E, §§ 33.331—33.342 (# 16A-4621)	Fall 2017, as Proposed	This proposed rulemaking would update the standards for the administration of general anesthesia, deep sedation, moderate sedation, minimal sedation and nitrous oxide/oxygen analgesia in dental offices to conform to and adopt the current standards used by the dental profession.	Lisa Burns (717) 783-7162
Volunteer License 49 Pa. Code § 33.110 (# 16A-4625)	Winter 2017-18, as Final-Omitted	The regulation is needed to amend the current regulations to amendments to the Volunteer Health Services Act.	Lisa Burns (717) 783-7162
Child Abuse Reporting Requirements 49 Pa. Code § 33.250 (# 16A-4626)	Summer 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Dentistry obtain required training in child abuse recognition and reporting.	Lisa Burns (717) 783-7162
General Revisions 49 Pa. Code Chapter 33 (# 16A-4628)	Spring 2017, as Proposed	The State Board of Dentistry has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education.	Lisa Burns (717) 783-7162



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Mobile Dental Vans 49 Pa. Code Chapter 33 (# 16A-4629)	Winter 2017-18, as Proposed	The proposed regulation will set forth standards for the operation of mobile dental vans in the Commonwealth.	Lisa Burns (717) 783-7162
Schedule of Civil Penalties 49 Pa. Code § 43b.14a (# 16A-4630)	Spring 2017, as Proposed	The State Board of Dentistry has participated in the Act 48 citation program since 2001 and has not increased the amounts in the schedule of civil penalties for lapsed license/certificate violations since they were originally promulgated. The Board believes that it is necessary to increase the civil penalties to improve their deterrent effect. In addition, the proposal would add a schedule of civil penalties for continuing education violations.	Lisa Burns (717) 783-7162
Temporary Volunteer Dental Licenses 49 Pa. Code § 33.118 (# 16A-4631)	Spring 2017, as Proposed	This proposed regulation would implement the act of February 4, 2014 (P.L. 19, No. 7) (Act 7) to set forth the procedures to apply for a temporary volunteer dental license. The purpose of Act 7 of 2014 was to allow out-of-state dentists to volunteer their services in this Commonwealth and to participate in volunteer events/activities sponsored by the American Dental Association (ADA) and other National associations that may take place within the Commonwealth. This rulemaking effectuates Act 7.	Lisa Burns (717) 783-7162
Restricted Faculty Licenses 49 Pa. Code Chapter 33 (# 16A-4632)	Spring 2017, as Proposed	The act of July 2, 2014 (P.L. 828, No. 89) (Act 89) amended the Dental Law to provide for restricted faculty licenses. A restricted faculty license is granted to an individual for the limited purpose of teaching in a dental school or advanced dental education program as a faculty member at an accredited dental school in this Commonwealth. This rulemaking effectuates Act 89.	Lisa Burns (717) 783-7162
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapter 33 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers and all those applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Lisa Burns (717) 783-7162

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Safe Opioid Prescription Curriculum 49 Pa. Code Chapter 33 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 987, No. 126) (Act 126) sets forth the requirement that the Board promulgate a joint regulation, along with the State Board of Medicine, the State Board of Nursing, the State Board of Optometry, the State Board of Osteopathic Medicine, and the State Board of Podiatry, implementing a "safe prescription of a controlled substance containing an opioid" curriculum to be made available to training facilities and other education providers. This proposed rulemaking would effectuate Act 126.	Lisa Burns (717) 783-7162
<b><i>State Registration Board for Professional Engineers, Land Surveyors and Geologists</i></b>			
Electronic Seals and Signatures 49 Pa. Code Chapter 37 (# 16A-4712)	Summer 2017, as Proposed	In addition to updating their current regulations on seals, the three boards that regulate design professionals in this Commonwealth (including the State Architects Licensure Board, the State Registration Board for Engineers, Land Surveyors and Geologists, and the State Board of Landscape Architects) are proposing new regulations setting forth standard requirements for electronic seals and electronic signing of design documents. The goal of these proposals is to provide all design professionals with regulations that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients.	Robin Shearer (717) 783-7049
Renewal Fees 49 Pa. Code § 37.17 (# 16A-4713)	Spring 2017, as Final	Under section 9(a) of the Professional Engineer, Land Surveyor and Geologist Registration Law (63 P.S. § 156(a)) (act), the Board is required by law to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The current fee structure is inadequate to support the operations of the Board. This proposed rulemaking seeks to increase the biennial renewal fee for licensees from \$50 to \$100 so that revenues are sufficient to cover projected expenditures as required by the act.	Robin Shearer (717) 783-7049

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Funeral Directors</b>			
Child Abuse Reporting Requirements 49 Pa. Code §§ 13.301—13.307 (# 16A-4824)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Funeral Directors obtain required training in child abuse recognition and reporting.	Heidy Weirich (717) 783-3397
Limited Liability Company 49 Pa. Code Chapter 13 (# 16A-4826)	Summer 2017, as Proposed	The proposed regulation would permit a limited liability company that has two or more funeral directors as its members to be licensed as a partnership, and with only one funeral director as its sole member to be licensed as a sole proprietorship.	Heidy Weirich (717) 783-3397
Names 49 Pa. Code Chapter 13 (# 16A-4827)	Spring 2017, as Proposed	In a recent Federal lawsuit, the Third Circuit Court of Appeals held that certain provisions in the Funeral Director Law that prohibited the use of trade names are an unconstitutional violation of free commercial speech under the First Amendment to the U.S. Constitution. This rulemaking proposes to set standards for the use of names by a funeral entity and eliminate restrictions previously established under those provisions of the Funeral Director Law that have been determined to be unconstitutional.	Heidy Weirich (717) 783-3397
Supervisor 49 Pa. Code Chapter 13 (# 16A-4828)	Fall 2017, as Proposed	This proposed rulemaking would clarify each funeral establishment's need to have a supervisor and provide the requirements for registration and the responsibilities of the supervisor.	Heidy Weirich (717) 783-3397
Schedule of Civil Penalties— Funeral Directors 49 Pa. Code § 43b.6 (# 16A-4829)	Fall 2017, as Proposed	This proposed regulation would amend § 43b.6 to revise the Board's current civil penalty schedule for practicing on a lapsed license.	Heidy Weirich (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Funeral Establishment Reactivation 49 Pa. Code §§ 13.231, 13.233 (# 16A-4830)	Fall 2017, as Proposed	This proposal would update the Board's regulations to clarify standards for renewal and reactivation of funeral establishment licenses.	Heidy Weirich (717) 783-3397
Duty to Cooperate 49 Pa. Code § 13.202 (# 16A-4831)	Winter 2017-18, as Proposed	This proposed regulation would amend the Board's regulations defining unprofessional conduct to require licensees to cooperate with the Board's agents in inspecting funeral establishments.	Heidy Weirich (717) 783-3397
<b>State Board of Landscape Architects</b>			
General Revisions 49 Pa. Code Chapter 15 (# 16A-6111)	Fall 2017, as Proposed	The State Board of Landscape Architects has undertaken a comprehensive review of its current regulations in an effort to update obsolete and incomplete provisions, to revise them to conform with current practices and to be consistent with the Landscape Architects Registration Law. This proposed rulemaking implements updates to current practices of the Board with respect to qualifications and experience, examinations and continuing education.	Terrie Kocher (717) 772-8528
Electronic Seals and Signatures 49 Pa. Code Chapter 15 (# 16A-6112)	Summer 2017, as Proposed	In addition to updating their current regulations on seals, the three boards that regulate design professionals in this Commonwealth (including the State Architects Licensure Board, the State Registration Board for Engineers, Land Surveyors and Geologists, and the State Board of Landscape Architects) are proposing new regulations setting forth standard requirements for electronic seals and electronic signing of design documents. The goal of these proposals is to provide all design professionals with regulations that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients.	Terrie Kocher (717) 772-8528
Schedule of Civil Penalties—Landscape Architects 49 Pa. Code Chapter 43b (# 16A-6120)	Fall 2017, as Proposed	This proposed rulemaking would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law.	Terrie Kocher (717) 772-8528



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Massage Therapy</b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 20 (# 16A-722)	Fall 2017, as Proposed	This proposed regulation would establish regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL). Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. One of those amendments makes it clear that all licensees of health-related boards are mandatory reporters, which would include licensed massage therapists. This rulemaking implements the mandatory reporting requirements as recently amended, including the requirement that all applicants and licensees of the State Board of Massage Therapists obtain required training in child abuse recognition and reporting.	Carol Niner (717) 783-7155
Fees 49 Pa. Code § 20.3 (# 16A-724)	Fall 2017, as Proposed	Under section 11 of the Massage Therapy Act (63 P.S. § 627.11) the State Board of Massage Therapy is required to support its operations by the revenue it generates from fees, fines and civil penalties. In addition, it provides that the Board shall increase fees if revenue is not sufficient to meet projected expenditures. Under the current fee structure, the Board cannot produce enough revenue to meet projected expenditures. This proposal would increase biennial renewal fees for massage therapists, application fees, and fees for temporary practice permits.	Carol Niner (717) 783-7155
General Revisions 49 Pa. Code Chapter 20 (# 16A-725)	Fall 2017, as Proposed	This rulemaking would update the Board's existing regulations with regard to education, scope of practice and other provisions.	Carol Niner (717) 783-7155
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 7 (# 16A-726)	Fall 2017, as Proposed	The act of September 24, 2014 (P.L. 2476, No. 136) (Act 136) allows massage therapists to practice within the licensed square footage of a cosmetology or esthetician salon and requires the State Board of Cosmetology and the State Board of Massage Therapy to jointly promulgate regulations to implement these changes. This rulemaking effectuates these provisions of Act 136.	Carol Niner (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Medicine</b>			
Volunteer License 49 Pa. Code Chapter 16 (# 16A-4934)	Winter 2017-18, as Final-Omitted	This regulation is needed to amend the current regulations to conform to amendments to the Volunteer Health Services Act.	Suzanne Zerbe (717) 783-1400
Use of Medical Lasers 49 Pa. Code Chapter 18, Subchapter G (# 16A-4939)	Fall 2017, as Proposed	This proposed rulemaking is intended to clarify the requirements for the use and delegation of the use of medical lasers. Based on the information available, the Board concluded that the use of prescription or medical lasers and other high energy source medical devices for the treatment of skin conditions by unlicensed individuals without adequate medical supervision presents an unreasonable risk of serious harm and potential permanent scarring or disfigurement. The Board proposes this rulemaking, which will bring the Board's regulations in line with the majority of other states that have already promulgated regulations related to these devices.	Suzanne Zerbe (717) 783-1400
Child Abuse Reporting Requirements 49 Pa. Code §§ 16.101—16.107 (# 16A-4941)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Medicine obtain required training in child abuse recognition and reporting.	Suzanne Zerbe (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Schedule of Civil Penalties 49 Pa. Code § 43b.20 (# 16A-4942)	Fall 2017, as Proposed	This proposed rulemaking provides for a schedule of civil penalties for licensees of the State Board of Medicine who fail to make reports required under section 903(1) and (4) of the Medical Care Availability and Reduction of Error Act (40 P.S. § 1303.903(1) and (4)), fail to timely complete mandatory continuing education, practice on an expired license, or have minor disciplinary action imposed by the proper licensing authority of another state. These additions are intended to take advantage of the efficiencies of the Act 48 citation process.	Suzanne Zerbe (717) 783-1400
Acupuncture 49 Pa. Code §§ 18.13—18.15 (# 16A-4944)	Fall 2017, as Proposed	This proposed rulemaking implements the act of September 24, 2014 (P.L. 2472, No. 134) which amended the Acupuncture Licensure Act (63 P.S. §§ 1801—1806.1) to require acupuncturists and practitioners of Oriental medicine to carry professional liability insurance and to permit these licensees to provide services without a diagnosis from a physician, podiatrist or dentist for asymptomatic patients.	Suzanne Zerbe (717) 783-1400
Active-Retired Status, Administrative Status and Related Renewal Requirements 49 Pa. Code §§ 16.1, 16.15, 16.19 (# 16A-4945)	Winter 2017-18, as Proposed	The proposed rulemaking will set forth standards for active-retired licenses to conform to the Medical Care Availability and Reduction of Error (MCARE) Act and create an additional “administrative” status for physicians whose primary responsibility is administrative in nature. The regulation will also set out duties related to biennial renewal and completion of continuing education.	
Physician Assistant Supervisory Agreement 49 Pa. Code Chapter 18 (# 16A-4946)	Summer 2017, as Proposed	The rulemaking is needed to bring the Board’s existing regulations relating to physician assistant supervisory agreements (written agreements) into conformity with changes made by the act of November 27, 2013 (P.L. 1143, No. 100) with regard to physician review and countersignature of patient charts for patients seen by physician assistants.	Suzanne Zerbe (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Continued Competency/Re-Entry 49 Pa. Code § 16.15 (# 16A-4947)	Winter 2017-18, as Proposed	The proposed rulemaking would provide that practitioners who have been out of practice and have not engaged in the active clinical practice of medicine in any jurisdiction for more than 4 years undergo a re-entry program to determine fitness and competency to resume practice.	Suzanne Zerbe (717) 783-1400
Medical Licensure Examination 49 Pa. Code Chapters 16 and 17 (# 16A-4948)	Fall 2017, as Proposed	The proposed rulemaking will conform the Board's regulation to reflect changes made by the National Board of Medical Examiners to the United States Medical Licensing Examination (USMLE) regarding limitations on the number and timing of attempts an applicant may take the various USMLE parts. The proposal will also remove outdated information about examinations which have not been offered for decades.	Suzanne Zerbe (717) 783-1400
Naturopathy 49 Pa. Code Chapter 18 (number not yet assigned)	Spring 2018, as Proposed	The rulemaking would implement the Naturopathic Doctor Registration Act (Act 128 of 2016) providing for the registration and regulation of doctors of naturopathic medicine.	Suzanne Zerbe (717) 783-1400
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapters 16, 17 and 18 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers and all those applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Suzanne Zerbe (717) 783-1400
Safe Opioid Prescription Curriculum 49 Pa. Code Chapters 16, 17 and 18 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 987, No. 126) (Act 126) sets forth the requirement that the Board promulgate a joint regulation, along with the State Board of Dentistry, the State Board of Nursing, the State Board of Optometry, the State Board of Osteopathic Medicine, and the State Board of Podiatry, implementing a "safe prescription of a controlled substance containing an opioid" curriculum to be made available to training facilities and other education providers. This proposed rulemaking would effectuate Act 126.	Suzanne Zerbe (717) 783-1400



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Nursing</b>			
Nursing Education Programs 49 Pa. Code Chapter 21 (# 16A-5129)	Fall 2017, as Proposed	This proposed rulemaking updates and synthesizes the Board's nursing education program approval requirements for pre- and post-licensure education programs for practical nurses, professional nurses and certified registered nurse practitioners into one subchapter.	Cindy Miller (717) 783-7142
Volunteer License 49 Pa. Code Chapter 21, Subchapter F (# 16A-5139)	Winter 2017-18, as Final-Omitted	The regulation is needed to amend the Board's current regulations to conform to amendments to the Volunteer Health Services Act.	Cindy Miller (717) 783-7142
Child Abuse Reporting Requirements 49 Pa. Code §§ 21.501—21.507 (# 16A-5140)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Nursing obtain required training in child abuse recognition and reporting.	Cindy Miller (717) 783-7142
Fees 49 Pa. Code Chapter 21 (# 16A-5130)	Summer 2017, as Proposed	This proposed regulation revises initial and biennial renewal fees for licensees and revised and sets additional fees in connection with the approval or nursing education programs.	Cindy Miller (717) 783-7142
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapter 21 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers (i.e., certified registered nurses with prescriptive authority) and applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Cindy Miller (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Safe Opioid Prescription Curriculum 49 Pa. Code Chapter 21 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 987, No. 126) (Act 126) sets forth the requirement that the Board promulgate a joint regulation, along with the State Board of Dentistry, the State Board of Medicine, the State Board of Optometry, the State Board of Osteopathic Medicine, and the State Board of Podiatry, implementing a "safe prescription of a controlled substance containing an opioid" curriculum to be made available to training facilities and other education providers. This proposed rulemaking would effectuate Act 126.	Cindy Miller (717) 783-7142
<b><i>State Board of Examiners of Nursing Home Administrators</i></b>			
Schedule of Civil Penalties 49 Pa. Code Chapter 43b, § 43b.17 (# 16A-6213)	Summer 2017, as Proposed	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Examiners of Nursing Home Administrators to implement Act 48 civil penalties for continuing education violations.	Chris Stuckey (717) 783-7155
Continuing Education 49 Pa. Code Chapter 39 (# 16A-6215)	Fall 2017, as Proposed	This proposed rulemaking would update the Board's regulations relating to continuing education and add a new section on continued competency to establish requirements for licensees who have been expired or inactive for more than five years prior to reactivation.	Chris Stuckey (717) 783-7155
Child Abuse Reporting Requirements 49 Pa. Code Chapter 39 (# 16A-6218)	Fall 2017, as Proposed	This proposed regulation would establish regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL). Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. One of those amendments makes it clear that all licensees of health-related boards are mandatory reporters, which would include licensed nursing home administrators. This rulemaking implements the mandatory reporting requirements as recently amended, including the requirement that all applicants and licensees of the State Board of Examiners of Nursing Home Administrators obtain required training in child abuse recognition and reporting.	Chris Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Occupational Therapy Education and Licensure</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 42 (# 16A-679)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Occupational Therapy Education and Licensure obtain required training in child abuse recognition and reporting.	Carol Niner (717) 783-1389
Code of Ethics 49 Pa. Code § 42.24 (# 16A-6710)	Spring 2017, as Final	Beginning in 2011, the Board undertook a review of the language existing in § 42.24 and has compared it to various editions of the AOTA Occupational Therapy Code of Ethics. As a result of its review, the Board determined that it should update § 42.24 by adopting the 2015 AOTA Code of Ethics, which the Board finds to be the minimum standard of ethical conduct for occupational therapists and occupational therapy assistants in this Commonwealth. The AOTA Code of Ethics not only reflects the Board's own view of ethical practice, but will also keep the Commonwealth's ethical standards consistent with the National standards.	Carol Niner (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code Chapter 42 (# 16A-6711)	Spring 2017, as Final	The act of July 5, 2012 (P.L. 1132, No. 138) (Act 138) amended the Occupational Therapy Practice Act to, among other things, require the maintenance of professional liability insurance by occupational therapists, provide for the imposition of civil penalties in accordance with the act of July 2, 1993 (P.L. 345, No. 48), permit the Board to participate in the Bureau's "impaired professionals program," and authorize the Board to establish additional requirements for licensure renewal designed to assure continued competency for occupational therapy assistants. This rulemaking implements the professional liability insurance and continued competency provisions of Act 138.	Carol Niner (717) 783-1389
<b><i>State Board of Optometry</i></b>			
General Revisions 49 Pa. Code Chapter 23 (# 16A-5213)	Spring 2017, as Proposed	Section 3(b)(14) of the Optometric Practice and Licensure Act (act) gives the Board the authority to promulgate all rules and regulations necessary to carry out the purposes of the act. Section 5(b) of the act provides the minimal requirements for continuing education of 30 hours in a biennial period for licensed optometrists. The Board is proposing amendments to its existing regulations to ensure that clear guidance is given to licensees in prescribing contact lenses, reporting continuing education and the standards for accepting commercial support from the providers of continuing education.	Chris Stuckey (717) 783-7155
Volunteer License 49 Pa. Code § 23.26 (# 16A-5214)	Winter 2017-18, as Final Omitted	This rulemaking is needed to amend the Board's current regulations to conform to amendments to the Volunteer Health Services Act.	Chris Stuckey (717) 783-7155



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 23.111—23.116 (# 16A-5215)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Optometry obtain required training in child abuse recognition and reporting.	Chris Stuckey (717) 783-7155
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapter 23 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers and those applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Chris Stuckey (717) 783-7155
Safe Opioid Prescription Curriculum 49 Pa. Code Chapter 23 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 987, No. 126) (Act 126) sets forth the requirement that the Board promulgate a joint regulation, along with the State Board of Dentistry, the State Board of Medicine, the State Board of Nursing, the State Board of Osteopathic Medicine, and the State Board of Podiatry, implementing a "safe prescription of a controlled substance containing an opioid" curriculum to be made available to training facilities and other education providers. This proposed rulemaking would effectuate Act 126.	Chris Stuckey (717) 783-7155
<b>State Board of Osteopathic Medicine</b>			
Volunteer License 49 Pa. Code Chapter 25, Subchapter L (# 16A-5323)	Winter 2017-18, as Final-Omitted	This rulemaking is needed to amend the Board's current regulations to conform to amendments to the Volunteer Health Services Act.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 25.401—25.416 (# 16A-5326)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Osteopathic Medicine obtain required training in child abuse recognition and reporting.	Aaron Hollinger (717) 783-4858
Prescribing 49 Pa. Code § 25.218 (# 16A-5330)	Fall 2017, as Proposed	The State Board of Osteopathic Medicine proposes this rulemaking to set forth the minimum acceptable standards of practice that an osteopathic physician or physician assistant licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors, and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives.	Aaron Hollinger (717) 783-4858
Acupuncture 49 Pa. Code §§ 25.231 and 25.301—25.314 (# 16A-5331)	Fall 2017, as Proposed	This proposed rulemaking implements the act of September 24, 2014 (P.L. 2472, No. 134) which amended the Acupuncture Licensure Act (63 P.S. §§ 1801—1806.1) to require acupuncturists and practitioners of Oriental medicine to carry professional liability insurance and to permit these licensees to provide services without a diagnosis from a physician, podiatrist or dentist for asymptomatic patients. It also makes general updates to the regulations to be consistent with the regulations of the State Board of Medicine relating to acupuncture.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Physician Assistant Supervisory Agreements 49 Pa. Code Chapter 25, Subchapter C (# 16A-5332)	Winter 2016-17, as Proposed	The rulemaking is needed to bring the Board's existing regulations relating to physician assistant supervisory agreements (written agreements) into conformity with changes made by the act of November 27, 2013 (P.L. 1145, No. 101) with regard to physician review and countersignature of patient charts for patients seen by physician assistants.	Aaron Hollinger (717) 783-4858
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapter 25 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers and those applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Aaron Hollinger (717) 783-4858
Safe Opioid Prescription Curriculum 49 Pa. Code Chapter 25 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 987, No. 126) (Act 126) sets forth the requirement that the Board promulgate a joint regulation, along with the State Board of Dentistry, the State Board of Medicine, the State Board of Nursing, the State Board of Optometry, and the State Board of Podiatry, implementing a "safe prescription of a controlled substance containing an opioid" curriculum to be made available to training facilities and other education providers. This proposed rulemaking would effectuate Act 126.	Aaron Hollinger (717) 783-4858
<b><i>State Board of Pharmacy</i></b>			
Compounding Practices 49 Pa. Code Chapter 27 (# 16A-5419)	Spring 2017, as Proposed	Through careful review and with input from stakeholders, the State Board of Pharmacy proposes to update its regulations to incorporate developments and improvements in the profession's safe, sterile practices and procedures for the compounding of pharmaceutical products for patients.	Melanie Zimmerman (717) 783-7156

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code Chapter 27 (# 16A-5430)	Fall 2017, as Proposed	This proposed regulation would establish regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL). Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. One of those amendments makes it clear that all licensees of health-related boards are mandatory reporters, which would include licensees of the State Board of Pharmacy. This rulemaking implements the mandatory reporting requirements as recently amended, including the requirement that all applicants and licensees of the Board obtain required training in child abuse recognition and reporting.	Melanie Zimmerman (717) 783-7156
Administration of Injectable Medications, Biologicals and Immunizations 49 Pa. Code §§ 27.401—27.407 (# 16A-5431)	Summer 2017, as Proposed	In June of 2015, the Pharmacy Act was amended to reduce the age of patients that a pharmacist could administer influenza vaccines from 18 to 9 and to allow pharmacy interns to administer injectable medications, biologicals and immunizations. This rulemaking implements the 2015 amendments to the act.	Melanie Zimmerman (717) 783-7156
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapter 27 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers and dispensers and those applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Melanie Zimmerman (717) 783-7156



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Physical Therapy</b>			
Post-Act 38 Corrections 49 Pa. Code Chapter 40 (# 16A-6517)	Fall 2017, as Final	The act of July 4, 2008 (P.L. 293, No. 38) (Act 38) substantially amended the act, including qualifications for licensure as a physical therapist, continuing education for all physical therapists and physical therapist assistants, professional liability insurance for all physical therapists, physician referral, and supervision of physical therapist assistants by physical therapists on a basis that may be less than direct on-premises supervision. Due to the extensive nature and breadth of these amendments, on December 22, 2012, at 42 Pa.B. 7652, the Board amended its regulations to implement Act 38. After final promulgation, the Board discovered various typographical errors to correct, necessary clarity edits and other items that were not, but could have been, addressed in the prior rulemaking. This rulemaking proposes to address those items.	Michelle Roberts (717) 783-7134
Child Abuse Reporting Requirements 49 Pa. Code §§ 40.201—40.207 (# 16A-6518)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Physical Therapy obtain required training in child abuse recognition and reporting.	Michelle Roberts (717) 783-7134
Foreign-trained Applicant Evaluation 49 Pa. Code §§ 40.16, 40.17 (# 16A-6520)	Summer 2017, as Proposed	The proposed rulemaking would amend the Board's regulations such that a foreign-trained applicant would be required to submit an evaluation showing that the applicant's training was equivalent to what is required in a program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE), rather than the program contents currently specified in the regulations.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Fees 49 Pa. Code § 40.5 (# 16A-6521)	Fall 2017, as Proposed	This proposed rulemaking would amend the Board's regulations so that application fees would be set to recover the cost of processing the application and biennial renewal fees would cover the balance of the Board's cost of operations each biennium.	Michelle Roberts (717) 783-7134
<b>State Board of Podiatry</b>			
Sexual Misconduct 49 Pa. Code Chapter 29 (# 16A-448)	Fall 2017, as Proposed	This proposed regulation would define and prohibit sexual behavior with patients and sexual exploitation.	Aaron Hollinger (717) 783-4858
Certificate of Authority to Perform Acupuncture 49 Pa. Code Chapter 29 (# 16A-449)	Winter 2016-17, as Proposed	This proposed rulemaking would establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Through this rulemaking the State Board of Podiatry strives to ensure that podiatrists who perform acupuncture will have the proper training.	Aaron Hollinger (717) 783-4858
Volunteer License 49 Pa. Code § 29.55 (# 16A-4411)	Winter 2017-18, as Final-Omitted	This regulation is needed to amend the Board's current regulations to conform to amendments to the Volunteer Health Services Act.	Aaron Hollinger (717) 783-4858
Child Abuse Reporting Requirements 49 Pa. Code §§ 29.91—29.97 (# 16A-4412)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Podiatry obtain required training in child abuse recognition and reporting.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Schedule of Civil Penalties— Podiatrists 49 Pa. Code Chapter 43b (# 16A-4413)	Spring 2017, as Final	This proposed rulemaking would adopt a schedule of civil penalties for continuing education and lapsed license violations. This is the first time that the State Board of Podiatry will participate in the Act 48 citation program. The Commissioner and the Board believe that it is necessary to implement the civil penalties contained in this proposed rulemaking in order to streamline the disciplinary process.	Aaron Hollinger (717) 783-4858
Continuing Education and Reactivation of License 49 Pa. Code Chapter 29 (number not yet assigned)	Fall 2017, as Proposed	This proposed rulemaking would update the Board's existing regulations relating to continuing education, add accredited schools of podiatric medicine as approved continuing education providers, and set forth compliance procedures followed by the Board.	Aaron Hollinger (717) 783-4858
Fees 49 Pa. Code § 29.13 (number not yet assigned)	Fall 2017, as Proposed	This rulemaking updates the Board's application fees and biennial renewal fees to meet current costs while slowly reducing the Board's current surplus.	Aaron Hollinger (717) 783-4858
Prescribing 49 Pa. Code Chapter 29 (number not yet assigned)	Fall 2017, as Proposed	The proposed rulemaking would establish guidelines for podiatrists prescribing controlled substances and would incorporate statutory requirements related to the Commonwealth's prescription drug monitoring (ABC-MAP) program.	Aaron Hollinger (717) 783-4858
Required Education in Pain Management, Addiction, and Prescribing and Dispensing Practice for Opioids 49 Pa. Code Chapter 29 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 980, No. 124) (Act 124) amended the ABC/MAP Program Act to require the Board to require all newly licensed prescribers and dispensers and those applying for licensure renewal to complete mandatory training in pain management, identification of addiction, and the practices of prescribing or dispensing opioids. The proposed rulemaking effectuates Act 124.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Safe Opioid Prescription Curriculum 49 Pa. Code Chapter 29 (number not yet assigned)	Fall 2017, as Proposed	The act of November 2, 2016 (P.L. 987, No. 126) (Act 126) sets forth the requirement that the Board promulgate a joint regulation, along with the State Board of Dentistry, the State Board of Medicine, the State Board of Nursing, the State Board of Optometry, and the State Board of Osteopathic Medicine, implementing a "safe prescription of a controlled substance containing an opioid" curriculum to be made available to training facilities and other education providers. This proposed rulemaking would effectuate Act 126.	Aaron Hollinger (717) 783-4858
<b>State Board of Psychology</b>			
Continuing Education 49 Pa. Code § 41.59 (# 16A-6317)	Summer 2017, as Proposed	The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. This proposed rulemaking would amend the requirements relating to home study, instruction and carry over.	Chris Stuckey (717) 783-7155
Code of Ethics 49 Pa. Code § 41.61 (# 16A-6324)	Fall 2017, as Proposed	This proposed rulemaking would update the Board's Code of Conduct to adopt the American Psychological Association's (APA) Ethical Principles of Psychologists and Code of Conduct and various enumerated APA practice guidelines.	Chris Stuckey (717) 783-7155
Qualifications 49 Pa. Code § 41.31 (# 16A-6320)	Spring 2017, as Proposed	In 2010, the Board published amendments to the regulations relating to education, examination and experience requirements for licensure. Since then, the Board has determined that additional amendments are needed to provide greater clarity.	Chris Stuckey (717) 783-7155



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code Chapter 41 (# 16A-6322)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Psychology obtain required training in child abuse recognition and reporting.	Chris Stuckey (717) 783-7155
Volunteer Licenses 49 Pa. Code Chapter 41 (# 16A-6325)	Fall 2017, as Proposed	This proposed rulemaking would implement the 2014 amendments to the Volunteer Health Services Act, which extended the coverage of the law to include mental health services.	Chris Stuckey (717) 783-7155
General Revisions 49 Pa. Code Chapter 41 (number not yet assigned)	Winter 2017-18, as Proposed	This proposed rulemaking is needed to update the Board's regulations to conform to changes made to the Professional Psychologists Practice Act by the Act of June 23, 2016 (P.L. 379, No. 53) (Act 53 of 2016). Act 53 of 2016 clarifies the scope of practice of psychology, grants the Board the power to issue temporary licenses to out-of-state licensees, revises and removes some of the previous exemptions to licensure, removes the time limitation pertaining to the retaking of the licensure examinations, eliminates the requirement that at least one year of supervised experience be obtained subsequent to the granting of the doctoral degree, gives the Board the ability to bar a suspended licensee from engaging in any other form of counseling or mental health practice, and requires licensees to report multiple licensure of any other health profession from other states.	Chris Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Certified Real Estate Appraisers</b>			
Schedule of Civil Penalties— Real Estate Appraisers 49 Pa. Code § 43b.15a (# 16A-7016)	Fall 2017, as Proposed	The proposed rulemaking will codify and amend the Board's current schedule of civil penalties. Since the publication of the schedule in 2004, there have been several amendments to the Real Estate Appraiser Certification Act (REACA) which have altered several provisions that were included in the current schedule of civil penalties. In addition, the experience of the Board during the intervening years has demonstrated that additional violations, for example, continuing education violations, are appropriately disposed by the Act 48 citation process.	Heidy Weirich (717) 783-4866
Assessment Record Keeping and Reporting 49 Pa. Code §§ 36.201 and 36.265 (# 16A-7018)	Fall 2017, as Proposed	The proposed rulemaking updates the Board's regulations to reflect current practice followed by assessment offices throughout the Commonwealth, and to assure consistency with Uniform Standards of Appraisal Practice (USPAP) and International Association of Assessing Officers (IAAO) standards of assessment practice.	Heidy Weirich (717) 783-4866
General Rulemaking for Appraisal Management Companies 49 Pa. Code Chapter 36 (# 16A-7021)	Summer 2017, as Final	The proposal would govern the registration of appraisal management companies as required by the Appraisal Management Company Registration Act, 63 P.S. §§ 457.21—457.31. Temporary regulations pertaining to appraisal management companies expired on February 1, 2015.	Heidy Weirich (717) 783-4866
General Revisions for Certified Real Estate Appraisers 49 Pa. Code Chapter 36 (# 16A-7022)	Spring 2017, as Proposed	This proposed rulemaking updates the Board's regulations to reflect mandated Federal changes made by the Appraisal Qualifications Board of the Appraisal Foundation, which is charged with establishing education and experience requirements for real estate appraisers under the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA).	Heidy Weirich (717) 783-4866

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Real Estate Commission</i></b>			
Advertising 49 Pa. Code Chapter 35 (# 16A-5616)	Fall 2017, as Proposed	This proposed rulemaking would codify the Board's current guidelines for advertising and establishes standards for team advertising. A number of licensed real estate professionals advertise and operate in groups known as "teams." Teams are not defined or recognized under the Real Estate Licensure and Registration Act. These teams are not brokerages and could be easily confused by the public for a real estate broker in advertising. The Commission is now proposing these regulations to set binding standards for the advertisement of teams.	Krista Lisenbach
<b><i>State Board of Social Workers, Marriage and Family Therapists and Professional Counselors</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapters 47, 48 and 49 (# 16A-6919)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors obtain required training in child abuse recognition and reporting.	Sandra Matter (717) 783-1389
Licensed Bachelor Social Worker 49 Pa. Code Chapter 47 (# 16A-6922)	Spring 2017, as Proposed	The proposed rulemaking would amend the Board's regulations to implement the act of October 22, 2014 (P.L. 2884, No. 179) (Act 179) which provides for the establishment of a bachelor level social worker's license. The proposal establishes fees, licensure requirements, continuing education requirements, and standards of practice for licensed bachelor social workers.	Sandra Matter (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code Chapters 47, 48 and 49 (# 16A-6923)	Summer 2017, as Proposed	Beginning in 2012, and culminating with this proposed rulemaking, the Board has undertaken a comprehensive review of its regulations relating to qualifications for licensure, supervision of clinical experience, including the provision of supervision through electronic means, and continuing education. The purpose of this rulemaking is to eliminate outdated provisions, update standards to reflect modern technology, and to modernize the Board's processes relating to licensure.	Sandra Matter (717) 783-1389
Volunteer Licenses 49 Pa. Code Chapters 47, 48 and 49 (# 16A-6924)	Fall 2017, as Proposed	This proposed rulemaking would implement the 2014 amendments to the Volunteer Health Services Act which extended the coverage of the act to include the provision of mental health services. The rulemaking will allow licensees of the board to obtain volunteer licenses to permit them to provide mental health services through approved clinics or on referral from an approved organization without remuneration, provided they do not otherwise active practice.	Sandra Matter (717) 783-1389
<b><i>State Board of Examiners in Speech-Language Pathology and Audiology</i></b>			
General Revisions 49 Pa. Code Chapter 45 (# 16A-6803)	Spring 2017, as Final	This regulation would update the Board's existing regulations to delete or amend outdated provisions and to implement the act of July 2, 2014 (P.L. 971, No. 106) (Act 106 of 2014), which eliminated licensure of teachers of the hearing impaired and made other revisions to the Speech-Language Pathologists and Audiologists Licensure Act.	Sandra Matter (717) 783-1389



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 45.401—45.407 (# 16A-6805)	Fall 2017, as Proposed	This proposed regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL. Throughout 2014, numerous amendments were made to the CPSL as a result of the report of the Taskforce on Child Protection. This rulemaking implements those changes, including the requirement that all applicants and licensees of the State Board of Examiners in Speech-Language Pathology and Audiology obtain required training in child abuse recognition and reporting.	Sandra Matter (717) 783-1389
<b><i>State Board of Vehicle Manufacturers, Dealers and Salespersons</i></b>			
Out of State RV Dealer Registration; Fee 49 Pa. Code § 19.4 (# 16A-6011)	Fall 2017, as Proposed	This regulation would establish a fee for processing applications for out-of-state recreational vehicle dealers to register with the Board to participate in recreational vehicle shows, off-premises sales, exhibitions and rallies held within the Commonwealth.	Janice Cline (717) 783-1697
<b><i>State Board of Veterinary Medicine</i></b>			
Licensure of Euthanasia Technicians 49 Pa. Code Chapter 31 (# 16A-5726)	Summer 2016, as Proposed	This proposed rulemaking is necessary to implement the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182 of 2012) which amended the Animal Destruction Method Authorization Law to require the State Board of Veterinary Medicine to register animal welfare organizations and to license euthanasia technicians to permit the organizations to purchase controlled substances and employ euthanasia technicians for the humane euthanasia of small domestic animals.	Michelle Roberts (717) 783-7134
<b><i>State Employees' Retirement System (SERS)</i></b>			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Transportation (DOT)</i></b>			
Temporary Registration Cards and Plates 67 Pa. Code Chapter 43	Summer 2017, as Proposed	This rulemaking will effectuate consistent validity periods applicable to temporary registration cards and cardboard temporary registration plates for a vehicle which is acquired in Pennsylvania for in- and out-of-state registration and use.	Anita Wasko (717) 787-2171 Jeffrey Spotts (717) 787-5299
Registration Class Stickers 67 Pa. Code Chapter 55	Spring 2017, as Proposed	This rulemaking will delete Chapter 55 and eliminate the issuance of weight class stickers. The elimination of these stickers will result in cost savings to the Department and the regulated community.	Anita Wasko (717) 787-2171 Jeffrey Spotts (717) 787-5299
Staggered Registration 67 Pa. Code Chapter 57	Summer 2017, as Proposed	This rulemaking will allow vehicles registered under Pennsylvania's apportioned registration system, in accordance with the International Registration Plan, to have registration expirations staggered throughout the calendar year, rather than the current system where all vehicle registrations expire on May 30 annually.	Tammi Popp (717) 705-5775 Jeffrey Spotts (717) 787-5299
School Bus Drivers—Physical and Mental Criteria 67 Pa. Code Chapter 71	Spring 2017, as Final	This rulemaking will update the medical standards for school bus drivers that have brain disease, cognitive impairment or a mental/emotional disorder.	Laura Krol (717) 346-1907 Jeffrey Spotts (717) 787-5299
School Bus Drivers—Vision Standards and Loss of Consciousness Requirements 67 Pa. Code Chapter 71	Spring 2017, as Final	This rulemaking will update the medical standards for school bus drivers who have a loss of consciousness of unknown or uncategorized etiology and establish field of vision requirements.	Laura Krol (717) 346-1907 Jeffrey Spotts (717) 787-5299
Photographic Driver's License 67 Pa. Code Chapter 73	Summer 2017, as Proposed	This rulemaking will update the standards and procedures for initial issuance, renewal, replacement and duplicate issuance of a driver's license.	Kara N. Templeton (717) 787-2977 Jeffrey Spotts (717) 787-5299
Physical and Mental Criteria Relating to the Licensing of Drivers 67 Pa. Code Chapter 83	Spring 2017, as Final	This rulemaking will update the medical standards for license holders that have brain disease, cognitive impairment or a mental/emotional disorder.	Laura Krol (717) 346-1907 Jeffrey Spotts (717) 787-5299

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Vision Standards and Loss of Consciousness Requirements Relating to the Licensing of Drivers 67 Pa. Code Chapter 83	Spring 2017, as Final	This rulemaking will update the medical standards for license holders who have a loss of consciousness of unknown or uncategorized etiology and establish field of vision requirements.	Laura Krol (717) 346-1907 Jeffrey Spotts (717) 787-5299
Actual Name on Certificate of Title, Driver's License, and Identification Card 67 Pa. Code Chapter 85	Spring 2017, as Proposed	This rulemaking will expand the options married individuals have with respect to their surname as listed on such documents as a vehicle title, driver's license or identification card issued by the Department.	Chris Miller (717) 787-2977 Jeffrey Spotts (717) 787-5299
Identification Cards 67 Pa. Code Chapter 91	Winter 2017, as Proposed	This rulemaking will update the standards and procedures for initial issuance, renewal, replacement and duplicate issuance of a Department issued identification card.	Kara N. Templeton (717) 787-2977 Jeffrey Spotts (717) 787-5299
Vehicle Equipment and Inspection 67 Pa. Code Chapter 175	Spring 2017, as Proposed	This rulemaking updates vehicle equipment and inspection standards to better reflect current technologies, consistent with recommendations made by the Department's Inspection Advisory Board.	Kay Kishbaugh (717) 787-2171 Jeffrey Spotts (717) 787-5299
Oversize and Overweight Loads and Vehicles 67 Pa. Code Chapter 179	Spring 2017, as Proposed	This rulemaking accommodates the planned implementation of the Automated Permit Routing/Analysis System (APRAS), updates outdated language, and ensures references in this chapter are consistent with amendments to 75 Pa.C.S. §§ 4901—4983.	Glenn Rowe, P.E. (717) 783-6479 Jeffrey Spotts (717) 787-5299
Hauling in Excess of Posted Weight Limit 67 Pa. Code Chapter 189	Summer 2017, as Final	This rulemaking will update regulations to be consistent with amendments to the Vehicle Code under Act 89 of 2013.	Halley Cole, P.E. (717) 783-6146 Jeffrey Spotts (717) 787-5299
Intrastate Motor Carrier Safety 67 Pa. Code Chapter 231	Spring 2017, as Proposed	This rulemaking is necessary to waive hours of service and other requirements for mass transportation organizations and their drivers, while establishing new requirements consistent with the public interest.	Danielle Spila (717) 787-1208 Jeffrey Spotts (717) 787-5299
Hazardous Material Transportation 67 Pa. Code Chapter 403	February 2017, as Final	This rulemaking will remove outdated or superfluous language in the Department's Hazardous Materials regulations and ensure consistency with Federal regulations.	Glenn Rowe, P.E. (717) 783-6479 Jeffrey Spotts (717) 787-5299

[Pa.B. Doc. No. 17-210. Filed for public inspection February 3, 2017, 9:00 a.m.]

## INSURANCE DEPARTMENT

### John Hancock Life Insurance Company (USA); Rate Increase Filing for Several Group LTC Forms (MULF-130816976)

John Hancock Life Insurance Company (USA) is requesting approval to increase the premium an average of 18.6% on 5,605 policyholders with the following group LTC policy form numbers: GPB-COV-0002, P-GLTC (2002-2) PA and P-FACE (2004) PA.

Unless formal administrative action is taken prior to April 20, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (select "Consumers," then "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-211. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Lincoln National Life Insurance Company (TRST- 130875553); Rate Increase Filing for Several LTC Forms

Lincoln National Life Insurance Company is requesting approval to increase the premium 30% on 93 policyholders with the following individual LTC policy form numbers: HL-2500AA (8/90), HL-2525AA (8/90), HL-2550AA (8/90), HL-2950PA (5/94) and HL-2950PAFR (2/95).

Unless formal administrative action is taken prior to April 20, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (select "Consumers," then "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-212. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Surplus Lines Agents and Interested Parties; Ex- port List of Insurance Coverages

In May 2015, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 45 Pa.B. 2563 (May 23, 2015). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Persons may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov). After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-213. Filed for public inspection February 3, 2017, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule; All Milk Marketing Areas; Classification and Marketing of Milk Purchased from Producers

Under the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302) the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on February 28, 2017, at 11 a.m. in the Susquehanna Room, Pennsylvania Farm Show Complex and Expo Center, 2300 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits regarding changes to Official General Order A-903A to maintain consistency among Federal orders and the Board's orders.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of

parties by: (1) having their attorney file with the Board on or before 10 a.m. on February 7, 2017, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 10 a.m. on February 7, 2017, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@state.pa.us](mailto:deberly@state.pa.us).

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. Copies of the filings will be available on the Board web site at <http://www.mmb.pa.gov/Public%20Hearings/>.

1. By 12 p.m. on February 7, 2017, the petitioner shall file with the Board, in person or by mail, one original and five copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a written report or written testimony explaining the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 12 p.m. on February 17, 2017, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 12 p.m. on February 23, 2017, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, five copies shall be provided for Board use and one copy shall be provided to each interested party.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on February 21, 2017.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,  
*Secretary*

[Pa.B. Doc. No. 17-214. Filed for public inspection February 3, 2017, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Act 13 of 2012; Producer Fees for Calendar Year 2016

Average Annual Price of Natural Gas for calendar Year 2016: <sup>(1)</sup>	\$2.46
Consumer Price Index, Urban Consumers, PA, NJ, DE and MD: <sup>(2)</sup>	1.7%

### Number of Spud Wells for Calendar Years 2015 and 2016

	2015	2016
Number of wells spud:	784	484

CPI adjustment to spud well fees is not applicable in 2016. See 58 Pa.C.S. § 2302(c) (relating to unconventional gas well fee).

### Unconventional Gas Well Fees for Calendar 2016

Year of Well <sup>(3)</sup>	Horizontal	Vertical—Producing
Year 1	\$45,300	\$9,100
Year 2	\$35,200	\$7,000
Year 3	\$30,200	\$6,000
Year 4 thru 10	\$15,100	\$3,000

<sup>(1)</sup> Source: [www.directenergy.com](http://www.directenergy.com)

<sup>(2)</sup> Source: [www.bls.gov](http://www.bls.gov)

<sup>(3)</sup> Horizontal unconventional gas wells pay the yearly fee upon spudding plus 2 subsequent years. Fees after the first 3 years are based on production levels as defined in 58 Pa.C.S. § 2302(b.1). Vertical well producing gas level above 90,000 cubic feet average in any given month during the current year are subject to 20% of the applicable horizontal well fee.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-215. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Petition for Approval of Numbering Plan Area Relief Planning for the 717 NPA

Public Meeting held  
January 19, 2017

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

*Petition for Approval of Numbering Plan Area Relief Planning for the 717 NPA; P-2015-2510230*

### Order

*By the Commission:*

Before the Commission is a Petition for Reconsideration (Petition) that was filed on behalf of the Pennsylvania telecommunications industry on November 14, 2016, requesting reconsideration of certain parts of the Commis-



sion’s Order entered October 27, 2016, at the above-captioned docket, relating to the implementation of timely area code relief for the 717 Numbering Plan Area (or area code) (October 27th Order). No responses to the Petition were filed. We are now addressing the merits of the Petition. Accordingly, via this Order, the Commission will modify the implementation schedule for the all-services distributed overlay that is to be implemented over the 717 area code.

*Background*

The entirety of the history of area code relief for the 717 area code has been set forth in the October 27th Order. Thus, we will not provide an extensive history herein. In summary fashion, the April NRUF (Number Resource Utilization Forecast) and NPA Exhaust Analysis April 2015 Update (2015 NRUF Report) indicated that the 717 NPA was set to exhaust during the third quarter of 2018. Based upon this projected exhaust date, NANPA notified the Commission and the Industry on July 7, 2015, that NPA relief needed to be addressed. The Industry met via conference call on September 15, 2015, to discuss various relief alternatives. Pursuant to the NPA Relief Planning Guidelines, NANPA distributed an Initial Planning Document (IPD) to the Industry prior to the relief planning meeting. The IPD contained descriptions, maps, general facts and assumptions, and the projected lives of an all-services distributed overlay relief alternative, referred to in the IPD as Alternative # 1, and one two-way geographic split alternative, referred to as Alternative # 2.

During the relief planning meeting, the Industry members evaluated the two relief alternatives, described more fully below:

- Alternative # 1—All Services Distributed Overlay: A new NPA code would be assigned to the same geographic

area as the existing 717 NPA. Alternative # 1 has a projected life of sixty-seven (67) years.

- Alternative # 2—Two-Way Geographic Split: In a two-way geographic split, the exhausting NPA is split into two geographic areas and a new NPA is assigned to one of the areas formed by the split. For Alternative # 2, the proposed split boundary line runs along rate center boundaries in a west-to-east direction. The boundary line runs north of Dry Run, Chambersburg, Fayetteville, Biglerville, York Springs, Dillsburg, Dover, Manchester, Elizabethville, Manheim, Lititz, Ephrata and Denver. The northern portion, referred to in the IPD as Area A, would have a projected NPA life of seventy-one (71) years to exhaust and the southern portion, Area B, would have a projected NPA life of sixty-two (62) years to exhaust.

At the September 15th meeting, the participants discussed the attributes of the relief alternatives and reached consensus to recommend to the Commission Alternative # 1, the all services distributed overlay plan, as the preferred method of relief for the 717 NPA. All existing customers would retain the 717 area code and would not have to change their telephone numbers. Consistent with FCC regulations, the relief plan would require ten-digit dialing for all calls within and between the 717 NPA and the new NPA. The industry recommends that all local and toll calls between the 717 NPA and the new NPA be dialed as 10-digits, or permissively as 1+10 digits at each service provider’s discretion. All local and toll calls originating in the 717 NPA or the new NPA and terminating in other NPAs (NPAs other than the 717 or new NPA) must be dialed as 1+10 digits. Operator services calls would require customers to dial 0+10 digits. The following table illustrates the recommended dialing plan:

<i>Type of Call</i>	<i>Call Terminating in</i>	<i>Dialing Plan</i>
Local & Toll Calls	Overlay Home NPAs (HNPA)	10 digits (NPA-NXX-XXXX)*
Local & Toll Calls	Foreign NPA (FNPA) outside of overlay	1+10 digits (1+NPA-NXX-XXXX)
Operator Services (Credit card, collect, third party)	HNPA or FNPA	0+10 digits (0+NPA-NXX-XXXX)

\*1+10 digit dialing for all HNPA and FNPA calls permissible at each service provider’s discretion.

When the 717 NPA completely exhausts, all Central Office (CO) code assignments will be made from the new overlay area code. Industry participants also reached consensus to recommend to the Commission a thirteen-month schedule for implementation of the overlay. The recommended schedule was as follows:

*Recommended Implementation Schedule for All Services Distributed Overlay*

<i>Event</i>	<i>Timeframe</i>
Network Preparation Period	6 months
Permissive 10-Digit Dialing and Customer Education Period (Calls within 717 NPA can be dialed using 7 or 10 digits) Mandatory dialing begins at the end of the Permissive Dialing Period	6 months
First Code Activation after end of Permissive Dialing Period (Effective date for codes from the new NPA)	1 month (after Mandatory Dialing Date)
Total Implementation Interval	13 months

The Industry stated that adhering to the proposed timeframe would avoid the denial or delay of service to telecommunications providers' customers due to the unavailability of CO codes.

On October 23, 2015, Neustar, Inc., in its role as the neutral third party NPA relief Planner for Pennsylvania, and acting on behalf of the Pennsylvania industry, filed a petition with the Commission requesting approval of the industry's consensus recommendation to implement an all-services distributed overlay for the geographic area covered by the 717 NPA. However, by Order entered March 10, 2016, at Docket No. P-2015-2510230, the Commission suspended taking action on the industry's October 23, 2015 Petition pending its request for the submission of any written comments from interested parties residing in the geographic region covered by the 717 area code on the relief plan in the proceeding and the scheduling of a public input hearing so that oral testimony related to the form of relief for the 717 area code could be received. The Commission conducted a "smart" public input hearing on August 9, 2016.

By an Order entered October 27, 2016, the Commission adopted the industry's recommendation to implement an all-services distributed overlay for the 717 area code.<sup>1</sup> In that same Order, however, the Commission established a nine-month implementation schedule for the all-service distributed overlay instead of the proposed thirteen-month implementation schedule. Hence, the implementation schedule for the new overlay code for the 717 area code is as follows:

<i>Event</i>	<i>Time Frame</i>
Network Preparation Period	No later than March 1, 2017 at 12:01 AM EST

<sup>1</sup> By a press release dated November 8, 2016, Neustar, announced that "223," has been assigned as the overlay area code to the existing 717 area code that serves the South Central area of Pennsylvania, including the cities of Harrisburg, Lancaster, Lebanon, York and Gettysburg.

<i>Event</i>	<i>Time Frame</i>
Permissive 10-Digit Dialing and Customer Education Period (Calls within 717 NPA can be dialed using 7 or 10 digits) However mandatory ten-digit dialing period begins with first code activation	3 months prior to exhaust
First Code Activation after end of Permissive Dialing Period	1 month prior to exhaust
Total Implementation Interval	9 months

*Petition for Reconsideration*

On November 14, 2016, a Petition for Reconsideration was filed by Joint Industry Members.<sup>2</sup> In the Petition, the Joint Industry Members request specific alterations to the implementation so as to "avoid unintended anti-consumer consequences such as implementation errors and customer confusion." Petition at 1. The Joint Industry Members state that, instead of adopting uncertain trigger dates of "one month" or "three months" to exhaust, the Commission should set specific dates proposed by the industry for permissive ten-digit dialing and the first code assignment from the new overlay NPA—dates that provide sufficient time for proper customer education, customer preparation for the dialing changes, and orderly implementation. Id. They assert that it is critical that the Commission allow the industry establish firm implementation dates now, rather than waiting until the 717 area code is only three months to exhaust, so that carriers have adequate lead time to get the necessary notifications out to customers in enough time that customers can react and adapt. Petition at 2.

Additionally, the Joint Industry Members state that the Commission should ensure that there is sufficient time for customers to be educated and make the necessary changes to accommodate the new overlay area code. Id. They assert that compressed and uncertain time frames risk customer confusion or inaction, and implementation errors. Id. They request the since the 717 NPA is set to exhaust the third quarter of 2017, the Commission should set an exhaust date of September 30, 2017, which they assert is consistent with the exhaust range provided by NANPA to the Commission. Id. They state that this would allow for an 11-month implementation interval, as opposed to a nine-month implementation interval, and which is more aligned with the industry's recommendation of a 13-month implementation interval. Id.

Specifically, the Joint Industry Members propose the following implementation schedule for the 223 overlay code to the existing 717 area code:

<i>Event</i>	<i>Time Frame</i>
Completion of Network Preparation Period	March 4, 2017 (Sat)
Start of Permissive 10-Digit Dialing and Customer Education Period (Calls within 717 NPA can be dialed using 7 or 10 digits)	March 4, 2017 (Sat)

<sup>2</sup> Verizon Pennsylvania LLC, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services and Celco Partnership d/b/a Verizon Wireless (collectively, "Verizon"); AT&T Corp. and Teleport Communications America, LLC (collectively, "AT&T"); T-Mobile Northeast LLC, T-Mobile Central LLC and Voicestream of Pittsburgh, L.P. (collectively, "T-Mobile"); Sprint Communications Company L.P. and Sprint Spectrum L.P. (collectively, "Sprint"); The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink (CenturyLink); and Windstream D&E, Inc., Windstream D&E Systems, LLC and US LEC Pennsylvania, LLC (collectively, "Windstream") (collectively referred to hereinafter as "Joint Industry Members").

<i>Event</i>	<i>Time Frame</i>
End of the Permissive Dialing Period and start of Mandatory 10-digit dialing	August 26, 2017 (Tues)
First Code Activation after end of Permissive Dialing Period	September 26, 2017 (Tues)
Total Implementation Interval	11 months

By an Order entered December 8, 2016, at the above-captioned docket, the Commission granted reconsideration, within the meaning of Pa.R.A.P. Rule 1701(b)(3), pending review of, and consideration on, the merits of the Petition.<sup>3</sup> The Commission is now addressing the merits of the Petition via this Order.

*Discussion*

The Public Utility Code (Code) establishes a party's right to seek relief following the issuance of our final decisions pursuant to Subsections 703(f) and (g), 66 Pa.C.S. § 703(f) and (g), relating to rehearings, as well as the rescission and amendment of orders. Such requests for relief must also be consistent with Section 5.572 of our Regulations, 52 Pa. Code § 5.572, relating to petitions for relief following the issuance of a final decision. The standards for granting a Petition for Reconsideration were set forth in *Duick v. Pennsylvania Gas and Water Company*, 1982 Pa. PUC Lexis 4, \*12-13 (1982):

A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein it was said that: “[p]arties. . . , cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them . . .” What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission. Furthermore, the Commission has held that a Petition for Clarification must meet the same standard as a Petition for Reconsideration. See Petition of PECE Energy Company for Approval of its Revised POR Program, Docket No. P-2009-2143607 (Opinion and Order issued August 10, 2010).

In considering this Petition, we are reminded that we are not required to consider expressly or at great length each and every contention raised by a party to our proceedings. *University of Pennsylvania v. Pa. Public Utility Commission*, 485 A.2d 1217 (Pa. Cmwlth. 1984). Any argument that is not specifically addressed herein shall be deemed to have been duly considered and denied without further discussion.

Since the industry has raised some legitimate concerns, these are new and novel arguments and, accordingly, we shall exercise our discretion to reconsider our prior determination on this issue.

<sup>3</sup> Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa.R.A.P. Rule 1701, the Commission must act to grant a petition for reconsideration within thirty days of the date of entry of the order for which reconsideration is sought, or otherwise lose jurisdiction to do so if a petition for review is timely filed. The thirty-day period within which the Commission had to act upon the Petition for Reconsideration in order to preserve jurisdiction ended on December 14, 2016.

The FCC regulations at 47 CFR § 52.19(a) state that state commissions may resolve matters involving the introduction of new area codes within their states, which includes establishing the necessary dates for the implementation of relief plans. In the instant Petition, the Joint Industry Members assert that the Commission should modify the current implementation schedule in order to establish specific dates for permissive ten-digit dialing, mandatory ten-digit dialing and for the first code activation from the new overlay NPA rather than utilize “uncertain” trigger dates as currently set forth in the implementation schedule. Additionally, the Joint Industry Members also request that the Commission modify the current nine-month implementation schedule established in the October 27th Order for the 223 overlay area to an eleven-month implementation schedule for the new overlay NPA.

Specifically, the industry has requested the Commission to adopt the following modifications to the current implementation schedule for the 223 overlay code:

<i>Event</i>	<i>Time Frame</i>
Completion of Network Preparation Period	March 4, 2017 (Sat)
Start of Permissive 10-Digit Dialing and Customer Education Period (Calls within 717 NPA can be dialed using 7 or 10 digits)	March 4, 2017 (Sat)
End of the Permissive Dialing Period and start of Mandatory 10-digit dialing	August 26, 2017 (Tues)
First Code Activation after end of Permissive Dialing Period	September 26, 2017 (Tues)
Total Implementation Interval	11 months

Neustar has projected the exhaust date for the 717 NPA as the third quarter (3Q) of 2017. Thus, the 717 area code is projected to exhaust its remaining supply of NXX codes some period of time between July 1, 2017, and September 30, 2017, which encompasses the entire 3Q of 2017. Accordingly, out of an abundance of caution and so as to prevent customer confusion regarding the introduction and implementation of the 223 area code ensure adequate consumer education regarding the overlay code, the Commission determines that is in the public interest to revise the timeframe set forth in the October 27th Order so that consumers are not adversely impacted.

The Commission is revising the implementation schedule of the new overlay NPA in this fashion accordingly in the following manner. We direct that all network preparation for the implementation of the new overlay be completed no later than March 4, 2017, at 12:01 a.m. (EST).<sup>4</sup> We believe that this timeframe is sufficient for telecommunications carriers to prepare their individual networks for the new overlay area code.

Per FCC regulations, ten-digit dialing becomes mandatory to dial all numbers in the overlaid geographic area when the overlay code is implemented. Although local calling areas remain the same despite the dialing pattern utilized. Thus, with the implementation of the new 223 overlay area code, seven-digit dialing is no longer permissible or valid and the dialing plan will be as follows:

<sup>4</sup> Network preparation includes but is not limited to ensuring that the telecommunications company equipment allows for ten-digit dialing as FCC regulations direct that an overlay code requires ten-digit dialing for all calls within the 717 NPA and the new NPA and all calls between the 717 NPA and the new NPA.



<i>Dialing Plan for the All Services Distributed Overlay for the 717 NPA</i>		
<i>Type of Call</i>	<i>Call Terminating in</i>	<i>Dialing Plan</i>
Local & Toll Calls	Overlay Home NPAs (HNPA)	10 digits (NPA-NXX-XXXX)*
Local & Toll Calls	Foreign NPA (FNPA) outside of overlay	1+10 digits (1+NPA-NXX-XXXX)
Operator Services Credit card, collect, third party	HNPA or FNPA	0+10 digits (0+NPA-NXX-XXXX)

\*1+10 digit dialing for all HNPA and FNPA calls permissible at each service provider's discretion

However, there is an adjustment period commonly known as a permissive dialing period that precedes the mandatory ten-dialing pattern for the overlay code. The permissive dialing period allows customers to reach numbers in the area that is to be overlaid by either dialing the area code plus the number (ten-digit dialing) or the old way by dialing the seven-digit number.<sup>5</sup> The Commission agrees with the Joint Industry Members that a six-month permissive dialing/customer education interval is the minimum period of time necessary for customers who are accustomed to dialing seven digits for local calls to adapt to dialing ten digits for all calls. Moreover, the six-month permissive dialing interval will provide additional time for alarm companies make any required modifications to customer premises equipment (CPE); PBX customers to prepare for and make equipment and data base changes; and for consumers to reprogram other types of equipment such as life safety systems and medical monitoring devices. Accordingly, the Commission directs that the permissive dialing period commence on March 4, 2017, so that the telecommunications industry can start customer education programs for the 223 overlay NPA, including the fact that when the new overlay area code is finally activated mandatory ten-digit dialing is required in order to complete all calls, meaning dialing the area code and the seven-digit number for local calls and long-distance calls.

The Commission acknowledges that ten-digit dialing has become more prevalent nationwide and overlays, with mandatory ten-digit dialing, have been implemented in southeastern, central, and western Pennsylvania. Thus, we determine that the start of mandatory ten-digit dialing may occur prior to activation or the actual assignment of a NXX code from the 223 overlay NPA. Thus, the start of the mandatory ten-digit dialing will commence August 26, 2017.

Notwithstanding, we direct Neustar not to activate the new overlay NPA or assign any NXX or central office codes from the new overlay before September 26, 2017. The NANPA will comply with this directive and will continue to honor NXX code requests for NXXs in the existing NPA in accordance with the previously-adopted jeopardy procedures for as long as numbering resources are available and the carrier's numbering resources request does not exceed the remaining numbering resources in the 717 area code. Concomitantly, we continue to direct NANPA to provide the Commission with monthly updates on the projected exhaust date of the 717 NPA and on the number of remaining NXX codes in the 717 area code so

<sup>5</sup> During the permissive period, customers are encouraged to make calls using ten-digits. At the end of the permissive period, the mandatory dialing period commences and all calls must be made using the area code plus the seven-digit number (ten-digit dialing). If only the seven-digit number is dialed at this time, the customer will reach a recorded announcement stating they must hang up and redial the number using the area code plus the seven-digit number. This recording will be available permanently.

that the Commission can ensure that no NXX code holders in Pennsylvania, including nonpooling carriers, will have non-discriminatory access to numbers when needed to meet customer demand.

#### *Conclusion*

For the foregoing reasons, the Commission reconsiders its October 27, 2016 Order establishing the implementation schedule for the 223 overlay code to the existing 717 area code; *Therefore,*

#### *It Is Ordered That:*

1. The Joint Industry Petition for Reconsideration is hereby granted and the implementation schedule for the relief plan set forth the October 27, 2016 Order is rescinded and modified consistent with the body of this Order.

2. An all-services distributed overlay shall be implemented over the 717 area code.

3. All NXX code holders in Pennsylvania are directed to complete all network preparation to their systems that is necessary to implement the new overlay NPA over the existing 717 NPA no later than March 4, 2017.

4. From the entry date of this Order, the North American Numbering Plan Administrator shall continue to provide this Commission with monthly updates and provide information on its website on the projected exhaust date of the 717 NPA so that all NXX code holders in Pennsylvania, including nonpooling carriers, can determine how to request numbering resources to meet customer demand. Time to exhaust in months shall be calculated and based on actual carrier demand for numbers. The monthly updates to the Commission shall be addressed to Ms. Deborah Sagerer, Bureau of Technical Utility Services.

5. All NXX code holders in Pennsylvania shall commence their permissive dialing period and customer education program for the 223 overlay code on March 4, 2017.

6. The permissive dialing period shall for the 223 overlay code set forth in Ordering Paragraph No. 5 shall end and mandatory ten-digit dialing shall commence on August 26, 2017.

7. The NANPA shall not activate the 223 overlay NPA until September 26, 2017, and shall not assign any NXX or central office codes from the 223 overlay to be effective prior to September 26, 2017.

8. A copy of this order shall be published in the *Pennsylvania Bulletin* and also posted on the Commission's website at <http://www.puc.pa.gov/>.

9. A copy of this Order shall be served on the Office of Consumer Advocate, the Office of Small Business Advocate and Wayne Milby and Beth Sprague of the North American Numbering Plan Administrator.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-216. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 21, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers* for transportation of persons as described under each application.

**A-2016-2567234 (Corrected). Constable Transport Service, LLC** (4340 Winfield Terrace, Easton, Northampton County, PA 18045) persons in limousine service, between points in Monroe and Northampton Counties.

**A-2016-2569411. Carlton Morton, t/a Steamtown Travelers** (307 Neptune Place, 2nd Floor, Scranton, Lackawanna County, PA 18505) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from a point within a radius of 50 air statute miles from carrier's headquarters, to Mount Airy Casino, located in Mount Pocono, Monroe County, and return.

**A-2017-2583777. Philadelphia Sightseeing Tours, Inc.** (111 South Independence Mall East, Philadelphia, Philadelphia County, PA 19106) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2017-2583945. Rhythm Ambulance, Inc.** (309 Camer Drive, Unit 3, Bensalem, Bucks County, PA 19020) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Delaware County and the City of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P.

Temple, Esquire, Gallagher Malloy & Georges, 1600 Market Street, Suite 1320, Philadelphia, PA 19020.

**A-2017-2584105. Nicholas Mahlon Hilton, t/a Integrity Transportation Company** (300 Forest Drive, Pittsburgh, Allegheny County, PA 15220) persons in limousine service, between points in Pennsylvania, excluding service under the jurisdiction of the Philadelphia Parking Authority.

**A-2017-2584708. McGunny Productions, LLC** (2230 Route 1 South, Jefferson Hills, Allegheny County, PA 15025) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Allegheny County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2017-2585437. Marlin Horst** (6817 Division Highway, Narvon, Lancaster County, PA 17555) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return.

#### Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer of rights* as described under the application.

**A-2017-2585463. Armstrong Relocation Company, LLC** (3927 Winchester Road, Memphis, TN 38118) household good in use, between points in Pennsylvania, which is to be a transfer of all rights authorized under the certificate issued at A-00122171 to Holman Moving Systems, LLC, subject to the same limitations and conditions. *Attorney:* Craig Doll, P.O. Box 3265, Hummelstown, PA 17036.

#### Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience* as described under each application.

**A-2017-2584081. Frederick W. Kocher** (1640 Parvin Road, Lancaster, Lancaster County, PA 17601) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Dauphin and Northumberland, to points in Pennsylvania, and return.

**A-2017-2584102. LB Limousine Service, LLC** (123 West Hamilton Street, Allentown, Lehigh County, PA 18101) discontinuance of service and cancellation of its certificate, as a common carrier, persons in limousine service, from points in the County of Lehigh, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-217. Filed for public inspection February 3, 2017, 9:00 a.m.]



## STATE BOARD OF NURSING

### Automatic Suspension of the License to Practice of Latanya-D W. Herrington-Cadogan, LPN; Doc. No. 1434-51-2015

On December 16, 2016, Latanya-D W. Herrington-Cadogan, LPN, Pennsylvania license No. PN279935, last known of Fayetteville, NC, was issued a civil penalty of \$500 and was indefinitely suspended based on disciplinary action taken by another state and failure to report same to the State Board of Nursing.

Individuals may obtain a copy of the order by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-218. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Automatic Suspension of the License to Practice of Nicole Marie Inks, LPN; Doc. No. 1460-51-16; File No. 15-51-03998

On August 2, 2016, Nicole Marie Inks, LPN, license No. PN280948, last known of Derry, Westmoreland County, was issued a notice and order of automatic suspension based on her misdemeanor conviction under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-219. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Automatic Suspension of the License to Practice of Joseph Francis McFadden, Jr., RN; Doc. No. 1468-51-2014

On December 16, 2016, Joseph Francis McFadden, Jr., RN, Pennsylvania license No. RN504176L, last known of Minot, ND, was issued a civil penalty of \$500 and was indefinitely suspended based on disciplinary action taken by another state and failure to report same to the State Board of Nursing.

Individuals may obtain a copy of the suspension by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-220. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Automatic Suspension of the License to Practice of Carly Ann Mienzenger, LPN; Doc. No. 2121-51-2015

On November 30, 2015, Carly Ann Mienzenger, LPN, license No. PN284128, last known of Phoenixville, Chester County, was issued a notice and order of automatic suspension based on her misdemeanor conviction under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the automatic suspension by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-221. Filed for public inspection February 3, 2017, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Deborah C. Rich, RN, LPN; File No. 14-51-08739; Doc. No. 0546-51-15

On June 13, 2016, Deborah C. Rich, RN, LPN, license Nos. RN535972 and PN066886L, last known of Royersford, Montgomery County, had her registered and practical nurse licenses indefinitely suspended retroactive to May 13, 2015, because she is unable to practice professional and practical nursing with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination so long as the dependence shall continue.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-222. Filed for public inspection February 3, 2017, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Valerie Diane Stump, RN; File No. 13-51-12741; Doc. No. 1525-51-14**

On December 28, 2016, Valerie Diane Stump, RN, Pennsylvania license No. RN548335, last known of Wilmington, DE, had her registered nurse license indefinitely suspended until at least she proves that she is fit to practice professional nursing in this Commonwealth with reasonable skill and safety and was assessed a \$500 civil penalty based on receiving disciplinary action by the proper licensing authority of another state and failing to report the disciplinary action to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 17-223. Filed for public inspection February 3, 2017, 9:00 a.m.]

**STATE BOARD OF PSYCHOLOGY**

**Bureau of Professional and Occupational Affairs v. William Maxie Davis, PsyD; File No. 16-63-07355; Doc. No. 1597-63-16**

On October 24, 2016, William Maxie Davis, PsyD, license No. PS017519, of Philadelphia, Philadelphia County, was suspended for no less than 3 years, retroactive to August 22, 2016, based on his failure to comply with a consent agreement entered into with the Commonwealth.

Individuals may obtain a copy of the order by writing to Dana M. Wucinski, Board Counsel, State Board of Psychology, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Psychology (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

VITO J. DonGIOVANNI, PsyD,  
*Chairperson*

[Pa.B. Doc. No. 17-224. Filed for public inspection February 3, 2017, 9:00 a.m.]

**STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS**

**Document Preparation Fees**

In accordance with section 27.1 of the Board of Vehicles Act (act) (63 P.S. § 818.27a), the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) provides notice that a dealer may not charge the purchaser of a vehicle a documentary preparation fee under section 27.1(c) and (d) of the act that exceeds the following limits. Persons may review this table at the Board's web site at [www.dos.pa.gov/vehicle](http://www.dos.pa.gov/vehicle).

<i>Type</i>	<i>Citation</i>	<i>Calendar Year 2015</i>	<i>Calendar Year 2016</i>	<i>Calendar Year 2017</i>
Electronic	63 P.S. § 818.27a(c)(1)	\$134	\$135	\$138
Nonelectronic	63 P.S. § 818.27a(c)(2)	\$113	\$114	\$116

DANIEL A. SALTZGIVER,  
*Chairperson*

[Pa.B. Doc. No. 17-225. Filed for public inspection February 3, 2017, 9:00 a.m.]



