



Volume 46 (2016)

Pennsylvania Bulletin
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March 12, 2016 (Pages 1303-1404)

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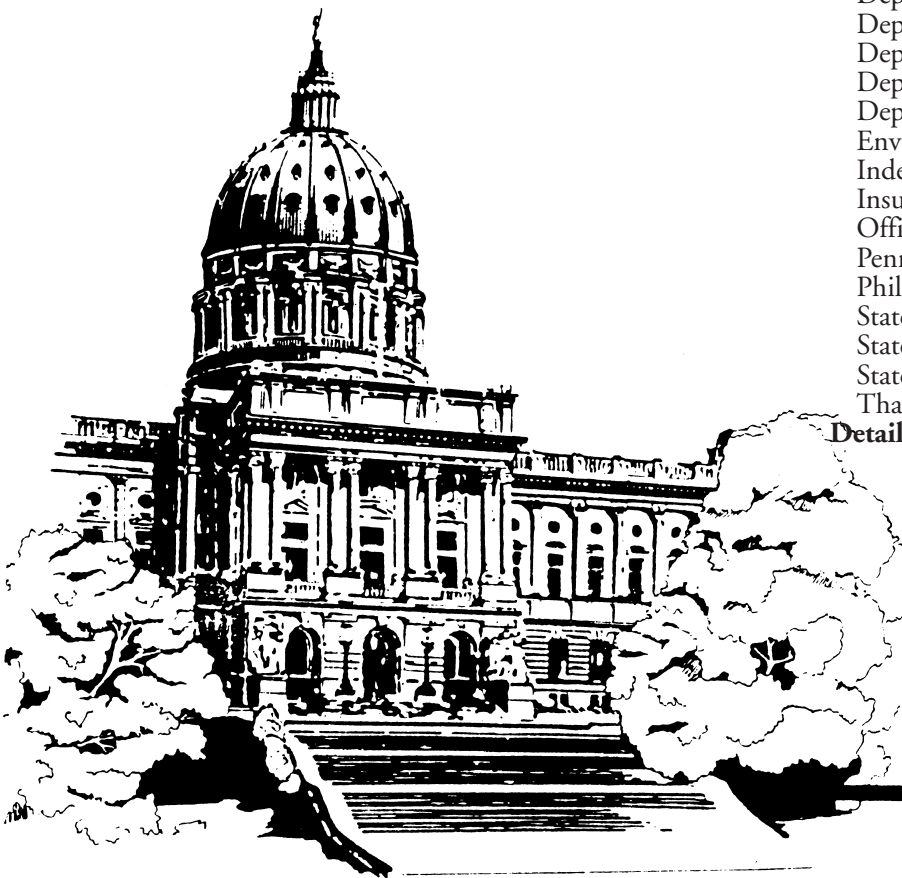
PENNSYLVANIA BULLETIN

Volume 46
Saturday, March 12, 2016 • Harrisburg, PA
Number 11
Pages 1303—1404

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State Employees' Retirement Board
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 496, March 2016

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PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

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Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
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(800) 524-3232 ext. 2340 (toll free, in State)

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Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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THE GENERAL ASSEMBLY

Recent Actions during the 2016 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2016 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2016 General Acts of Regular Session Enacted—Act 001 through 008					
001	Feb 3	SB0880	PN1411	Immediately	Public School Code of 1949—Keystone Exams
002	Feb 5	HB1201	PN1576	60 days	Authorizing the Department of Highways to take over the highways—repealed
003	Feb 5	SB0494	PN0442	Immediately	Flood Insurance Education and Information Act—flood insurance education and information
004	Feb 16	HB0158	PN2721	Immediately*	Public School Code of 1949—criminal history of employees and prospective employees; conviction of certain offenses and secretary declaration of emergencies
005	Feb 16	SB0166	PN1517	270 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—general regulations, order for limited access and petition for expungement or order for limited access fee
006	Feb 23	HB0561	PN0634	Immediately	Local Tax Enabling Act—definitions
007	Feb 23	HB0941	PN2662	Immediately	Administrative Code of 1929—omnibus amendments
008	Feb 23	SB0479	PN0437	Immediately	Edward W. Helfrick Resource Management Center—designation
2016 Joint Resolutions of Regular Session Passed—JR 001					
001	Jan 27	HB0153	PN1318		Constitution of Pennsylvania—reducing the size of the General Assembly

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the Pennsylvania Consolidated Statutes provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$25, payable to the “Commonwealth of Pennsylvania.”

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 16-404. Filed for public inspection March 11, 2016, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Amendment of Rules of Criminal Procedure 105.2; Administrative Order No. 3 of 2016; 16-AO-3

Order of Court

And Now, this 17th day of February, 2016, the Court hereby Orders that Rule 105.2 of the Adams County Rules of Criminal Procedure shall be amended as follows:

Rule 105.2. Appeals.

A. [Appeals from District Justice decisions shall be listed for hearing by the Clerk for a Criminal Business Court Day at least twenty-one (21) days later than the time of filing of the docket transcript.] With the exception of appeals involving minor defendants, appeals from Magisterial District Judge decisions shall be listed for hearing by the Clerk of Courts on the first available Criminal Business Court Day at least twenty-eight (28) days later than the time of the filing of the appeal.

B. [Appeals from summary convictions by persons under the age of eighteen (18) years shall be treated the same as appeals by adults, except that either the Commonwealth or the appellant may request that the case be transferred to Juvenile Court. The Court may, either upon such request or sua sponte, order that the case be transferred and thereafter be treated as a juvenile proceeding and appellant subject to all provisions of the Juvenile Act, 42 Pa.C.S.A. § 6301 et. seq.] Appeals from summary convictions involving defendants under the age of eighteen (18) years shall be listed for hearing by the Clerk of Courts on the first Juvenile Court (DPS) Day of each month which is at least twenty-eight (28) days later than the time of the filing of the appeal. Immediately upon the filing of the appeal, the Clerk shall provide notice of the appeal and the date upon which it has been scheduled to the Department of Probation Services and the District Attorney's Office. Notice shall be provided to the defendant pursuant to local practice.

This rule amendment shall become effective after all the provisions of the Pennsylvania Rules of Criminal Procedure are met, to include the following:

a. A certified copy of this order shall be submitted to the Criminal Procedural Rules Committee for review in accordance with Pa.R.Crim.P. No. 105(D);

b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the test of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania

Courts for distribution in accordance with the provisions of Pa.R.Crim.P. No. 105(F)(1);

d. A copy of the local rule shall be published on the Unified Judicial System's website.

e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule shall be 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 16-405. Filed for public inspection March 11, 2016, 9:00 a.m.]

CARBON COUNTY

Amendment of Local Rules of Civil Procedure CARB.R.C.P. 1028(c) Preliminary Objections, CARB.R.C.P. 1034(a) Motion for Judgment on the Pleadings and CARB.R.C.P. 1035.2(a) Motion for Summary Judgment; No. 16-0382

Administrative Order No. 8-2016

And Now, this 24th day of February, 2016, it is hereby

Ordered and Decreed that, effective April 1, 2016, the Carbon County Court of Common Pleas *Amends* Carbon County Rules of Civil Procedure CARB.R.C.P. 1028(c) governing Preliminary Objections, Carbon County Rule of Civil Procedure CARB.R.C.P. 1034(a) governing a Motion for Judgment on the Pleadings, and Carbon County Rule of Civil Procedure CARB.R.C.P. 1035.2(a) governing a Motion for Summary Judgment.

The Carbon County District Court Administrator is *Ordered and Directed* to

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

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

3. Publish the Rules on the UJS Portal at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

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

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

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

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

By the Court

ROGER N. NANOVIC,
President Judge

Rule 1028(c). Preliminary Objections.

1 A proposed order shall be attached to all preliminary objections.

2 The moving party shall simultaneously file a brief in support of the preliminary objections. See CARB.R.C.P. 210 for form, content of brief, service and filing requirements.

3 The adverse party shall file an answer when endorsed with a Notice to Plead.

4 If an amended pleading is not filed within twenty (20) days of service of the preliminary objections, the matter shall be decided on briefs unless the assigned Judge requests that argument be scheduled. If a party desires argument, a Praeceptum for Argument shall accompany the motion or be filed by the respondent within twenty (20) days of service of the preliminary objections. A respondent briefing schedule will be issued by the Court contemporaneous with the scheduling of argument, if so ordered by the Judge. If the matter is to be decided on briefs, a respondent briefing schedule will be issued.

5 If the Preliminary Objections raise issues of fact not of record, evidence by way of depositions or otherwise shall be filed of record to enable the objections to be properly decided.

Rule 1034(a). Motion for Judgment on the Pleadings.

1 A party moving for judgment on the pleadings shall simultaneously file with the motion a proposed order and supporting brief. If a brief is not filed with the motion, the motion shall be deemed withdrawn, without prejudice, upon motion of the opposing party. A certificate of service in conformance with Pa.R.C.P. 208.2(a)(5) shall be attached to the motion. Pa.R.C.P. 440 governs service. Service shall be required on the District Court Administrator. For form of briefs, see CARB.R.C.P. 210.

2 A response shall be filed within twenty (20) days after service of the motion.

3 If a party desires argument, a Praeceptum for Argument shall accompany the motion or response. However, the Court may dispose of any motion without oral argument.

4 A respondent briefing schedule will be issued by the Court contemporaneous with the scheduling of any argument ordered by the Judge. If the matter is to be decided on briefs, a respondent briefing schedule will be issued.

5 A party who fails to respond to the motion may be deemed to have no opposition to its grant.

6 A party who fails to file a brief shall not be permitted to argue.

Rule 1035.2(a). Motion for Summary Judgment.

1 A party moving for summary judgment shall simultaneously file with the motion a proposed order and supporting brief. If a brief is not filed with the motion, the motion shall be deemed withdrawn, without prejudice, upon motion of the opposing party. A certificate of service in conformance with Pa.R.C.P. 208.2(a)(5) shall be attached to the motion. Pa.R.C.P. 440 governs service. Service shall be required on the District Court Administrator. For form of briefs, see CARB.R.C.P. 210.

2 Any party opposing the motion shall file a response within thirty (30) days of service of the motion, together with a certificate of service evidencing service in accordance with number one above. Service shall be required on the District Court Administrator. A party who fails to

respond to the motion shall be deemed to be unopposed to the granting of the motion without contest.

3 Upon service of the motion and response on the District Court Administrator, the matter shall be decided on briefs unless the assigned Judge orders that argument be scheduled. If a party desires argument, a Praeceptum for Argument shall accompany the motion or response. However, the Court may dispose of any motion without oral argument.

4 A respondent briefing schedule will be issued by the Court contemporaneous with the scheduling of any argument ordered by the Judge or requested by the filing of the Praeceptum for Argument. If the matter is to be decided on briefs, a respondent briefing schedule will be issued.

5 A party who fails to file a brief shall not be permitted to argue.

[Pa.B. Doc. No. 16-406. Filed for public inspection March 11, 2016, 9:00 a.m.]

CARBON COUNTY

Revision of Local Rule of Criminal Procedure 117—Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail; No. CP-13-AD-0000004-2016 (Old No. 103 MI 00)

Administrative Order No. 9-2016

And Now, this 24th day of February, 2016, pursuant to Pa.R.Crim.P. 117, it is hereby

Ordered and Decreed, that effective April 1, 2016, the Carbon County Court of Common Pleas *Revises* Local Rule of Criminal Procedure CARB.R.Crim.P. 117 governing coverage for issuing warrants, conducting preliminary arraignments and summary trials and setting and accepting bail.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies, one (1) computer diskette and a copy of the written notification received from the Criminal Procedural Rules Committee with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish a copy of this Administrative Order on the Unified Judicial System's website at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

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

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

6. Keep continuously available for public inspection copies of the Order in the Clerk of Courts' Office.

By the Court

ROGER N. NANOVIC,
President Judge

Rule 117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.

1. Each Magisterial District Court Office shall be open for regular business on Mondays through Fridays, excluding holidays, from 8:00 A.M. to 4:30 P.M., prevailing time, which times may be modified with the approval of the President Judge to meet the needs of the public and the Court.

2. A Magisterial District Judge shall be available on-call at all times of all days without unreasonable delay to provide continuous coverage for the issuance of search warrants and arrest warrants, for the setting and acceptance of bail, and for the issuance of emergency orders under the Protection From Abuse Act, the Act of March 21, 2014, P. L. 365, No. 25 relating to the Protection of Victims of Sexual Violence or Intimidation, and the Older Adult Protective Services Act. This rule shall be satisfied by number 3 and 4 below.

3. The President Judge shall establish the schedule of assignment of Magisterial District Judges to on-call duty for availability on a rotating basis pursuant to a semi-annual/annual schedule prepared by the District Court Administrator. When a Magisterial District Judge who has jurisdiction over a particular matter is unavailable during regular business hours, authority to act is transferred to other Magisterial District Judges in the 56th Judicial District pursuant to the aforesaid assignment to on-call duty stated above.

4. Magisterial District Judges during regular business hours, an on-call Magisterial District Judge while on-call, the Clerk of Courts during business hours and the Warden, or in his absence, the Deputy Warden or Sergeant in charge of the Carbon County Correctional Facility, shall be authorized to accept bail in accordance with the provisions, and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.

5. A Magisterial District Judge assigned to on-call duty shall be available for preliminary arraignments in accordance with the following schedule:

A. For arrests occurring after the close of regular business hours but before 8:00 P.M., and for arrests occurring on weekends or holidays between 8:00 A.M. and 8:00 P.M., the Magisterial District Judge shall respond to the call and conduct a preliminary arraignment utilizing the on-screen video arraignment connection between the police station and the Magisterial District Court prior to detention at the Carbon County Correctional Facility. Scheduling of the arraignment shall be initiated by the arresting officer contacting the Comm. Center by telephone and requesting an arraignment. Arraignments shall be scheduled whenever:

1. The defendant is arrested pursuant to a warrant, and

2. In those circumstances where an arrest has been made without a warrant and for which the defendant is to be afforded a preliminary arraignment without unnecessary delay, (See Pa.R.Crim.P. 519), after the completion of the criminal complaint.

B. For arrests occurring after 8:00 P.M. but before 8:00 A.M. on weekends or holidays, and before 8:00 A.M. on weekdays, preliminary arraignments shall be scheduled as follows:

1. For arrests pursuant to a warrant and those arrests requiring preliminary arraignment pursuant to Pennsylvania Rule of Criminal Procedure 519, the arresting agency, including the state police, municipal police or sheriff, is authorized to detain the prisoner at the Carbon County Correctional Facility until 8:00 A.M. the following morning. For Defendants so detained, the on-call Magisterial District Judge shall appear in person or by advanced communication technology at the Carbon County Correctional Facility at 8:00 A.M. to preside at the Preliminary Arraignment. The on-call Magisterial District Judge shall contact the Carbon County Correctional Facility no later than 7:30 A.M. to determine whether any Defendants are so detained.

2. Prior to detaining a prisoner at the Carbon County Correctional Facility under this Rule, the arresting agency shall contact the facility to ascertain that adequate detention facilities are available for temporary detention in accordance with this Rule. If no detention facilities are available at the facility, the arresting agency shall notify the on-call Magisterial District Judge through the Communication Center of that fact and a preliminary arraignment shall be required prior to detention or commitment to Prison.

3. The arresting agency detaining the Defendant shall provide the Magisterial District Judge with copies of the Criminal Complaint, of the Affidavit of Probable Cause in support thereof, and a copy of the Bail Information Sheet for Overnight Arraignments regarding the defendant's criminal record and flight risk, and the officer's bail recommendation, by depositing the same at the Carbon County Correctional Facility and faxing copies to the Magisterial District Court Office. The arresting agency shall be responsible to deliver or mail within twenty-four (24) hours all original documents to the Magisterial District Court office who issued the warrant or within whose jurisdiction the offense occurred.

4. The arresting officer(s) need not appear at the Preliminary Arraignment provided the documents identified in paragraph (B)(3) are provided. In the alternative, the arresting officer may appear at the Preliminary Arraignment in lieu of prior submission of these documents; however, no person shall be detained under this rule without the completion and submission of a completed criminal Complaint and Affidavit of Probable Cause. A copy shall be delivered to the Carbon County Correctional Facility and a copy faxed to the Magisterial District Court office for the Judge's use.

5. The provisions of this Rule allowing for temporary detention of prisoners shall not apply to the performance of any other duties of the on-duty Magisterial District Judge during the hours of 8:00 P.M. to 8:00 A.M.

6. The Carbon County Correctional Facility shall identify a detention area for prisoners so detained in accordance with the Standard Operating Procedures of the Carbon County Correctional Facility for temporary detention of individuals at the Prison.

7. The Carbon County Correctional Facility is directed to make available to the on-duty Magisterial District Judge appropriate space or advanced communication technology availability between the hours of 8:00 A.M. and 9:00 A.M. to perform the Preliminary Arraignment at the Prison.

8. Upon completion of the Preliminary Arraignment, the detention authorized by this Rule shall terminate and the person detained shall be processed in accordance with the Orders of the Magisterial District Judge at the Preliminary Arraignment or, if no Preliminary Arraignment has been done, the person shall be released from detention and the arresting agency shall arrange for the Preliminary Arraignment of the person otherwise in accordance with the Rules of Criminal Procedure.

9. If the Preliminary Arraignment is conducted by advanced communication technology, upon completion of the Preliminary Arraignment, copies of all commitment orders, bail orders, etc. shall be faxed from the Magisterial District Judge to the Carbon County Correctional Facility and the originals mailed to the Carbon County Correctional Facility on the next regular business day. If the Preliminary Arraignment is conducted at the Correctional Facility, original documents shall be provided to the Carbon County Correctional Facility at the time of the Preliminary Arraignment.

C. Nothing in this Rule shall alter the requirements of Carbon County Local Criminal Rules of Procedure 202 regarding approval of search warrant application by attorney for the Commonwealth and Rule 507 regarding approval of police complaints and arrest warrant affidavits by the Attorney for the Commonwealth.

[Pa.B. Doc. No. 16-407. Filed for public inspection March 11, 2016, 9:00 a.m.]

LEHIGH COUNTY

Administrative Order Establishing Uniform Costs for Specialized Urinalysis Testing and Confirmation by the Adult Probation/Parole Office; No. AD 4-2016

Order

And Now, this 9th day of December, 2015, the following Administrative Order establishing uniform costs in criminal cases for certain services rendered by the Adult Probation/Parole Office of Lehigh County is promulgated and is effective for all such services rendered in any criminal case thirty (30) days or more after publication of this Order in the *Pennsylvania Bulletin*. Seven (7) certified copies shall be filed with the Administrative Office of the Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee; and that one (1) copy shall be filed with the Clerk of Judicial Records of the Court of Common Pleas of Lehigh County.

Urinalysis Testing

Every person placed on Probation, Parole, Accelerated Rehabilitative Disposition, Probation Without Verdict, or Intermediate Punishment, shall pay, in addition to the costs of prosecution, fines and restitution, and other costs, a fee not to exceed \$50.00 for each urine sample collected by the Lehigh County Adult Probation Department and sent for testing at Redwood Toxicology Laboratory.

By the Court

KELLY L. BANACH,
Administrative Judge

[Pa.B. Doc. No. 16-408. Filed for public inspection March 11, 2016, 9:00 a.m.]

SUPREME COURT

Modification of the Magisterial Districts within the 32nd Judicial District; No. 395 Magisterial Rules Doc.

Order

Per Curiam

And Now, this 26th day of February, 2016, upon consideration of the Request of the President Judge of Thirty-second Judicial District (Delaware County) to eliminate Magisterial District 32-1-26 and reconfigure Magisterial Districts 32-1-27, 32-1-33, 32-1-34, 32-1-35, 32-2-43, 32-2-47, 32-2-51 and 32-2-52 of the Thirty-second Judicial District (Delaware County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Request is granted. The judgeship for Magisterial District 32-1-26 shall not appear on the ballot for the 2017 municipal election. This Order is effective January 1, 2017.

Said Magisterial Districts shall be as follows:

Magisterial District 32-1-27
Magisterial District Judge David Hamilton Lang
Magisterial District 32-1-33
Magisterial District Judge Harry J. Karapalides

Magisterial District 32-1-34
Magisterial District Judge Robert J. Radano

Magisterial District 32-1-35
Magisterial District Judge Ann Berardocco

Marple Township (Wards 2, 5, 6, and 7)
Radnor Township (Voting Districts 4, 5, and 7)
Millbourne Borough
Upper Darby Township (Voting Districts 5-1, 5-7, 5-10, 6-1, 6-2, 6-3, 6-4, 6-10, 6-12, 7-2, 7-3, 7-4, 7-5, 7-6, 7-8 and 7-10)
Upper Darby Township (Voting Districts 1-1, 1-2, 1-3, 1-8, 3-2, 3-4, 3-6, 3-7, 3-8, 3-9, 3-10, 4-1 and 4-4)
Upper Darby Township (Voting Districts 1-4, 1-5, 1-6, 1-7, 1-9, 3-1, 3-3, 3-5, 3-11, 4-2, 4-3, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 4-11, 5-3 and 5-8)

Magisterial District 32-2-43
 Magisterial District Judge Leon Hunter, III
 Magisterial District 32-2-47
 Magisterial District Judge W. Keith Williams

 Magisterial District 32-2-51
 Magisterial District Judge Christopher R. Mattox
 Magisterial District 32-2-52
 Magisterial District Judge Kelly A. Micozzie-Aguirre

Newtown Township
 Radnor Township (Voting Districts 1, 2, 3, and 6)
 East Lansdowne Borough
 Lansdowne Borough
 Yeadon Borough

 Upper Darby Township (Voting Districts 5-2, 5-4, 5-5, 5-6,
 5-9, 6-5, 6-6, 6-7, 6-8, 6-9, 6-11, 7-1, 7-6, 7-7, 7-9 and 7-11)
 Aldan Borough
 Clifton Heights Borough
 Upper Darby Township (Voting Districts 2-1, 2-2, 2-3, 2-4,
 2-5, 2-6, and 2-7)

Justice Eakin did not participate in the consideration or decision of this matter.

[Pa.B. Doc. No. 16-409. Filed for public inspection March 11, 2016, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF OSTEOPATHIC MEDICINE [49 PA. CODE CH. 25] Genetic Counselors

The State Board of Osteopathic Medicine (Board) amends §§ 25.215 and 25.231 (relating to definitions; and schedule of fees) and adds Subchapter O (relating to genetic counselors) to read as set forth in Annex A.

Effective Date

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

Background and Purpose

The act of December 22, 2011 (P. L. 581, No. 126) (Act 126) amended the Osteopathic Medical Practice Act (act) (63 P. S. §§ 271.1—271.18) to require the Board to issue licenses and regulate genetic counselors. This final-form rulemaking effectuates Act 126.

Statutory Authority

The final-form rulemaking is authorized under section 10.3 of the act (63 P. S. § 271.10c), which authorizes the Board to license genetic counselors, to issue temporary permits to graduates of genetic counseling education programs and to regulate the practice of genetic counseling and discipline licensees. Section 16 of the act (63 P. S. § 271.16) authorizes the Board to adopt and revise regulations as are reasonably necessary to carry out the purposes of the act. In addition, section 3 of Act 126 directs the Board to promulgate regulations to license genetic counselors.

Summary of Comments and Responses to Proposed Rulemaking

Notice of proposed rulemaking was published at 43 Pa.B. 7549 (December 28, 2013) with a 30-day public comment. The Board did not receive comments from the regulated community or the public. Neither the House Professional Licensure Committee (HPLC) nor the Senate Consumer Protection and Professional Licensing Committee (SCP/PLC) provided comments to the Board. On February 26, 2014, the Independent Regulatory Review Commission (IRRC) submitted comments to the Board.

Regarding the fees in § 25.231, IRRC noted that Act 126 provided for a \$125 biennial renewal fee “[u]ntil such time as the board adopts a fee by regulation. . . .” IRRC requested that the Board “provide a full review of the Board’s costs for biennial renewal of genetic counselor license, including the ‘Fee-Related Activities and Costs,’ in support of the amount of the fee in the final regulation.”

The licensing boards and commissions within the Bureau of Professional and Occupational Affairs (BPOA) set two types of fees: fees for services performed for individual applicants/licensees; and biennial renewal fees. The fees for services performed for individual applicants are based on the cost to the Board to provide the services to the individuals. Accordingly, the fee report forms for fees for services performed include: a section on fee-

related activities and costs, wherein BPOA’s revenue office performs an analysis to determine what types of employees are tasked with processing the individual applications; how much time these employees, on average, may be expected to take to perform their part of the processing; the cost of the salary and benefits of these employees; and an amount for administrative overhead related to the total time spent processing an individual application. Thus, the fees for services performed recoup from the individual applicant the average cost of processing an applicant’s application.

The second type of fee charged by the Board is the biennial renewal fee. The biennial renewal fee is not based on the cost to the Board to provide services to any particular applicant or licensee; accordingly, the fee-related activities include all of the investigative, prosecutorial, adjudicative, regulatory and administrative activities of the Board. Under section 13.1 of the act (63 P. S. § 271.13a), the Board sets the biennial renewal fee for licensees so that the total revenue and expenses over a 2-year period will be adequate to meet the enforcement efforts required under the act. In determining the biennial renewal fee for each of the licensee types licensed by the Board, the Board anticipates the amount of resources likely to be consumed in providing the investigative, prosecutorial, adjudicative, regulatory and administrative functions related to the licensee class, and, to a lesser extent, considers the average annual salary of the licensee type and seeks to impose a proportional burden across licensee types.

At the time of enactment of Act 126, the Department of State estimated an annual cost associated with this new class of licensee of approximately \$6,000 based on an estimated 100 genetic counselors. However, the Board has revisited the appropriate biennial renewal fee to be applied to genetic counselors based on new estimates of the number of genetic counselors practicing in this Commonwealth. Based on records of the American Board of Genetic Counseling (ABGC), there are currently 177 certified genetic counselors in this Commonwealth. The Board estimates there may be five individuals certified by the American Board of Medical Genetics (ABMG) that practice as genetic counselors who may also apply for licensure. The Board cannot estimate whether there are uncertified genetic counselors who will seek licensure. Therefore, for purposes of determining the appropriate fee, the Board estimates approximately 180 genetic counselors will seek licensure and on that basis has determined that a \$75 biennial renewal fee is more appropriate.

IRRC noted that the Board failed to provide a subsection in § 25.904 (relating to application for genetic counselor license by noncertified persons) requiring professional liability insurance. The Board corrected this error by adding subsection (b)(5). IRRC also suggested that because the act uses the phrase “noncertified persons,” the Board should use the same term. The Board has made that correction.

IRRC noted that § 25.905 (relating to application for temporary provisional genetic counselor license) provides that an applicant for a temporary provisional genetic counselor license shall demonstrate that the applicant has been granted active candidate status establishing eligibility to sit for the next available certification examination offered by the ABGC. IRRC suggested that, to be

consistent with section 10.3(g)(1) of the act, the Board should also include the certification examination offered by the ABMG. The Board intentionally did not include the ABMG because the ABMG has not offered an examination for approximately 25 years. Thus, no individual would have active candidate status to sit for the ABMG examination. In contrast, the Board included ABMG as a certification that would establish eligibility for licensure under § 21.903 (relating to application for genetic counselor license) because applicants for the genetic counselor license may have passed the ABMG examination at a time when the ABMG offered an examination.

IRRC suggested that the Board reference the application fee in its regulations as the fee is required to be paid by an applicant for a temporary genetic counselor license. The Board has made this correction.

IRRC further recommended the Board make additions to § 25.905 to explain what actions could be taken by an individual who formerly held a provisional license but who either failed to take the ABGC examination by the close of the second examination period or who failed to pass the ABGC examination within two examination cycles after receiving the temporary provisional license. IRRC asked if the individual would be permanently barred from applying for a license. The Board added a sentence to subsection (e) to notify the public that an individual whose temporary provisional genetic counselor license has expired under either subsection (d) or (e) may apply for a genetic counselor license when the individual meets the qualifications of § 25.903, including passing the examination.

IRRC suggested that the use of the title “graduate genetic counselor” which the holder of a temporary provisional genetic counselor license is authorized to use might confuse the public because a “graduate” college degree is understood to represent education beyond a bachelor’s degree. Applicants for a temporary provisional genetic counselor license or a genetic counselor license shall have completed a master’s degree or higher. The Board does not believe the title will be confusing because stakeholders informed the Board during the proposed rulemaking process that the title was commonly used for individuals who completed their degrees, but had not yet taken the National certification examination. In addition, the Board notes that placing “graduate” before the professional title is done by other professions to signify that an individual has completed his education program but is not yet a fully licensed professional. By way of example, “graduate nurse” is used to designate a nurse who has completed his nursing education but who has not yet passed the nurse licensure examination. Nevertheless, the Board is sensitive to IRRC’s concern regarding potential public confusion. Accordingly, to alleviate concerns that the public will be confused by the title, the Board revised the final-form rulemaking to aid clarity. First, the Board added a definition for “graduate genetic counselor” in § 25.902 (relating to definitions). In addition, the Board added to § 25.905(g) a requirement that a graduate genetic counselor inform clients that the graduate genetic counselor holds a temporary provisional license and practices under supervision. Finally, the Board added paragraph (10) to the list of conduct which would constitute unprofessional conduct in § 25.908(b) (relating to disciplinary action for applicants and genetic counselors) for failing to inform a client that a graduate genetic counselor holds a temporary provisional license and practices under supervision. The Board believes these additions will create a clearer

distinction between these two titles and will serve to eliminate confusion caused by the use of the title “graduate genetic counselor.”

IRRC questioned whether the cross-reference in § 25.906(b)(6) (relating to biennial renewal of genetic counselor license) to the requirement for professional liability insurance should be to the regulatory section rather than the statutory section. The Board changed the cross-reference.

IRRC commented on § 25.908, noting that subsections (b) and (c) list what is considered unprofessional or immoral conduct, but that subsection (a) does not directly state that a licensee may be disciplined for violations of subsection (b) or (c). IRRC recommended addressing this issue by adding language to subsection (a). Subsection (a) provides notice that a licensed genetic counselor, graduate genetic counselor or applicant for any license is subject to refusal of license or disciplinary action under section 15 of the act (63 P. S. § 271.15). Section 15 of the act relates to reasons for refusal, revocation, suspension or other corrective actions against licensees or applicants. Section 15(a)(6) of the act authorizes the Board to refuse a license to an applicant or discipline a licensee for violating a regulation promulgated by the Board. Section 15(a)(8) of the act authorizes the Board to refuse a license to an applicant or discipline a licensee for being guilty of immoral or unprofessional conduct. The Board amended the section to add a cross-reference to section 15(a)(6) and (8) of the act to address concerns about the clarity of the section.

IRRC noted that the proposed rulemaking did not directly reference the reporting required by a current licensee or applicant of violations in another jurisdiction, and asked how the Board would know if a licensee was disciplined for violations in another jurisdiction. In response, the Board notes that § 25.906(b)(2) and (3) requires genetic counselors to disclose on their biennial renewal application any license to practice as a genetic counselor in another state, territory, possession or country, and to disclose disciplinary action pending before or taken by the appropriate health care licensing authority in any other jurisdiction since the most recent application for biennial renewal. Therefore, the Board will learn of disciplinary actions taken by other jurisdictions when the genetic counselor applies for biennial renewal.

Regarding § 25.909 (relating to continuing education for genetic counselors), IRRC suggested that the Board repeat the statutory exemption from continuing education for courses in office management or practice building. The Board added this language to § 25.909(a)(1). IRRC also questioned whether it was sufficient to allow genetic counselors to earn credit for activities approved by the ABGC or the National Society of Genetic Counselors (NSGC). According to the stakeholders with whom the Board met in developing the proposed rulemaking, virtually all continuing education in the field is approved by either the ABGC or the NSGC. The Board believes allowing licensees to obtain continuing education credit for licensure renewal through courses approved by these organizations benefits both the licensee and the public, and ensures adequate availability of continuing education programs. Approval by these organizations benefits practitioners by creating a Nationally-accepted pool of continuing education courses that are recognized by employers, certifying bodies and all of the states in which these professionals are licensed. Requiring continuing education that is widely-accepted benefits licensees by ensuring license and employment portability. In addition, recogniz-

ing continuing education approved by these organizations protects the public because the organizations consistently approve only good quality continuing education programs.

Description of Amendments to the Final-form Rulemaking

The Board corrected the title “genetic counselor” throughout the final-form rulemaking. The Board also added a definition of the title “graduate genetic counselor” to § 25.902. The Board amended §§ 25.231 and 25.904 to be consistent with the act. The Board amended § 25.904 by adding a cross-reference to the professional liability insurance requirement in § 25.910 (relating to professional liability insurance coverage for genetic counselors).

The Board amended § 25.905(b)(2) to cross-reference the fees in § 25.231, rather than the statutory provision. The Board amended § 25.905(e) to clarify how an individual whose temporary provisional genetic counselor license has expired can do to ultimately become licensed as a genetic counselor. The Board added subsection (g) to impose a duty on a graduate genetic counselor to inform clients that the graduate genetic counselor holds a temporary provisional license and practices under supervision.

The Board amended § 25.906(b)(4) to correct the term “disposition in lieu of trial” which appeared in the proposed rulemaking as “disposition instead of trial.” “Disposition in lieu of trial” is a term of art in the field of criminal law and relates to a specific type of disposition of a criminal proceeding. The Board also amended § 25.906(b)(6) to cross-reference the professional liability insurance requirements in § 25.910, rather than the statutory provision.

The Board amended § 25.908(b) to add a cross-reference to section 15(6) and (8) of the act to aid clarity in interpreting the terms unprofessional and immoral conduct. The Board added § 25.908(b)(10) to provide that it is unprofessional conduct for a graduate genetic counselor to fail to inform a client that the graduate genetic counselor holds a temporary provisional license and practices under supervision.

The Board amended § 25.909 to incorporate the statutory prohibition against courses in office management or practice building as suggested by IRRC and to clarify that genetic counselors are not required to complete continuing education during the biennium in which first licensed if licensure occurred within 3 years of completion of the degree to be consistent with the regulations of the State Board of Medicine for the licensure of genetic counselors promulgated at 44 Pa.B. 6923 (November 1, 2014).

Finally, the Board amended § 25.910 to clarify that acceptable professional liability insurance coverage may include a policy personally purchased by the genetic counselor or professional liability insurance coverage provided by the genetic counselor’s employer.

Fiscal Impact and Paperwork Requirements

The statutory requirements that genetic counselors obtain and renew licenses to practice genetic counseling, obtain and maintain professional liability insurance, and complete at least 30 hours of continuing education biennially will have a fiscal impact and impose paperwork requirements on the regulated community. Most genetic counselors are employed in a health care facility, college or university and the employer may pay the licensure fees and costs associated with professional liability insurance and continuing education.

The new requirements will also have a fiscal impact and will impose additional paperwork requirements on the Commonwealth, specifically the Board, which is charged with administering the act. However, the costs to the Board will be recouped through application fees and biennial renewal fees.

Sunset Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on December 12, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 7549, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on January 20, 2016, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on January 21, 2016, and approved the final-form rulemaking.

Contact Person

Interested persons may obtain information regarding the final-form rulemaking by writing to Teresa Lazo, Board Counsel, State Board of Osteopathic Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649, tlazo@pa.gov.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) The amendments to the final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 43 Pa.B. 7549.

(4) This final-form rulemaking is necessary and appropriate for administration and enforcement of the authorizing acts identified in this preamble.

Order

The Board orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 25, are amended by amending §§ 25.215 and 25.231 and adding §§ 25.901—25.910 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General as required by law.

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

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

JEFFREY A. HEEBNER, DO,
Chairperson

(*Editor's Note:* See 46 Pa.B. 729 (February 6, 2016) for IRRC's approval order.)

Fiscal Note: Fiscal Note 16A-5328 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 25. STATE BOARD OF OSTEOPATHIC MEDICINE

Subchapter D. MINIMUM STANDARDS OF PRACTICE

§ 25.215. Definitions.

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

Board-regulated practitioner—An osteopathic physician, perfusionist, physician assistant, genetic counselor, respiratory therapist, licensed athletic trainer, acupuncturist or an applicant for a license or certificate issued by the Board.

Immediate family member—A parent or guardian, child, sibling, spouse or other family member, whether related by blood or marriage, with whom a patient resides.

Sexual behavior—Any sexual conduct which is nondiagnostic and nontherapeutic; it may be verbal or physical and may include expressions of thoughts and feelings or gestures that are sexual in nature or that reasonably may be construed by a patient as sexual in nature.

Sexual exploitation—Any sexual behavior that uses trust, knowledge, emotions or influence derived from the professional relationship.

Subchapter F. FEES

§ 25.231. Schedule of fees.

An applicant for a license, certificate, registration or service shall pay the following fees at the time of application:

Application for unrestricted license to practice as osteopathic physician—original, reciprocal, boundary or by endorsement	\$45
Application for short-term camp license as osteopathic physician	\$30
Temporary training license or graduate training certificate	\$30
Annual renewal of temporary training license or graduate training certificate	\$25
Application for physician assistant license	\$30
Application for supervising physician	\$95
Uncertified verification of any license, certification or permit	\$15
Certification of any licenses, certifications, examination grades or hours	\$25

Application for athletic trainer license	\$20
Biennial renewal—athletic trainer	\$37
Biennial renewal—physicians	\$220
Biennial renewal—physician assistants	\$10
Penalty for late biennial renewal—per month or part of month	\$5
Duplicate license or certificate	\$5
Application for radiology examinations	\$25
Application for acupuncturist registration	\$30
Biennial renewal—acupuncturists	\$25
Application for acupuncturist supervisor registration	\$30
Application for perfusionist license	\$50
Biennial renewal of perfusionist license	\$50
Application for reactivation of perfusionist license ..	\$50
Application for temporary graduate perfusionist license	\$50
Application for temporary provisional perfusionist license	\$40
Application for genetic counselor license	\$50
Application for noncertified genetic counselor license	\$100
Application for reactivation of genetic counselor license	\$50
Application for temporary provisional genetic counselor license	\$50
Biennial renewal—genetic counselors	\$75

Subchapter O. GENETIC COUNSELORS

Sec.	Purpose.
25.901.	Definitions.
25.902.	Application for genetic counselor license.
25.903.	Application for genetic counselor license by noncertified persons.
25.904.	Application for temporary provisional genetic counselor license.
25.905.	Biennial renewal of genetic counselor license.
25.906.	Inactive status of genetic counselor license; reactivation of inactive license.
25.907.	Disciplinary action for applicants and genetic counselors.
25.908.	Continuing education for genetic counselors.
25.909.	Professional liability insurance coverage for genetic counselors.
25.910.	

§ 25.901. Purpose.

This subchapter implements section 10.3 of the act (63 P. S. § 271.10c), regarding genetic counselors.

§ 25.902. Definitions.

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

ABGC—The American Board of Genetic Counseling or an equivalent successor.

ABMG—The American Board of Medical Genetics or an equivalent successor.

Active candidate status—The designation awarded to an individual who has received approval from the ABGC or the ABMG to sit for his respective certification examination.

Genetic counseling—The provision of services to individuals, couples, families and organizations by one or more appropriately trained individuals to address the physical and psychological issues associated with the

occurrence or risk of occurrence of a genetic disorder, birth defect, or genetically influenced condition or disease in an individual or a family.

Genetic counselor—An individual who is licensed to practice genetic counseling by the Board or the State Board of Medicine.

Graduate genetic counselor—An individual who has been issued a temporary provisional genetic counselor license by the Board under § 25.905 (relating to application for temporary provisional genetic counselor license) to practice under the supervision of a physician or a genetic counselor.

Hour of continuing education—At least 50 minutes of instruction, including relevant question and answer sessions, in an approved course of continuing education or an equivalent time that an online or correspondence course would be presented live.

NSGC—The National Society of Genetic Counselors or an equivalent successor.

§ 25.903. Application for genetic counselor license.

(a) An applicant for a license to practice as a genetic counselor shall submit, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting documents, and pay the application fee in § 25.231 (relating to schedule of fees).

(b) The Board may issue a license to practice as a genetic counselor to an applicant who demonstrates that the applicant:

(1) Is at least 21 years of age and of good moral character, as required under section 10.3(e)(1) and (2) of the act (63 P. S. § 271.10c(e)(1) and (2)).

(2) Has received a master's degree or doctoral degree in human genetics or genetic counseling from an ABGC-accredited or ABMG-accredited educational program or has met the requirements for certification by the ABGC or the ABMG. Proof of the degree, if applicable, shall be sent directly from the applicant's education program and include an official transcript.

(3) Has passed the examination for certification as a genetic counselor by the ABGC or the ABMG or has passed the examination for certification as a Ph.D. medical geneticist by the ABMG. Proof that the applicant has passed the examination shall be sent directly from the ABGC or the ABMG and may include proof of current certification.

(4) Has obtained professional liability insurance, or is exempt from the requirement to obtain professional liability insurance, as set forth in § 25.910 (relating to professional liability insurance coverage for genetic counselors).

(c) The Board may deny an application for licensure as a genetic counselor upon the grounds for disciplinary action in § 25.908 (relating to disciplinary action for applicants and genetic counselors).

§ 25.904. Application for genetic counselor license by noncertified persons.

(a) An applicant for a license to practice as a genetic counselor who has never passed the ABGC or ABMG certification examination shall submit, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting documents, and pay the application fee in § 25.231 (relating to schedule of fees).

(b) The Board may issue a license to practice as a genetic counselor to a noncertified applicant who:

(1) Submits an application to the Board, along with any required supporting documentation, by February 20, 2015.

(2) Demonstrates that the applicant is at least 21 years of age and of good moral character as required under section 10.3(e)(1) and (2) of the act (63 P. S. § 271.10c(e)(1) and (2)).

(3) Demonstrates that the applicant has received a master's degree or higher in genetics or a related field of study and has worked as a genetic counselor for a minimum of 3 continuous years preceding December 22, 2011, or has received a bachelor's degree in genetics or a related field of study and has been employed as a genetic counselor for at least 10 continuous years prior to December 22, 2011.

(i) Proof of the degree shall be sent directly from the applicant's educational program and include an official transcript.

(ii) Related fields of study must include core courses in genetics.

(iii) Proof of employment as a genetic counselor may include Federal income tax forms or notarized letters from the applicant's employer.

(4) Submits at least three letters of recommendation, including one from a genetic counselor certified by the ABGC or the ABMG and one from either a clinical geneticist or medical geneticist certified by the ABMG. A person who submits a letter of recommendation shall have worked with the applicant in an employment setting sometime during the previous 10 continuous years and be able to attest to the applicant's competency in providing genetic counseling services.

(5) Demonstrates that the applicant has obtained professional liability insurance, or is exempt from the requirement to obtain professional liability insurance, as set forth in § 25.910 (relating to professional liability insurance coverage for genetic counselors).

§ 25.905. Application for temporary provisional genetic counselor license.

(a) An applicant for a temporary provisional genetic counselor license shall submit, on forms made available by the Board, a completed application, including the necessary supporting documents, and pay the fee in § 25.231 (relating to schedule of fees) for an application for a temporary provisional genetic counselor license.

(b) The Board may grant a temporary provisional genetic counselor license, which authorizes the license holder to practice only under the supervision of a genetic counselor or physician licensed under the act or under the Medical Practice Act of 1985 (63 P. S. §§ 422.1—422.51a), to an applicant who:

(1) Demonstrates that the applicant has been granted active candidate status establishing eligibility to sit for the next available certification examination offered by the ABGC.

(2) Demonstrates that the applicant is at least 21 years old, of good moral character and has completed an application form provided by the Board, and paid the appropriate fee in § 25.231.

(3) Otherwise complies with this subchapter.

(c) The Board may deny an application for a temporary provisional genetic counselor license upon the grounds in § 25.908 (relating to disciplinary action for applicants and genetic counselors).

(d) A temporary provisional genetic counselor license will expire upon the close of the second examination period for which the holder is eligible to test following issuance of the temporary provisional license and may not be renewed.

(e) A temporary provisional genetic counselor license will expire upon notice to the Board that the holder has not passed the certification examination within two examination cycles after receiving the temporary provisional license. The holder of a temporary provisional genetic counselor license who fails to pass the examination within two examination cycles shall immediately cease practicing and return the license to the Board. An individual whose temporary provisional genetic counselor license has expired under subsection (d) or this subsection may apply for a genetic counselor license when the individual can demonstrate the qualifications in § 25.903 (relating to application for genetic counselor license).

(f) The holder of a temporary provisional genetic counselor license may not use the title "genetic counselor." The holder of a temporary provisional genetic counselor license may use the title "graduate genetic counselor" but may not use an abbreviation of the title.

(g) A graduate genetic counselor shall inform clients that the graduate genetic counselor holds a temporary provisional license and practices under supervision.

§ 25.906. Biennial renewal of genetic counselor license.

(a) The license of a genetic counselor will expire biennially on October 31 of each even-numbered year in accordance with § 25.271 (relating to requirements for renewal). A genetic counselor may not practice after October 31 of an even-numbered year unless the genetic counselor has completed the biennial renewal process and the Board has issued a renewed license.

(b) As a condition of biennial renewal, a genetic counselor shall:

(1) Submit a completed application, including payment of the biennial renewal fee in § 25.231 (relating to schedule of fees).

(2) Disclose on the application any license to practice as a genetic counselor in another state, territory, possession or country.

(3) Disclose on the application disciplinary action pending before or taken by the appropriate health care licensing authority in any other jurisdiction since the most recent application for biennial renewal, whether or not licensed to practice in that other jurisdiction.

(4) Disclose on the application pending criminal charges and any finding or verdict of guilt, admission of guilt, plea of nolo contendere, probation without verdict, disposition in lieu of trial or accelerated rehabilitative disposition in any criminal matter since the most recent application for biennial renewal.

(5) Verify on the application that the genetic counselor has complied with the continuing education requirements mandated by section 10.3(j) of the act (63 P. S. § 271.10c(j)) during the biennial period immediately pre-

ceding the period for which renewal is sought in accordance with § 25.909 (relating to continuing education for genetic counselors).

(6) Verify on the application that, if practicing as a genetic counselor in this Commonwealth, the licensee maintains professional liability insurance coverage in accordance with § 25.910 (relating to professional liability insurance coverage for genetic counselors).

§ 25.907. Inactive status of genetic counselor license; reactivation of inactive license.

(a) A genetic counselor license will become inactive upon either of the following:

(1) The licensee requests in writing that the Board place the license on inactive status. Written confirmation of inactive status will be forwarded to the licensee.

(2) The licensee fails to renew the license by the expiration of the biennial renewal period, that is, by October 31 of each even-numbered year.

(b) A genetic counselor whose license has become inactive may not practice as a genetic counselor in this Commonwealth until the license has been reactivated.

(c) To reactivate an inactive license, the licensee shall apply on forms made available by the Board. The licensee shall:

(1) Include the documentation required under § 25.909 (relating to continuing education for genetic counselors) for the immediately preceding biennium. Unless waived by the Board under section 10.3(j)(3) of the act (63 P. S. § 271.10c(j)(3)), the Board will not reactivate a license until the required continuing education for the preceding biennium has been successfully completed.

(2) Pay the current biennial renewal fee and the reactivation application fee specified in § 25.231 (relating to schedule of fees).

(3) Except as provided in subsection (e), verify that the licensee did not practice as a genetic counselor in this Commonwealth while the license was inactive.

(d) A licensee whose license has been inactive for 4 years or more shall demonstrate continued competence by showing current certification by the ABGC.

(e) A licensee who has practiced with an inactive license, and who cannot make the verification required under subsection (c)(3), shall also pay the late fees required under section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401-225) as more fully set forth in this subsection. Payment of a late fee does not preclude the Board from taking disciplinary action for practicing as a genetic counselor without a current active license.

(1) A licensee whose license was active at the end of the immediately preceding biennial renewal period and who practiced after the license became inactive shall pay a late fee of \$5 for each month or part of a month from the beginning of the current biennium until the date the reactivation application is filed.

(2) A licensee whose license has been inactive since before the beginning of the current biennium shall pay the biennial renewal fee for each biennial period during which the licensee practiced and shall pay a late fee of \$5 for each month or part of a month from the first date the licensee practiced as a genetic counselor in this Commonwealth after the license became inactive until the date the reactivation application is filed.

§ 25.908. Disciplinary action for applicants and genetic counselors.

(a) A genetic counselor, graduate genetic counselor or applicant for a license under this subchapter is subject to refusal of license or disciplinary action under section 15 of the act (63 P. S. § 271.15). Following a final determination subject to the right of notice, hearing and adjudication and the right of appeal therefrom in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), the Board may refuse licensure or impose any of the corrective actions of section 15(c) of the act.

(b) A genetic counselor, graduate genetic counselor or applicant for licensure is subject to discipline under section 15(a)(6) and (8) of the act for violating this chapter and for being guilty of immoral or unprofessional conduct. Unprofessional conduct includes:

(1) Engaging in conduct prohibited under § 25.216 (relating to sexual misconduct).

(2) Performing an act in a health care profession in a fraudulent, incompetent or negligent manner.

(3) Violating a provision of the act or this chapter setting a standard of professional conduct.

(4) Engaging in health care practice beyond the licensee's authority to practice.

(5) Representing oneself to be a physician or other health care practitioner whose profession the genetic counselor is not licensed to practice.

(6) Practicing while the licensee's ability to do so is impaired by alcohol, drugs, physical disability or mental instability.

(7) Revealing personally identifiable facts obtained as the result of a practitioner-patient relationship without the prior consent of the patient, except as authorized or required by statute or regulation.

(8) Failing to provide appropriate supervision to a genetic counselor student or a graduate genetic counselor practicing under a temporary provisional license. For purposes of this paragraph, appropriate supervision of a genetic counselor student means that the student is under the overall direction of the chair or director of the educational program. For purposes of this paragraph, appropriate supervision of a graduate genetic counselor means that the graduate genetic counselor is under the overall direction of the area supervisor and the supervisor conducts periodic review of the work of the graduate genetic counselor.

(9) Practicing outside the scope of practice for a genetic counselor as set forth in section 10.3(c) of the act (63 P. S. § 271.10c(c)).

(10) Failing to inform a client that the graduate genetic counselor holds a temporary provisional license and practices under supervision.

(c) Immoral conduct includes:

(1) Misrepresenting or concealing a material fact in obtaining a license issued by the Board or renewal, reactivation or reinstatement thereof.

(2) Being convicted of a crime involving moral turpitude, dishonesty or corruption in the courts of the Commonwealth, the United States, another state, the District of Columbia, a territory of the United States or another country.

(3) Committing an act involving moral turpitude, dishonesty or corruption.

§ 25.909. Continuing education for genetic counselors.

(a) *Credit hour requirements.* A genetic counselor shall satisfy the following continuing education credit hour requirements:

(1) As a condition for biennial renewal, a genetic counselor shall complete at least 30 hours of continuing education applicable to the practice of genetic counseling; credit will not be given for a course in office management or practice building. A genetic counselor is not required to complete continuing education during the biennium in which the licensee was first licensed if licensure occurred within 3 years of completion of the degree.

(2) Except when reactivating an inactive license, when the Board has granted a waiver or when ordered by the Board, continuing education credits may be used to satisfy the continuing education credit hour requirements only for the biennial period in which the credits were earned. No hour of continuing education may be used to satisfy the requirement of paragraph (1) for more than one biennium.

(3) A genetic counselor may request a waiver of the continuing education credit hour requirements because of serious illness, military service or other demonstrated hardship by submitting a request for waiver with the supporting documentation to the Board at least 90 days prior to the end of the biennial renewal period for which the waiver is sought. The Board may grant the waiver request in whole or in part and may extend the deadline by which the credit hour requirements shall be met.

(4) A genetic counselor may be subject to disciplinary sanction as provided in section 15 of the act (63 P. S. § 271.15), including the suspension or revocation of the license, imposition of a civil penalty or other corrective measure as determined by the Board, if the licensee either submits false information to the Board regarding completion of the continuing education credit hour requirements to complete biennial renewal, or fails to complete the continuing education hour requirements and practices as a genetic counselor after the end of the biennial period.

(b) *Continuing education activities.* Credit for continuing education may be earned for activities approved by the ABGC or the NSGC.

(c) *Documentation of continuing education.* Continuing education shall be documented with a certificate of attendance or completion issued by the activity provider. The certificate must include the name of the course provider, the name and date of the course, the name of the licensee, the number of credit hours based on a 50-minute hour and the category of continuing education, if applicable.

§ 25.910. Professional liability insurance coverage for genetic counselors.

(a) A genetic counselor practicing in this Commonwealth shall maintain a level of professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made as required under section 10.3(k) of the act (63 P. S. § 271.10c(k)).

(b) Proof of professional liability insurance coverage may include:

(1) A certificate of insurance or copy of the declaration page from the insurance policy setting forth the effective date, expiration date and dollar amounts of coverage. The policy may be personally purchased liability insurance or professional liability insurance coverage provided by the genetic counselor's employer.

(2) Evidence of a plan of self-insurance approved by the Insurance Commissioner of the Commonwealth under regulations of the Insurance Department in 31 Pa. Code Chapter 243 (relating to medical malpractice and health-related self-insurance plans).

(c) A license that was issued in reliance upon a letter from the applicant's insurance carrier indicating that the

applicant will be covered against professional liability effective upon the issuance of the applicant's license as permitted under section 10.3(k)(3) of the act will become inactive as a matter of law 30 days after the date of issuance of the license if the licensee has not provided proof of professional liability insurance coverage and will remain inactive until the licensee provides proof of insurance coverage.

(d) A licensee who does not have professional liability insurance coverage as required under section 10.3(k)(1) of the act may not practice as a genetic counselor in this Commonwealth.

[Pa.B. Doc. No. 16-410. Filed for public inspection March 11, 2016, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

Water Quality Standards; Class A Stream Redesignations; Correction

An error occurred in the proposed rulemaking published at 46 Pa.B. 1205 (March 5, 2016). The date of the close of the public comment period was incorrect. The Public Comments portion of the preamble is updated as follows. The remainder of the proposed rulemaking is accurate as published.

J. Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Board. Comments, suggestions or objections must be received by the Board by April 18, 2016. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by April 18, 2016. The one-page summary will be

distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board online, by e-mail, by mail or express mail as follows. If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

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

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

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

[Pa.B. Doc. No. 16-411. Filed for public inspection March 11, 2016, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 1, 2016.

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

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
2-29-2016	<i>From:</i> First National Community Bank Dunmore Lackawanna County <i>To:</i> FNCB Bank Dunmore Lackawanna County	Filed
	Application for approval to convert from a National banking association to a Pennsylvania State-chartered bank.	

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
2-29-2016	C&G Savings Bank Altoona Blair County	Effective
	Merger of Cresson Community Bank, Cresson, with and into C&G Savings Bank, Altoona, and changing their corporate title to PennCrest Bank.	
	As a result of the merger, the sole office of Cresson Community Bank, located at the following address, became a branch office of PennCrest Bank:	
	700 Second Street Cresson Cambria County	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-22-2016	Univest Bank and Trust Company Souderton Montgomery County	1980 South Easton Road Doylestown Bucks County (Limited Service Facility)	Opened
2-25-2016	PS Bank Wyalusing Bradford County	251 East Grove Street Clarks Green Lackawanna County	Filed
3-1-2016	Orrstown Bank Shippensburg Cumberland County	4750 Lindle Road Harrisburg Dauphin County	Filed

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
2-26-2016	TruMark Financial Credit Union Trevose Bucks County	Filed
Application for approval to merge Keystone Federal Credit Union, West Chester, with and into TruMark Financial Credit Union, Trevose.		

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
2-26-2016	1st Ed Credit Union Chambersburg Franklin County	Effective
Amendment to Article 8 of the institution's Articles of Incorporation provides for "students" to be added to their Field of Membership.		

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 16-412. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of Draft 2015 Consolidated Plan Annual Performance and Evaluation Report

The Department of Community and Economic Development (Department) is preparing its 2015 Consolidated Annual Performance and Evaluation Report (CAPER) on the progress and accomplishments made during the 2015 program year in implementing the Commonwealth's Consolidated Plan for Federal Fiscal Years 2014-2018. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth has allocated funds under several programs, namely Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant Program and Housing Opportunities for People with AIDS Program. Additionally, the CAPER will detail funding from 2015 under the Neighborhood Stabilization Program and the Community Development Block Grant—Disaster Recovery Program. The CAPER discusses accomplishments in relation to goals and objectives identified in the 2015 Action Plan of the Consolidated Plan.

The CAPER assesses the goals and objectives of this strategic plan; discusses how the Commonwealth is affirmatively furthering fair and affordable housing; reviews the activities of the Continuums of Care; and appraises how well resources in community development and housing are being leveraged.

Public Comments

Individuals or organizations may provide written comments regarding this draft version of the CAPER. This report will be available on March 12, 2016, at www.newpa.com or by calling (717) 720-7404. Written comments will be accepted about the CAPER content, and the process by which public input is gathered. The Commonwealth encourages public participation in this process.

Written comments will be accepted until 4 p.m. on March 28, 2016, and should be sent to Megan L. Snyder, Department of Community and Economic Development, Center for Compliance, Monitoring and Training, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, RA-DCEDcdbg&homequestions@pa.gov.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 16-413. Filed for public inspection March 11, 2016, 9:00 a.m.]

Summary Notice of the Availability of the Draft 2016 Annual Action Plan; Public Hearing

The Department of Community and Economic Development (Department) announces the availability of the Commonwealth's draft Federal Fiscal Year (FFY) 2016 Annual Action Plan (Plan). The Plan is submitted to the United States Department of Housing and Urban Development (HUD) as the annual application for Federal funds administered by the Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnership (HOME), the Emergency Solutions Grant (ESG) programs, Community Development Block Grant—Disaster Recovery (CDBG-DR) and Neighborhood Stabilization

Program (NSP). Also covered by the Plan is the Housing Opportunities for Persons with AIDS (HOPWA) program which the Department of Health administers and new to the Plan this year is the National Housing Trust Fund which will be administered by the Pennsylvania Housing Finance Agency.

This summary is designed to provide an opportunity for citizens, local governmental officials and interested organizations in this Commonwealth to comment about the Plan. Comments may be electronically submitted to RA-DCEDcdbg&homequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Compliance, Monitoring and Training, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Electronic and written comments must be received by 4 p.m. on April 12, 2016, to be included as testimony in the Plan.

Purpose

The Plan takes the strategy developed in the Consolidated Plan and applies it to the administration of the CDBG, HOME, ESG, CDBG-DR, NSP, HOPWA and National Housing Trust Fund programs for 2016. HUD must approve the Plan for the Commonwealth to receive funding under the identified HUD programs.

Content

The Plan will include the Methods of Distribution for all Federal programs, as well as the goals and outcomes expected during the 2016 calendar year. Besides the Department's web site, www.newpa.com, the approved plan will be able to be viewed on HUD's web site at <https://www.hudexchange.info/consolidated-plan/con-plans-aaps-capers/>.

Public Review

The Plan is available on the Internet or in hard copy for public comment from March 12, 2016, through April 12, 2016, or at the following locations:

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

CD copies of the Plan can be obtained by calling (717) 720-7404.

Written Comments

Comments may be electronically submitted to RA-DCEDcdbg&homequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Compliance, Monitoring and Training, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by 4 p.m. on April 12, 2016, to be included as testimony in the Plan.

Public Hearings

A public hearing is scheduled for April 6, 2016, from 1 p.m. to 2 p.m. on the Plan. The public hearing will be conducted electronically by means of the Internet. The format will be more accessible in that persons who wish to make a comment may participate directly from their

personal computer or from any computer location that has Internet access, such as their public library or by telephone.

Individuals or organizations may give testimony or comments by means of the Internet. Comments will be accepted on the content of the Commonwealth's draft Plan, and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

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

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

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 16-414. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, March 23, 2016, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this meeting or agenda items can be directed to Gretchen Leslie at (717) 772-9084. Persons who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Katie Woodbury directly at (717) 783-5878 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 16-415. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application for University Status and Name Change by Cabrini College

Under the act of June 18, 2014 (P. L. 769, No. 67), the Department of Education (Department) is publishing the application by Cabrini College to operate as a university under the name of Cabrini University.

The Department received notification of the intent to make the change to university status and to change the name of the institution on January 19, 2016. The effective date of the change to university status is April 19, 2016. The Department has reviewed and accepted the notification.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 16-416. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0082643 (SEW)	Flatbush Golf Course Inc. 940 Littlestown Road Littlestown, PA 17340	Adams County/ Union Township	UNT to South Branch Conewago/7-F	Y
PA0081191 (SEW)	MHC PA Dutch Country, L.P. 2 North Riverside Plaza, Suite 800 Chicago, IL 60606	Lebanon County/ West Cornwall Township	Chiques Creek/7-G	Y
PA0248118 (SRSTP)	Jay & Heather Kaufman 2395 Dunkard Hollow Road Alum Bank, PA 15521	Bedford County/ West St. Clair Township	UNT of Dunnings Creek/11-C	Y
PA0081001 (SEW)	St. Thomas Township Municipal Authority 175 St. Thomas—Edenville Road St. Thomas, PA 17252	Franklin County/ St. Thomas Township	Back Creek/13-C	Y
PA0088226 (SEW)	South Woodbury Township 125 North Road New Enterprise, PA 16664	Bedford County/ South Woodbury Township	Yellow Creek/11-D	Y
PA0087041 (SEW)	Lake-in-Wood RV Resort 27777 Franklin Road Southfield, MI 48034	Lancaster County/ Brecknock Township	UNT of Black Creek/7-J	Y
PA0086622 (SEW)	Newport Plaza Associates, LP—Newport Plaza Mall 44 South Bayles Avenue Port Washington NY 11050-3765	Perry County/ Howe Township	UNT Juniata River/12-B	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0209058 (Sewage)	Montour Township STP 195 Rupert Drive Bloomsburg, PA 17815-9627	Columbia County Montour Township	Fishing Creek (5-C)	Yes

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

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

PA0011266, Industrial, SIC Code 2819, **Global Advanced Metals USA Inc.**, 1223 County Line Road, Boyertown, PA 19512. Facility Name: Global Advanced Metals USA Inc. Boyertown Facility. This existing facility is located in Douglass Township, **Montgomery County**.

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

The receiving stream(s), Swamp Creek, is located in State Water Plan watershed 3-E and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1763 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	29.5	59.0	XXX	20	40	50
Total Dissolved Solids	13,631	21,265	XXX	9,270.0	14,463.0	23,175

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	330	515	825
Oil and Grease	22.0	44.0	XXX	15.0	30.0	30
Nitrate-Nitrite as N	147	184	XXX	100	125	150
Ammonia-Nitrogen	9.99	19.97	XXX	6.8	13.6	17
Total Phosphorus	Report	Report	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	0.122	0.191	XXX	0.083	0.130	0.208
Fluoride, Total	36.03	64.26	XXX	24.51	43.72	61.3
Lead, Total	0.051	0.078	XXX	0.035	0.054	0.088
Molybdenum, Total	0.270	0.610	XXX	0.183	0.415	0.458
Nickel, Total	0.147	0.230	XXX	0.100	0.156	0.25
Sulfate, Total	5,881	9,175	XXX	4,000	6,240	10,000
Thallium, Total	0.003	0.005	XXX	0.002	0.003	0.005
Zinc, Total	1.03	1.607	XXX	0.701	1.093	1.75
Chloride	10,824	16,888	XXX	7,362.0	11,486.0	18,405

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0712 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>Daily Maximum</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 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.2
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	Report	Report	XXX	20	40	50
Total Dissolved Solids	Report	Report	XXX	1,500.0	2,300.0	3,750
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	Report	Report	XXX	15	30	30
Nitrate-Nitrite as N	Report	Report	XXX	Report	Report	XXX
Ammonia-Nitrogen	Report	Report	XXX	4.0	8.0	10
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Fluoride, Total	Report	Report	XXX	20	31	50
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Molybdenum, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	Report	Report	XXX	100	156	250
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	Report	Report	XXX	875.0	1,365.0	2,188

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

- Obtain Necessary Property Rights
- Proper Sludge Disposal
- BAT/BCT Reopener
- Small Stream Discharge
- Operations & Maintenance Plan
- Outfall 002 Monitoring Requirements
- Nitrate-Nitrite Reopener
- TDS/Chloride/Sulfate Reopener
- Stormwater Lift Pump Station Monitoring Requirements
- Chemical Additives
- Stormwater Requirements

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

The EPA Waiver is not in effect.

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

PA0042951, Sewage, SIC Code 4952, **Schuylkill County Municipal Authority**, PO Box 960, Pottsville, PA 17901-0960. Facility Name: Schuylkill County Municipal Authority Tremont WWTP. This existing facility is located in Tremont Borough, **Schuylkill 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), Poplar Creek, is located in State Water Plan watershed 7-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Total Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Mo XXX	Daily Max XXX	6.0	XXX	9.0 Max	XXX
DO	XXX	XXX	4.0	XXX	XXX	XXX
TRC	XXX	XXX	XXX	0.37	XXX	0.88
CBOD ₅	104.0	167.0	XXX	25.0	40.0	50.0
TSS	Avg Mo 125.0	188.0	XXX	30.0	45.0	60.0
Fecal Coliform (CFU/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
Ammonia						
Nov 1 - Apr 30	75.0 Avg Mo	XXX	XXX	18.0	XXX	XXX
May 1 - Oct 31	25.0 Avg Mo	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	8.34 Avg Mo	12.51	XXX	2.0	3.0	4.0
Total Aluminum	XXX Avg Mo	XXX	XXX	0.95	1.49 Daily Max	XXX
Total Iron	XXX	XXX	XXX	Report	Report Daily Max	XXX

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
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 ³	Report	9,132	XXX	XXX	XXX	XXX
Net Total Phosphorus ³	Report	1,218	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.

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

- This is a Phase 3 Significant Chesapeake Bay facility.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

PA0042170, Sewage, SIC Code 4952, **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901-0960. Facility Name: Deer Lake WWTP. This existing facility is located in West Brunswick Township, **Schuylkill County**.

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

The receiving stream, Pine Creek, is located in State Water Plan watershed 3-A and is classified for cold water fishes, migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 1.0 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>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	73	117	XXX	8.7	14.0	17.0
Total Suspended Solids	83	125	XXX	10.0	15.0	20.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	22	XXX	XXX	2.6	XXX	5.2
Nov 1 - Apr 30	65	XXX	XXX	7.8	XXX	15.0
Copper, Total (µg/L)	XXX	XXX	XXX	18.5	28.9	XXX
Biochemical Oxygen Demand (BOD ₅)						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

<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>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Solids Management, Whole Effluent Toxicity (WET), and Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

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

PA0082881, Industrial, SIC Code 3355, **ALCOA Inc.**, 201 Isabella Street, Pittsburgh, PA 15212-5858. Facility Name: ALCOA Lancaster Works. This existing facility is located in City of Lancaster, **Lancaster County**.

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

The receiving stream, Unnamed Tributary to Little Conestoga Creek, is located in State Water Plan watershed 7-J 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 0.42 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Tetrachloroethylene Influent	XXX	XXX	XXX	XXX	Report	XXX
Trichloroethylene Influent	XXX	XXX	XXX	XXX	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	0.0016	0.0024	0.0040
Trichloroethylene	XXX	XXX	XXX	0.0056	0.0088	0.0140

The proposed effluent limits for Outfall 002 are based on a design flow of 0.42 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Tetrachloroethylene Influent	XXX	XXX	XXX	XXX	Report	XXX
Trichloroethylene Influent	XXX	XXX	XXX	XXX	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	0.0016	0.0024	0.0040
Trichloroethylene	XXX	XXX	XXX	0.0056	0.0088	0.0140

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.

PA0266124, Sewage, SIC Code 4952, **Nick & Les Inc.**, 3801 Germantown Pike, Collegeville, PA 19426. Facility Name: Green Hills Estates STP. This proposed facility is located in Robeson Township, **Berks County**.

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

The receiving stream(s), Allegheny Creek, is located in State Water Plan watershed 3-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 0.035 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC) *	XXX	XXX	XXX	0.5	XXX	1.6
Ultraviolet light dosage ($\mu\text{w}/\text{cm}^2$) *	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	Report	Report	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	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	XXX	XXX	XXX	20.0	XXX	40.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

* Either chlorine disinfection or UV disinfection will be used: once known, either the TRC or the UV light requirements shown above will be kept in the NPDES permit and the other requirement will be omitted.

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

- A WQM permit application must be submitted to the DEP, prior to construction

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.

North Central 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.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
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 ₅)	890	1,430	XXX	25	40	50
Total Residual Chlorine (TRC)		Wkly Avg			Wkly Avg	
(Interim)	XXX	XXX	XXX	0.78	XXX	4.0
(Final)	XXX	XXX	XXX	0.24	XXX	0.78
Biochemical Oxygen Demand (BOD ₅)						
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.

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		
	Monthly	Annual		Monthly Average	Maximum	Instant. Maximum
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 ³	Report	78,355	XXX	XXX	XXX	XXX
Net Total Phosphorus ³	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.

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

PA0264326, Sewage, SIC Code 8800, **Shawn & Toni Nadolsky**, 873 Mark Hanna Road, Ashville, PA 16613. Facility Name: Nadolsky SR STP. This proposed facility is located in Gallitzin Township, **Cambria County**.

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

The receiving stream(s), Unnamed Tributary to Clearfield Creek, is located in State Water Plan watershed 8-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 0.0004 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	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 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

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

PA0103446—Amendment No. 1, Industrial, SIC Code 4953, **Advanced Disposal Service Greentree Landfill LLC**, 635 Toby Road, Kersey, PA 15846-1033. Facility Name: Advanced Disposal Service Greentree Landfill. This existing facility is located in Fox Township, **Elk County**.

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

The receiving streams, an Unnamed Tributary to Bear Run (Outfalls 008—012 & 014), an Unnamed Tributary to Sawmill Run (Outfalls 002 & 007), Sawmill Run (Outfalls 003 & 004), an Unnamed Tributary to Little Toby Creek (Outfalls 005, 006, 013 015—017) and Little Toby Creek (Outfall 001), are located in State Water Plan watershed 17-A and are classified for cold water fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.25 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Cyanide, Free	0.252	0.504	XXX	XXX	XXX	XXX

Revising the free cyanide limit by removing the concentration based requirements.

The proposed effluent limits for Outfall 007 & 010 are based on a design flow of N/A MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

These two stormwater outfalls are being designated as representative outfalls for active and inactive areas of the landfill. This changes the present permit's requirement of monitoring all the sites stormwater outfalls.

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

The EPA Waiver is 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. 1500416, Sewage, Renewal, **East Marlborough Township**, 721 Unionville, Road, Kennett Square, PA 19348.

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

Description of Action/Activity: Application for renewal of existing permit for existing sewage treatment plant.

WQM Permit No. 1503419, Sewage, Renewal, **Stonewall Limited Partnership**, P. O. Box 203, Elverson, PA 19520.

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

Description of Action/Activity: Application for renewal of existing permit for existing wastewater treatment plant.

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

WQM Permit No. 3806406, Amendment #1, Sewerage, **Borough of Myerstown**, 101 East Washington Avenue, Myerstown, PA 17067-1142.

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

Description of Proposed Action/Activity: Seeking permit approval for the replacement of the influent screening device.

WQM Permit No. 0605409, Amendment #3, Sewerage, **Borough of Kutztown**, 45 Railroad Street, Kutztown, PA 19530.

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

Description of Proposed Action/Activity: Seeking permit approval for rerating of the existing permitted monthly average organic loading of the wastewater treatment facility (increase). No physical alterations or construction activities are proposed to the facility as a part of this permit application.

WQM Permit No. 3816201, Industrial Waste, **Keystone Protein, Inc.**, 568 Chestnut Hill Road, Fredericksburg, PA 17026.

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

Description of Proposed Action/Activity: Seeking permit approval for pump station and forcemain for expansion of WWTP at Rendering Plant.

WQM Permit No. 0186201, Industrial Waste, **Knouse Foods**, Orrtanna Plant, 1550 Orrtanna Road, Orrtanna, PA 17353.

This proposed facility is located in Hamiltonban Township and Franklin Township, **Adams County**.

Description of Proposed Action/Activity: Consolidating existing Part II permits to meet existing Department standards.

WQM Permit No. 3691201, Amendment #6, Industrial Waste, **Valley Proteins, Inc.—Terre Hill Division**, 151 ValPro Drive, PO Box 3588, Winchester, VA 22604-2586.

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

Description of Proposed Action/Activity: Seeking permit approval for the relocation of outfall pipe.

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

WQM Permit No. 2685407 A-3, Sewage, **Fairchance-Georges Joint Municipal Sewer Authority**, 141 Big Six Road, Smithfield, PA 15478-1600.

This existing facility is located in Georges Township, **Fayette County**.

Description of Proposed Action/Activity: Expansion of the Existing Fairchance-Georges STP and Sewer Extensions to Serve the Collier and York Run areas of Georges Township.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source.

WQM Permit No. 3281205 A-15, Industrial, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748-8009.

This existing facility is located in Center Township, **Indiana County**.

Description of Proposed Action/Activity: Expansion of the Homer City Generating Station's existing ash disposal site.

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

WQM Permit No. 1008201 A-4, Industrial, **Seneca Landfill Inc.**, PO Box 1080, Mars, PA 16046-1080.

This existing facility is located in Jackson Township, **Butler County**.

Description of Proposed Action/Activity: Amendment to add additional Sludge Storage Tanks to the existing Sludge Management System.

WQM Permit No. 2516404, Sewage, **Patricia Poland**, 807 Samick Road, Erie, PA 16509.

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

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

WQM Permit No. WQG01251602, Sewage, **Paula Kitelinger**, 14362 Route 19, Cambridge Springs, PA 16403.

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

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

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

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032116002	Sheetz, Inc. 129 Dearing Drive Boalsburg, PA 16827	Cumberland	Middlesex Township	UNT to Letort Spring Run (Designated Use of Water: CWF, MF; Existing Use of Water: HQ-CWF-MF)
PAI030515003	PennDOT Engineering District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648-1080	Bedford	South Woodbury Township	Yellow Creek (Designated Use of Water: HQ-CWF, MF; Existing Use of Water: High Quality, Cold Water Fishery, Migratory Fishery) Three Springs Run (Designated Use of Water: HQ-CWF, MF; Existing Use of Water: High Quality, Cold Water Fishery, Migratory Fishery)

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041416002	Mount Nittany Medical Center 1800 East Park Avenue State College, PA 16803	Centre	College Township	Spring Creek, HQ-CWF

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI050215005	Riviera Land Partners, L.P. 2585 Washington Road Building 100, Suite 130 Pittsburgh, PA 15241	Allegheny County	Pine Township	UNT to North Fork Pine Creek (CWF)
PAI056316003	First Pennsylvania Resource, LLC 33 Terminal Way, Suite 431A Pittsburgh, PA 15219	Washington County	Donegal Township	UNT to Buck Run (HQ-WWF)

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 (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Linford Snyder 334 Covered Bridge Road Pine Grove, PA 17963	Schuylkill	90.3	346.64	Poultry (Pullets)	N/A	New
Shady Rill Hog Farm Neil & Jay Paul Hoover 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder	620.4	916	Swine	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the

30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3016502, Public Water Supply.

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

[Township or Borough] Cumberland Township

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

Type of Facility Water system

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

Application Received Date February 11, 2016

Description of Action Installation of a liquid ammonium sulfate feed system at the Tin Can Hollow water treatment plant.

Permit No. 0216502, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Township or Borough] Chartiers Township

Responsible Official David R. Kaufman,
V.P.-Engineering
Pennsylvania American Water Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Lennon, Smith
Souleret Engineering, Inc.
846 4th Avenue
Coraopolis, PA 15108

Application Received Date February 1, 2016

Description of Action Construction of a water booster station and installation of approximately 4,200 feet of 8-inch diameter and 2,100 feet of 4-inch diameter waterline (Paxton Farm Road waterline project).

Permit No. 5616502, Public Water Supply.

Applicant **Indian Lake Borough**
1301 Causeway Drive
Central City, PA 15926

[Township or Borough] Indian Lake Borough

Responsible Official Robert Hanson, Chair
Indian Lake Borough
1301 Causeway Drive
Central City, PA 15926

Type of Facility Water system

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

Application Received Date January 11, 2016

Description of Action Modifications to the well pump for the reduction in withdrawal rate from Well #99-1.

Permit No. 0216502, Public Water Supply.

Applicant **Municipal Authority of the Borough of Edgeworth**
313 Beaver Road
Edgeworth, PA 15143

[Township or Borough] Bell Acres Borough

Responsible Official Shawn Scott, Superintendent
Municipal Authority of the Borough of Edgeworth
313 Beaver Road
Edgeworth, PA 15143

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15143

Application Received Date February 29, 2016

Description of Action Installation of mixing equipment in the New Camp Road water storage tank.

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

Permit No. 1012503-MA1, Public Water Supply

Applicant **Pennsylvania American Water Company**

Township or Borough Oakland Township

County **Butler County**

Responsible Official David R. Kaufman, P.E.

Type of Facility Public Water Supply

Consulting Engineer Scott E. Hilty, P.E.
Pennsylvania American Water Company
300 Galley Road
McMurray, PA 15317

Application Received Date February 18, 2016

Description of Action Add additional feed point for the corrosion inhibitor system to improve corrosion control effectiveness.

Permit No. 3386504-MA3, Public Water Supply

Applicant **Eldred Township Municipal Authority**
 Township or Borough Eldred Township
 County **Jefferson County**
 Responsible Official Susan M. Boring
 Type of Facility Public Water Supply
 Consulting Engineer David Neill, P.E.
 The EADS Group
 15392 Route 322
 Clarion, PA 16214

Application Received Date February 12, 2016

Description of Action Construction of a new stainless steel storage tank, associated piping and a telemetry system.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 5034-T1, Minor Amendment.

Applicant **West Carroll Water Authority**
 PO Box 328
 Elmora, PA 15737

[Township or Borough] West Carroll Township
 Responsible Official Monica Lantzy, President
 West Carroll Water Authority
 PO Box 328
 Elmora, PA 15737

Type of Facility Water system

Consulting Engineer

Application Received Date February 8, 2016

Description of Action Transfer of the Watkins Area water system to West Carroll Water Authority.

Application No. 6590501-T1, Minor Amendment.

Applicant **Hillview Estates, Inc.**
 135 Bailey Road
 Greensburg, PA 15601

[Township or Borough] Salem Township
 Responsible Official Michele Musgrove, Co-owner
 Hillview Estates, Inc.
 135 Bailey Road
 Greensburg, PA 15601

Type of Facility Water system

Consulting Engineer

Application Received Date February 1, 2016

Description of Action Transfer of Bailey's Mobile Home Park to Hillview Estates, Inc.

Application No. 5616503MA, Minor Amendment.

Applicant **Somerset Township Municipal Authority**
 PO Box 247
 Somerset, PA 15501

[Township or Borough] Somerset Township
 Responsible Official Carolyn Zambanini, Manager
 Somerset Township Municipal Authority
 PO Box 247
 Somerset, PA 15501

Type of Facility Water system

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

Application Received Date February 26, 2016

Description of Action Installation of a meter pit and waterline to provide service to the Fairfield Inn & Suites.

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

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

WA4-881B, Water Allocations. **Marion Township**, 485 Hartzell School Road, Fombell, PA 16123, **Beaver County**. The applicant is requesting the right to purchase 220,000 gallons of water per day, average day, from North Sewickley Township Municipal Authority.

WA4-881C, Water Allocations. **Marion Township**, 485 Hartzell School Road, Fombell, PA 16123, **Beaver County**. The applicant is requesting the right to purchase 220,000 gallons of water per day, average day, on an emergency basis, from Zelienople Borough.

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

WA54-317B, Water Allocation, **Auburn Municipal Authority**, P. O. Box 296, 451 Pearson Street, Auburn, PA 17922-0296, Auburn Borough, **Schuylkill County**. The applicant is requesting the right to continue to withdraw 125,000 gallons per day (gpd) from Stony Creek and 125,000 gpd from Bear Creek, both located in Tilden Township, **Berks County**, with total combined withdrawals not to exceed 125,000 gpd. The area served is located in Auburn Borough and South Manheim Township, Schuylkill County.

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:

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

Steere Residence, 14 Dawn Road, Middletown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plain Road, Pennsburg, PA 18073, Lisa Gagliardi, State Farm Insurance, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6169 on behalf of Mr. & Mrs. Jason Steere 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 current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in *The Times Bucks County Courier Times* on January 15, 2016. PF783857.

Wright Sales & Services, Inc., 636—638 Markley Street, Borough of Norristown, **Montgomery County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, John Lydzinski, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of John Wright, Wright, Wright Sales & Services, Inc., 638 Markley Street, Norristown, PA 19401 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of lead and benzo (a) pyrene. The planned future use of the site is commercial. The Notice of Intent to Remediate was published in *The Times Herald* on December 08, 2015. PF808405.

MUNICIPAL WASTE GENERAL PERMIT

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

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

General Permit Application No. WMGM028D003. Greentree Landfill Gas Company, LLC, 1925 Isaac Newton Square, Reston, VA 201920.

General Permit No. WMGM028D003. The renewal is under Municipal Waste General Permit WMGM028 for Greentree Landfill Gas Company, LLC at Greentree Landfill Gas Company Processing Plant located at 633 Toby Road, Kersey, PA 15846 Fox Township, Elk County. WMGM028 is for 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. Central Office determined the renewal to be administratively complete on December 17, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGM028D003" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

RESIDUAL WASTE GENERAL PERMITS

Renewal Application Received under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR082SW001. Jigging Technologies, LLC (dba Atoll), 950 Riders Road, Johnstown, PA 15906.

General Permit No. WMGR082SW001. The renewal is under Residual Waste General Permit WMGR082 for Jigging Technologies, LLC, located in the City of Johnstown, Cambria County. This General Permit is for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag ("slag") as a construction material. The authorized processing is limited to magnetic separation of metallics and mechanical sizing and separation. Uses of slag as a construction material under this permit are limited to the following: as an ingredient in bituminous concrete; as aggregate; as base course; as subbase; and as antiskid material. The renewal application was determined administratively complete by Central Office on January 29, 2016.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR082SW001" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Renewal Application Number WMGR031. Kalumetals, Inc., 116 Pittsburgh St, Derry, PA 15627. General Permit Number WMGR031 authorizes processing and beneficial use of metallic grinding swarfs, metallic turnings, metal grindings, metal cuttings, metal stampings, metal plate, metal wire, metal powders, metal sludges, tungsten carbide, spent catalysts, Raney Nickel catalysts, precious metals catalysts and metallic filter cakes ("waste") through retorting, static bed open drying, belt furnace thermal processing, rotary furnace oxidation, magnetic separation, washing, filtering, centrifugation,

mechanical separation, carbon dioxide separation and passive oil/water separation. The renewal application was determined to be administratively complete by Central Office on February 24, 2016.

Persons interested in reviewing the application may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

General Permit No. WMGM019SW002. Wood Waste Recycling, LLC, 111 Kelso Road, McDonald, PA 15057. Wood Waste Recycling Prestley Road Facility, 43 Prestley Road, Bridgeville, PA 15017. A municipal waste general permit for the processing of waste concrete and asphalt to produce a roadway construction material and for the processing of wood waste uncontaminated soil and leaf and yard waste to produce topsoil, landscaping mulch material and compost in Collier Township, **Allegheny County**, was received on January 11, 2016 and deemed administratively complete in the Regional Office on February 5, 2016.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412.442.4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

General Permit No. WMGM027SC003B. AJ Stove and Pellet, LLC, 8642 Molly Pitcher Highway, Greencastle, PA 17225-9271.

The Southcentral Regional Office has received a Determination of Applicability for General Permit WMGM027 from AJ Stove and Pellet, LLC located at 8642 Molly Pitcher Highway, Greencastle, PA 17225-9271 in Antrim Township, **Franklin County**. This Determination of Applicability under Municipal Waste General Permit No. WMGM027 is for the processing by grinding, shredding, screening, and blending of the various organic wastes for beneficial use as an alternate fuel material. This application was determined to be administratively complete on March 1, 2016.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, 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.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) received for Determination of Applicability 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 a Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southwest Region: Bureau of Waste Management, Environmental Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

General Permit No. WMGR023SW001. Oil Service, Inc., 3498 Grand Avenue, Pittsburgh, PA 15225-1612. The General Permit is for the beneficial use and is limited to the processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units or at a stationary facility for the purpose of reconditioning the oil which shall be reused by the generator of the waste oil or unused, contaminated oil. The approved processing is limited to filtration, centrifugation, ultrafiltration, and vacuum distillation, Neville Township, **Allegheny County**. The application for determination of applicability was administratively complete by the Southwest Regional Office on February 4, 2016.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

General Permit Application No. WMGR028, Program I.D. WMGR028NE007, Eureka Stone Quarry, Inc., P. O. Box 249, Chalfont, PA 18914. A General Permit Determination of Applicability (DOA) for the beneficial use of asphalt plant baghouse fines as a soil additive in Hamilton Township, **Monroe County**. The application for Determination of Applicability was received in the Regional Office on February 23, 2016, and was deemed administratively complete as of February 25, 2016.

Persons interested in obtaining more information about the Determination of Applicability application may contact Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of the publication of this notice, and these comments may recommend revisions to, and approval or denial of the application.

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

General Permit Application No. WMGR081SC003B. Computer Recycler of Eastern Pennsylvania, LLC, 35 Queen Street, Sinking Spring, PA 19608.

The Southcentral Regional Office, Waste Management Program received determination of applicability (DOA) under Residual Waste General Permit No. WMGR081 for Computer Recycler of Eastern PA, LLC, 35 Queen Street, Sinking Spring, PA 19608 in Sinking Spring Borough, **Berks County**. This general permit is for processing by disassembling, mechanical processing (by sizing, shaping, separating and volume reduction only), and associated storage prior to reuse or recycling at the processing or transfer facility, of uncontaminated and source-separated electronic devices. The DOA was determined to be complete on February 29, 2016.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received, under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate a Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

Permit ID No. 101648. Stericycle, Inc., 3614 Hoskins Court, Hamilton, OH 45011. An application for a permit renewal for a municipal waste processing facility at 380 Locust Street, in the City of McKeesport, **Allegheny County**, was received in the Regional Office on February 10, 2016 and deemed administratively complete March 1, 2016.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received.

Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

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

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

PLAN APPROVALS

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

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

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

35-00069B: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1900, Chicago, IL 60606) has submitted an application to the Pennsylvania Department of Environmental Protection for plan approval to modify the proposed configuration of the plant layout that was approved under the previously issued plan approval 35-00069A for a natural gas-fired combined-cycle power plant to produce a nominal 1,500 MWs of electricity in Jessup Borough, **Lackawanna County**.

The modification proposes utilizing the (3) smaller steam turbines and three (3) smaller air cooled condensers in place of the original planned single steam turbine and single air cooled condenser. The steam turbines and air cooled condensers are not air emission sources, therefore this plan approval does not change emission limits imposed under the previously issued Plan Approval (35-00069A).

The Plan Approval and subsequent Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours

at the PA DEP Northeast Regional Office Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 35-00069B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

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

15-0078G: Janssen Biotech, Inc. (200 Great Valley Parkway, Malvern, PA 19335-1302) for the installation and operation of one (1) Tier 2 diesel-fired generator set rated at 2,220 bhp in East Whiteland Township, **Chester County**. The source is located at an existing Synthetic Minor facility. The unit will be used to provide back-up electrical power during utility power outages/fluctuations and/or electrical infrastructure maintenance. The unit is classified as an emergency CI RICE and is subject to 40 CFR Part 60, Subpart IIII and 40 CFR Part 63, Subpart ZZZZ. The engine will operate a maximum of 500 hours in any 12 consecutive month period. The potential annualized emissions (in tons) are as follows: NO_x—6.52, VOC—0.07, CO—1.2, SO_x—0.01, PM—0.04, PM₁₀—0.04, and PM_{2.5}—0.04. This project will not trigger applicability to the Federal PSD regulations or PADEP's NSR regulations. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0234B: C.S. Products Inc. (301 Randolph Road, Ambler, PA 19002) operates a fabrication facility for the manufacturing of roll-off containers/dumpsters located at 301 Randolph Avenue, Upper Dublin Township, **Montgomery County**. This Plan Approval is a modification to remove the current limitation of 2.7 TPY of VOCs and 1 TPY of HAPS from sources 103 and 104 but retain the site level emission limits for VOC of 22.2 TPY and HAP of 9.4 TPY. This change 1) accounts for the increased drying time associated with the low-VOC water-based painting, 2) allows C.S. Products Inc. to continue to meet customer needs when one or more paint booths are out of operation.

The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

38-03014E: Pennsy Supply Inc. (1 Clear Spring Road, Annville, PA 17003) for the construction of a rock crushing and processing facility at the Millard South Quarry located in North Annville Township, **Lebanon County**. The expected increases in facility potential emissions as a result of the changes proposed are: 18.45 tpy of PM₁₀. The facility is a State Only facility. 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 the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. 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.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328

42-011C: International Waxes—Farmers Valley Plant (45 Route 446, Smethport, PA 16749) for the proposed modification to existing coal fired boilers by adding natural gas firing capability and the construction of a new natural gas fired boiler in Keating Township, **McKean County**. This application is for complying with 40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 42-011C is for the proposed modification to existing coal fired boilers by converting the coal fired boilers to natural gas firing capability with fuel oil backup (removing the ability to fire coal); modification to existing natural gas fired boiler by adding fuel oil capability as backup; and the construction of a new natural gas fired boiler with fuel oil as backup. This application will also remove the ESP (C02) for Boilers 1 & 2 as a result of no coal being burned at the facility. This application is for complying with 40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy

the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Boiler 1, Boiler 2, Boiler 5, & Boiler 6
- Subject to 40 CFR 63 Subpart DDDDD
- Subject to 25 Pa. Code § 123.11
- If operated during the year, the permittee shall test the boiler annually, using a Department approved portable analyzer for NO_x and CO emissions in conjunction with the adjustment and maintenance of the boiler to insure optimum operating condition.
- The source shall be maintained and operated in accordance with manufacturer's specifications and in accordance with good air pollution control practices.
- Boiler 1 (Source 031A)
 - The emissions from the boiler shall not exceed the following:
 - NO_x: 0.036 #/mmbtu when firing natural gas
 - NO_x: 0.50 #/mmbtu when firing fuel oil #5
 - CO: 0.0375 #/mmbtu when firing natural gas
 - CO: 0.16 #/mmbtu when firing fuel oil #5
 - [This condition replaces the following condition from the facility operating permit revised on December 22, 2015: The NO_x emission from this boiler shall not exceed 1.03 lbs/mmbtu or 110.73 lbs/hr. From RACT OP 42-011, Condition 5. Authority for this condition is also derived from 129.92]
 - For purposes of 40 CFR 63 Subpart DDDDD, this boiler is considered existing and falls under the category of Unit designed to burn gas 1 subcategory.
- Boiler 2 (Source 032A)
 - The emissions from the boiler shall not exceed the following:
 - NO_x: 0.036 #/mmbtu when firing natural gas
 - NO_x: 0.50 #/mmbtu when firing fuel oil #5
 - CO: 0.0375 #/mmbtu when firing natural gas
 - CO: 0.16 #/mmbtu when firing fuel oil #5
 - [This condition replaces the following condition from the facility operating permit revised on December 22, 2015: The NO_x emission from this boiler shall not exceed 1.03 lbs/mmbtu or 86.12 lbs/hr. From RACT OP 42-011, Condition 5. Additional authority for this permit condition is also derived from 129.92]
 - For purposes of 40 CFR 63 Subpart DDDDD, this boiler is considered existing and falls under the category of Unit designed to burn gas 1 subcategory.
- Boiler 5 (Source 035)
 - The source shall be capable of reducing emissions when firing fuel oil to or below:
 - NO_x: 0.17 #/mmbtu
 - CO: 0.036 #/mmbtu

- For purposes of 40 CFR 63 Subpart DDDDD, this boiler is considered existing and falls under the category of Unit designed to burn gas 1 subcategory.
- Boiler 6 (Source 036)
 - Subject to 40 CFR 60 Subpart Dc
 - The emissions from the boiler shall not exceed the following:
 - NO_x: 0.036 #/mmbtu when firing natural gas
 - NO_x: 0.17 #/mmbtu when firing fuel oil #5
 - CO: 0.0375 #/mmbtu when firing natural gas
 - CO: 0.036 #/mmbtu when firing fuel oil #5
 - For purposes of 40 CFR 63 Subpart DDDDD, this boiler is considered new and falls under the category of Unit designed to burn gas 1 subcategory.

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

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [42-011C] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

OPERATING PERMITS

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

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110

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

36-05081: Lancaster County Solid Waste Management Authority (1299 Harrisburg Avenue, Lancaster, PA 17603) to issue a renewal of the Title V Operating Permit for the Creswell/Frey Farm Landfill located in Manor Township, **Lancaster County**. The actual emissions associated with the landfill activities in the year 2014 were 0.08 ton of CO, 0.20 ton of NO_x, 20.4 tons of PM₁₀, 4.03 tons of PM_{2.5}, 0.02 ton of SO_x, 5.84 tons of VOCs, and 3.43 tons of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart Cc, 40 CFR Part 60, Subpart IIII, 40 CFR Part 63, Subpart ZZZZ, and 40 CFR Part 63, Subpart AAAA.

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

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

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

23-00024: Hanson Aggregates, Glen Mills Quarry (533 Forge Road, Glen Mills, PA 19342) for a Renewal Non-Title V Facility, State-Only, Synthetic Minor Permit in Thornbury Township, **Delaware County**. Hanson operates a quarry and does rock crushing. The company took an emission limit of 24.9 tons per year of NO_x and VOC's. The company also has a PM emission limit of 99.9 tons per year. The facility is subject 40 CFR Part 60 Subpart OOO. Monitoring, record keeping and reporting requirements have been included to keep the facility operating within the applicable limitations.

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

Contact: and Tom Joseph, Permitting Chief—Telephone: 412-442-5226

30-00177: Coresco LLC/Dooley Run Terminal (308 Dents Run Road, Morgantown, WV 26501) for continued operation of a coal transport and storage facility located in Dunkard Township, **Greene County**. The operation of the facility's air contamination source consisting belt lines, stockpile, and haul road, and other supporting equipment for the purpose of transporting coal across the state line into West Virginia.

The allowable throughput is 4,000,000 tons per year through this facility. Potential emissions from the facility are estimated to be 44.0 tons of particulate matter (PM) per year and 13.0 tons of particulate matter under 10 microns (PM₁₀) per year. A road sweeper and a pressurized water truck are available to the site and to be used for dust suppression purposes. In-plant roads and areas of vehicle traffic shall be watered, on an as needed basis, and earth or other material transported from the site shall be removed promptly such that visible fugitive emissions do not cross the property line. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions

relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

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

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

10-00330: Butler Veterinary Associates, Inc. (1761 North Main Street, Butler, PA 16001) the Department intends to re-issue the Natural Minor Operating Permit for this facility that performs animal cremations located in Center Township, **Butler County**.

This re-issuance incorporates Plan Approval Number 10-330B which authorizes crematory door opening during cremation cycles.

Emissions from this facility remain below major source levels. Less than one (1) ton per year of each criterial pollutant (SO_x, NO_x, CO, VOC, PM, and HAP).

10-00388: Thousand Hills, LLC (2 Sprint Drive, Cranberry Township, PA 16066) for the issuance of a new State Only operating permit for the large animal cremation facility located in the Muddy Creek Township, **Butler County**. The source at the facility is a propane fueled, 3 million Btus/hr cremator. The facility is a Natural Minor. The conditions of the previous plan approval are incorporated into the new permit. The potential emissions from the facility are as follows: PM, 4.09 tpy; NO_x, 3.12 tpy; CO, 2.58 tpy; SO_x, 1.90 tpy; and VOCs, 0.26 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00124: Mayer Brothers Construction Company (1225 West 18th Street, Erie, PA 16502) for renewal of a Synthetic Minor Permit to operate a hot mix asphalt plant located in the City of Erie, **Erie County**. The emitting sources are: Hot mix batch plant, Fugitives from transfer points, and, 3) Two Asphalt Tanks. The facility has taken a restriction on production of 250,000 tons per year to qualify as a Synthetic Minor facility. The potential emissions of the pollutants from the facility before taking the restriction are: Particulate Matters (PM) 2.52 Tons per year (TPY), Oxides of Nitrogen (NO_x) 15.33 TPY, Oxides of Sulfur (SO_x) 2.82 TPY, Carbon Monoxide (CO) 245.28 TPY, and Volatile Organic Compound (VOC) 5.03 TPY. The potential emissions of the pollutants from the facility after taking restriction are: Particulate Matters (PM) 0.51 Ton per year (TPY), Oxides of Nitrogen (NO_x) 3.13 TPY, Oxides of Sulfur (SO_x) 0.58 TPY, Carbon Monoxide (CO) 50.01 TPY, and Volatile Organic Compound (VOC) 1.03 TPY.

62-00183: PAPCO Incorporated (213 West 3rd Avenue, PO Box 964, Warren, PA 16365) for renewal of the Natural Minor Permit to operate a gas processing plant located in Mead Township, **Warren County**. The current emission sources included in the permit are: 1) Hot Oil Heater, 2) Reboiler, 3) AJAX Compressor Engine—346 HP, 4) AJAX Compressor Engine—384 HP, 5) Equipment Leak Check, 6) Storage Tanks and, 7) Dehydrator. The compressor engines are subject to 40 CFR Part 63, Subpart ZZZZ. All applicable conditions of Subpart ZZZZ were included previously in the source level of the permit. The Equipment Leak Check source is subject to 40 CFR Part 60, Subpart KKK and VV. The applicable conditions of Subpart KKK and VV were included in the permit previously. The facility is a natural minor because the emissions from the facility are less than Title V threshold

limits. The potential emissions from the facility as stated in permit renewal application are as follows: Oxides of Nitrogen (NO_x): 15.56 Tons per year (TPY), Carbon Monoxide (CO) 9.05 TPY, Volatile Organic Compound (VOC) 33.09 TPY, Particulate Matter (PM) 1.32 TPY, Oxides of Sulfur (SO_x) 0.03 TPY and, (Hazardous Air Pollutants (HAPs): 7.03 TPY.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

Coal Applications Received

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

63091301 and NPDES No. PA0236004. Tunnel Ridge, LLC, (2596 Battle Run Road, Triadelphia, WV 26059). To renew the permit for the Tunnel Ridge Mine in Donegal and West Finley Townships, **Washington County** and related NPDES permit. No discharges. The application was considered administratively complete on February 25, 2016. Application received October 22, 2015.

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

Permit No. 11130104 and NPDES No. PA0279331, ELK Resources, Inc., 30 Pounds Road, West Lebanon, PA 15783, transfer of an existing bituminous surface mine from Rampside Collieries, Inc., 527 Slate Hill Road, Berlin, PA 15530 located in Richland Township, **Cambria County**, affecting 18.0 acres. Receiving stream: Solomon Run, classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Buffalo Township Municipal Authority intake at Freeport, PA on Allegheny River. Application Received: February 16, 2016.

Permit No. 11100101 and NPDES No. PA0262986, ELK Resources, Inc., 30 Pounds Road, West Lebanon, PA 15783, transfer of an existing bituminous surface mine from Rampside Collieries, Inc., 527 Slate Hill Road, Berlin, PA 15530 located in Richland Township, **Cambria County**, affecting 14.0 acres. Receiving streams: Unnamed tributaries to/and Solomon Run, classified for the following use: warm water fishes. There are no potable water supply intake within 10 miles downstream. Application Received: February 16, 2016.

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

33150103 and NPDES Permit No. 33150103. P. and N. Coal Company, Inc. (P. O. Box 332, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface and auger mine and associated NPDES permit in Winslow Township, **Jefferson County**, affecting 109.6 acres. Receiving streams: Unnamed tributary to Soldier Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 11, 2016.

33-13-17 and NPDES Permit No. PA0259667. P. and N. Coal Company, Inc. (P. O. Box 332, Punxsutawney, PA 15767) Proposal to enter into a Government Financed Construction Contract on a 9.9 acre site in Rose & Clover Township, **Jefferson County** on 20.3 acres. The proposal includes reclamation of 9.9 acres of abandoned mine land including the removal of 1,570 feet of highwall as well as 7.9 acres of coal removal incidental and necessary to the reclamation activities. Receiving streams: Rattlesnake Run, classified for the following uses: CWF. There are no

potable surface water supply intakes within 10 miles downstream. Application received: February 11, 2016.

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

17100101 and NPDES PA0257265. Waroquier Coal, Inc. (P. O. Box 128, Clearfield, PA 16830). Permit renewal for continued operation and restoration of a bituminous surface and auger mine located in Lawrence Township, **Clearfield County** affecting 115.0 acres. Receiving stream(s): Unnamed Tributaries to West Branch Susquehanna River and Laurel Run classified for the following use(s): HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 21, 2015.

17140101 and NPDES PA0269701. RES Coal LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Commencement, operation, and restoration of a bituminous surface and auger mine located in Bradford Township, **Clearfield County** affecting 261.7 acres. Receiving stream(s): Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s): CWF, MF and West Branch Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: January 15, 2016.

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

Permit No. 40663033R6 and NPDES Permit No. PA0225231. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation and renewal of NPDES Permit for discharge of treated mine drainage in Foster and Butler Townships, **Luzerne County** affecting 1,619.0 acres, receiving streams/classified for the following uses: Nescopeck Creek, HQ—cold water and migratory fishes; Little Nescopeck Creek—cold water and migratory fishes and Pond Creek, HQ—cold water fishes. Application received: February 19, 2016.

Permit No. 40663033C7. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to change the post-mining land use to unmanaged natural habitat of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation and renewal of NPDES Permit for discharge of treated mine drainage in Foster and Butler Townships, **Luzerne County** affecting 1,619.0 acres, receiving streams/classified for the following uses: Nescopeck Creek, HQ—cold water and migratory fishes; Little Nescopeck Creek—cold water and migratory fishes and Pond Creek, HQ—cold water fishes. Application received: February 19, 2016.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 40A76SM9 and NPDES No. PA0212491, Keystone Lime Company, Inc., P. O. Box 278, Springs, PA 15562 revision of a large noncoal (industrial minerals) operation to change the land use from pastureland to light industrial, located in Elk Lick Township, **Somerset County**, affecting 3.5 acres. Receiving stream: Glades Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 12, 2016.

Permit No. 56160301 and NPDES No. PA0262692, PBS Coals, Inc., 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541 commencement, operation, and restoration of a large noncoal (industrial minerals) operation located in Brothersvalley Township, **Somerset County**, affecting 174.3 acres. Receiving streams: unnamed tributary to Swamp Creek and unnamed tributary to Blue Lick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 12, 2016.

Permit No. 05910301 and NPDES Permit No. PA0599085, New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Napier Township, **Bedford County**. Receiving streams: unnamed tributary to Dunning Creek and Dunning Creek, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 17, 2016.

Permit No. 05960301 and NPDES Permit No. PA0213373, New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Snake Spring Valley Township, **Bedford County**. Receiving stream: Raystown Branch Juniata River, classified for the following use: trout stocked fishes. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 17, 2016.

Permit No. 4274SM26 and NPDES Permit No. PA0599174, New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Cromwell Township, **Huntingdon County**. Receiving stream: Shade Creek, classified for the following use: trout stocked fishes. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 17, 2016.

Permit No. 31000301 and NPDES Permit No. PA00599174, New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Cromwell Township, **Huntingdon County**. Receiving stream: Shade Creek, classified for the following use: trout stocked fishes. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 17, 2016.

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

Permit No. 58010830. Todd A. Carter, (PO Box 13, Dimock, PA 18816), Stage I & II bond release of a quarry operation in Dimock Township, **Susquehanna County** affecting 1.0 acre on property owned by Todd A. Carter. Application received: February 24, 2016.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

<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 anti-degradation 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

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

NPDES No. PA0257362 (Mining permit no. 17100108), Waroquier Coal Company, P. O. Box 128, Clearfield, PA 16830. Renewal of an NPDES permit for surface coal mining in Beccaria Township, **Clearfield County**, affecting 61.0 acres. Receiving stream(s): Blue Run and Dotts Hollow to Clearfield Creek, classified for the following use(s): CWF. Blue Run and Clearfield Creek TMDL. Application received: December 21, 2015.

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
E	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.5
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				
¹ The parameter is applicable at all times.				50.0

The outfall(s) listed below discharge to Blue Run, Dotts Hollow and an Unnamed Tributary to Clearfield Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
B	N
C	N
D	N

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Cathy Hillman)

NPDES No. PA0251615 (Mining permit no. 26090102), Piccolomini Contractors, Inc., P. O. Box 78, Waltersburg, PA 15488, renewal NPDES permit for a bituminous surface mine in Franklin Township, **Fayette County**, affecting 60.6 acres. Receiving stream: unnamed tributaries to Redstone Creek, classified for the following use: WWF. Application received: May 26, 2015.

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

The treated wastewater outfall listed below discharge to unnamed tributaries to Redstone Creek:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	.75	.75
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to unnamed tributaries to Redstone Creek:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Noncoal NPDES Draft Permits

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

NPDES No. PA0599204 (Mining permit no. 4275SM19), New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for noncoal surface mine in Spruce Creek and Warriors Mark Townships, **Huntingdon County**, affecting 533.7 acres. Receiving streams: Little Juniata River, classified for the following use: cold water fishes. Application received: February 17, 2016.

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

The outfall(s) listed below discharge to Little Juniata River:

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

NPDES No. PA0213373 (Mining Permit No. 05960301), New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for discharge of water resulting from limestone mining in Snake Spring Valley Township, **Bedford County**, affecting 107.2 acres. Receiving stream: Raystown Branch of Juniata River, classified for the following use: trout stock fishes. Application received: February 17, 2016.

The outfalls listed below discharge to Raystown Branch of Juniata River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Sediment Pond A)	N
002 (Sediment Pond B)	N
003 (Sediment Pond C/Quarry Sump)	N

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

<i>Outfalls: 003 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Flow (mgd)	1.0	1.0	1.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units			
Alkalinity must exceed acidity			

<i>Outfalls: 001 & 002</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>(Dry Weather to ≤10-yr/24-hr Precip. Event)</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/l)	N/A	N/A	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units			
Alkalinity must exceed acidity			

Outfalls: 001 & 002 (>10-yr/24-hr Precip. Event)
 pH (S.U.): Must be between 6.0 and 9.0 standard units
 Alkalinity must exceed acidity

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

NPDES Permit No. PA0013731 on Surface Mining Permit No. 8073SM5. Gill Quarries, Inc., (PO Box 187, Fairview Village, PA 19409), renewal of an NPDES Permit for an argillite quarry operation in East Norriton Township, **Montgomery County**, affecting 38.1 acres. Receiving stream: Stony Creek, classified for the following use: trout stock fishes. Application received: May 21, 2015.

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

The outfall(s) listed below discharge to Stony Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D.

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instantaneous</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Iron (mg/l)		3.5	7.0	
Manganese (mg/l)		2.0	4.0	

¹ 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.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1133. Montgomery County Planning Commission, P. O. Box 311, Norristown, PA 19404-0311, Norristown Borough, **Montgomery County**, ACOE Philadelphia District.

To rehabilitate and maintain an existing concrete box culvert with precast four-sided box culvert size 21 feet wide and 9 feet high situated along the Saw Mill Run (WWF, MF) and measuring approximately 180 linear feet between Lafayette Street and proposed Schuylkill Valley Trail associated with the Lafayette Street Extension Project. The project also includes minor regrading within the floodplain of the Schuylkill River (WWF, MF).

The site is located along Lafayette Street, about 1,500 east of Dekalb Street (Norristown, PA Quadrangle Latitude: 40.111527; Longitude: -75.338960).

E15-868-7000. PennDOT, District 6, 7000 Geerdes Boulevard, King of Prussia, Pocopson and Birmingham Townships, **Chester County**; ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT) is proposing to perform the below listed water obstruction and encroachment activities associated with State Route (S.R.) 0926, Section 53S Improvement Project which consists of three components:

1. To replace the existing S.R. 0926 (Street Road) crossing over Brandywine Creek, construct and maintain in its place a 3-span composite concrete Bulb-Tee bridge.

a. The removal of the existing structures and their footers from within the stream (Brandywine) and the construction and maintenance of the proposed piers, footers, and associated scour protection for the proposed bridge structural and foundation system.

b. To construct temporary cofferdams to dewater areas adjacent to the banks of the Brandywine Creek in order to grade the stream banks once the existing bridge footers are removed.

c. To construct two temporary causeways to facilitate the removal of the existing piers and to construct the proposed piers for the replacement bridge structure over the Brandywine Creek.

2. To replace the existing corrugated-metal elliptical-pipe carrying Radley Run under SR 3001/SR 0926 (Creek Road) and to construct and maintain in its place a 2-span precast concrete arch 48-foot culvert.

a. To install a temporary bypass pump with the appropriate cofferdam system to facilitate the continuous stream flow during the culvert replacement.

3. To raise S.R. 0926 profile, widen and grade the segment of roadway along S.R. 0926, from the easternmost intersection with S.R. 3100 (Creek Road) to the intersection with S.R. 3023 (Pocopson Road), to curtail the flooding situation within the project area impacting four unnamed tributaries to the Brandywine Creek.

a. To widen a segment of S.R. 0926 profile roadway along S.R. 0926 and S.R. 3100 which will permanently impact approximately 0.071 acre of PEM wetland parcel.

b. To fill the floodplains and part of the floodway of the Brandywine Creek with approximately 22,559 cubic yards of fill material to facilitate the relocation and widening of Creek Road.

c. To mitigate approximately 0.700 acre of wetland to compensate for the permanent loss of wetlands resulting from the project construction.

d. To relocate one small un-named watercourse.

The proposed project will have total approximate permanent stream impacts of 943 linear feet (0.284 acre/12,371 square feet) to waterways and 671 cubic yards of permanent fill. The proposed project will have total approximate temporary stream impacts of 206 linear feet (0.683 acre/29,751 square feet) and 4,959 cubic yards of temporary fill. In addition, there is an approximate 0.071 acre (3,093 square feet) of permanent wetland impacts. The project commences approximately 500 feet northeast of the intersection of Pocopson Road (S.R. 3023) and Street Road (S.R. 0926) and ends at Station 520+70. The proposed project is located in in Birmingham and Pocopson Townships, Chester County; (USGS PA Unionville Quadrangle—Latitude 39.901135 N—Longitude 75.621402 W) [middle of the existing Street Road Bridge over Brandywine Creek].

EA09-011. William Lahr, 329 Bunker Hollow Road, Doylestown, PA 18901, Doylestown Township, **Bucks County**, ACOE Philadelphia District.

To place and maintain fill within the 100-year floodway and channel of an unnamed tributary to Neshaminy Creek (TSF-MF), associated with work necessary to locate the stream back to the original channel alignment and to perform stream bank restoration work. This work is required as a result of the lack of maintenance of the hydraulic opening of a bridge crossing the stream which led to the creation of an unpermitted channel and stream relocation. This lack of maintenance was found to be in violation of 25 Pa. Code Chapter 105, entitled Dam Safety and Waterway Management. The site is located at 329 Bunker Hollow Road (Doylestown Quad, Lat. 40° 15' 56.4"; Long. -75° 7' 36.6").

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

E48-433. William J. Jones III, 799 Bethany Place, Walnutport, PA 18088, in Moore Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain (1) a driveway crossing of an unnamed tributary to Hokendauqua Creek (CWF, MF) consisting of steel beams and concrete abutments, having a span of 12 feet and an underclearance of 3.5 feet; and (2) a second driveway crossing permanently impacting 0.029 acre of wetlands for the construction of a single family dwelling. The project is located approximately 0.25 mile east of the intersection of State Route 4014 and Hoch Road (Kunkletown, PA Quadrangle, Latitude: 40.7951° N; Longitude: -75.4537° W).

E48-434. Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Bethlehem, PA 18015, in City of Bethlehem, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain two stormwater outfall structures in the floodway of Saucon Creek (CWF, MF),

associated with the Phase 5 and Slag 2 subdivisions of the Lehigh Valley Industrial Park development (a.k.a. LVIP VII). The first outfall consists of two 36-inch diameter reinforced concrete pipes with a concrete headwall and riprap apron, all located within the floodway of Saucon Creek. The second outfall consists of a single 48-inch diameter reinforced concrete pipe with a concrete headwall and riprap apron, with a portion of the riprap apron located within the floodway of Saucon Creek. The project is located approximately 0.33 mile north of the intersection of Hellertown Road (State Route 412) and Commerce Center Boulevard, along Hellertown Road (Hellertown, PA Quadrangle, Latitude: 40.6083 N; Longitude: -75.3391 W).

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

E07-461: Pennsylvania Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110 in Antis Township, **Blair County**, U. S. Army Corps of Engineers Baltimore District.

To construct and maintain a proposed single span bridge with a timber deck on steel beams set on reinforced concrete abutments crossing an unnamed tributary to Bells Gap Run (TSF, MF). The proposed bridge dimensions consist of a 30-foot clear span and a 26-foot normal span to the abutments with an out-to-out bridge width of 14-foot and includes minor fill to the approaches in the floodway/floodplain of the unnamed tributary to Bells Gap Run. The proposed hydraulic opening is approximately 156.0 square feet with a 6-foot average underclearance. The project is located on an existing access road on State Game Lands Number 108 (Latitude: 40° 38' 34" Longitude: -78° 24' 15" approximately 0.5 mile west of its intersection with State Route 0865 in Antis Township, Blair County.

E05-383: West Providence Township, 83 East 5th Avenue, Everett, PA 15537 in West Providence Township, **Bedford County**, U. S. Army Corps of Engineers Baltimore District.

To construct and maintain a proposed intersection, two culvert pipes and alignment crossing the unnamed tributary to Raystown Branch of the Juniata River (WWF, MF). The project is part of a turnback of Hollars Extension (State Route 2027) from the Pennsylvania Department of Transportation to West Providence Township. The proposed realignment of State Route 2025 and State Route 2027 is to provide a safer intersection 100-feet south of the existing intersection. The proposed alignment crossing the unnamed tributary to Raystown Branch of the Juniata River proposed a 109-foot long culvert pipe, 54-inches in diameter, of high density polyethylene with concrete end walls and R-4 riprap aprons. Hollars Extension intersects with a private driveway crossing the unnamed tributary to Raystown Branch of the Juniata River. The proposed intersection with the driveway crossing proposed a 34-foot culvert pipe, 54-inches in diameter, of high density polyethylene with concrete end walls and R-4 riprap aprons. The Pennsylvania Turnpike Commission and West Providence Township needs right of way acquisitions from five different properties for construction purposes. The Pennsylvania Turnpike Commission funds the design and construction of the proposed alignment. The proposed project will have 0.03 acre of permanent palustrine emergent wetland impacts. The Hollars Extension project is located (Latitude: 39° 59' 45" Longitude:

-78° 22' 48" approximately 0.25 mile west of its intersection with State Route 2025 in West Providence Township, Bedford County.

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

E49-430. Coal Township, 805 W. Lynn Street, Coal Township, PA 17866. Quaker Run Stream Improvements, in Coal Township, **Northumberland County**, ACOE Baltimore District (Shamokin, PA Quadrangle; Latitude: 40°47'5.7"; Longitude: 76°30'59").

The project proposes the repair to retaining structures damaged in the past flooding events and to raise an existing bridge structure. The proposed project details the removal of existing unsafe structures and replacement of retaining structures for 495 feet, removal of the top of a concrete box culvert for 180 linear feet, elevating a steel pedestrian bridge structure and raising about 155 linear feet of wall to provide flood protection to adjoining land owners. The project is located in the 100 yr floodplain and channel of Quaker Run, Warm Water Fishery. This project is located between Third and Sixth Streets in Ranshaw, Coal Township, Northumberland County.

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

E02-1665-A1, Allied Waste Systems of PA, LLC, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126, Findlay Township, **Allegheny County**, Pittsburgh ACOE District.

To applicant is proposing to amend Permit Number E02-1665 (which authorized the placement and maintenance of fill in approximately 2.39 acres of wetlands for the purpose of reconfiguring and expanding the existing Imperial Landfill) to:

- 1.) Place and maintain fill in two (2) PEM wetlands, which will cumulatively affect 0.08 acre of wetland,
- 2.) To construct and maintain two (2) utility line stream crossings, consisting of a treatment effluent line and a sanitary sewer line, across 35 linear feet of a perennial Unnamed Tributary (UNT) to South Fork Montour Run (aka Stream-001) (TSF),
- 3.) Construct and maintain a water utility line stream crossing of the same aforementioned UNT, but at a different location, which will impact 18 linear feet of watercourse.
- 4.) Construct and maintain a water utility line stream crossing of an ephemeral UNT to South Fork Montour Run (aka Stream-003) (TSF), which will impact 7 linear feet of watercourse.

For the purpose of constructing and operating a pre-treatment leachate facility to allow wastewater discharge from the Imperial Landfill facility to be discharged to the Moon Township Municipal Authority's sewer system. This project is located near the intersection of Boggs Road and Santiago Road (Quadrangle: Clinton, PA; Latitude: 40° 26' 36" Longitude: -89° 16' 14" Sub-basin: 20G; Chapter 93 Type: TSF), in Findlay Township, Allegheny County. The project will cumulatively impact 0.08 ac of PEM wetland permanently and 53 linear feet of perennial stream and 7 feet of ephemeral stream. The 0.08 acre of permanent PEM wetland impact will be offset by the creation of a 3.25 acre wetland, which was previously approved under the original permit to off-set 2.39 acres of wetland impact.

ENVIRONMENTAL ASSESSMENTS

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

EA36-041: Mill Creek Preservation Association, 1383 Arcadia Road, Room #200, Lancaster, PA 17601 in Upper Leacock Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project along 3,400 feet of Mill Creek (WWF, MF) including 1) twelve mudsills totaling 1,000 feet in length; 2) five cross rock vanes; 3) eighteen log/rock vanes; and 4) 6,100 feet of bank grading. The project is located between Centerville Road and South Groffdale Rd (New Holland, PA Quadrangle, Latitude 40°04'9.5"N, Longitude: 76°07'12.3"W) in Upper Leacock Township, Lancaster County. No wetlands will be impacted by this project.

Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Park Rd., Ebensburg, PA 15931-4119.

EA1109-006. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Cresson Acid Mine Drainage (AMD) Treatment Plant in Cresson Township, **Cambria County**, ACOE Baltimore District.

The applicant proposes to alter existing water courses in order to construct and operate the proposed Cresson AMD Treatment Plant. The following water courses that drain to an unnamed tributary (CWF) locally known as Trap Run of the Clearfield Creek (WWF) are proposed to be filled and relocated: approximately 233 linear feet of

an existing stormwater ditch which collects surface and roadway runoff from Cresson Shaft Road (T.R. 441) that drains into approximately 355 linear feet of a first unnamed tributary (CWF), in addition approximately 218 linear feet of a second unnamed tributary (CWF) drains into the first unnamed tributary. This cumulative 806 linear feet (0.065 acre) of relocated water courses will be replaced with the construction of 323 linear feet of piping draining into 360 linear feet of relocated water course draining into the unnamed tributary (CWF) locally known as Trap Run of the Clearfield Creek (WWF). Relocating the watercourses is being proposed for the purpose of constructing and operating the Cresson AMD Treatment Plant having a maximum treatment capacity of approximately 6.3 million gallons per day (MGD) of treated mine water discharging into the locally named Trap Run, which is unnamed tributary (CWF) to Clearfield Creek. The plant will be located adjacent to the northeast border of the Sankertown Borough boundary in Cresson Township along Cresson Shaft Road (T.R. 441). Once the plant is operating at an average design capacity of 4.4 MGD, the following historic heavily polluting AMD discharges will be eliminated: Argyle Stone Bridge discharge, Gallitzin Shaft discharge and the Cresson Mine discharge. Therefore, the 806 linear feet (0.065 acre) of relocated water courses will support the elimination of the three discharges and with the additional 4.4 MGD average discharge of treated mine water, approximately 15 miles of Clearfield Creek (WWF) and six miles of Sugar Run (CWF) will be restored. In all, a total of 21 miles that are currently impaired by AMD will be restored with the cumulative 806 linear feet (0.065 acre) of relocated water courses. (Cresson PA Quadrangle 40° 28' 18.5" N, 78° 35' 7.1" W).

ACTIONS**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

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

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users

may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060216 (Sewage)	Sterling Sewer & Water Company, LLC P. O. Box 125 Lake Ariel, PA 18436	Wayne County Sterling Township	Uban Creek (01C)	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261521— CAFO	William Wingert Wingert Farms CAFO 5497 Shade Lane Alexandria, PA 16611	Huntingdon County/ Porter Township	Frankstown Branch Juniata River/11-A	Y
PA0085138— SEW	Five Forks Brethern In Christ Church 9244 Five Forks Road Waynesboro, PA 17268-9612	Franklin County/ Quincy Township	UNT West Branch Antietam Creek/13-C	Y
PA0044521— SEW	Franklin County General Authority 5540 Coffey Avenue Chambersburg, PA 17201-4127	Franklin County/ Letterkenny Township	Dennis Creek/13-C	Y
PA0247669— SEW	John E. Groninger, Inc. (Arch Rock Development STP) PO Box 36 Mexico, PA 17056	Juniata County/ Fermanagh Township	Horning Run/12-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0205931 (Sewage)	Upper Middletown STP 566 Industrial Park Road Waltersburg, PA 15475	Fayette County Menallen Township	Redstone Creek (19-C)	Y
PA0097268 (Sewage)	Henry Clay Villa STP 5253 National Pike Road Markleysburg, PA 15459	Fayette County Henry Clay Township	Unnamed Tributary to Hall Run (19-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263788 (sewage)	James Hitchcock SFTF 5844 US 62 Tionesta, PA 16253	Venango County President Township	Unnamed Tributary to Allegheny River (16-E)	Y
PA0101664 (Sewage)	Orchard Park Estates 2077 Bredinsburg Road Franklin, PA 16323-8115	Venango County Cranberry Township	Lower Twomile Run (16-G)	Y

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

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

NPDES Permit No. PA0275816, Storm Water, SIC Code 3593, 3594, **Bosch Rexroth Corp**, 2315 City Line Road, Bethlehem, PA 18017-2131.

This proposed facility is located in Bethlehem City, **Northampton County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for an existing discharge of Storm Water only.

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

NPDES Permit No. PA0273163, Sewage, SIC Code 8800, **Alan Thompson**, 101 Chapman Road, Warren, PA 16365.

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

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

NPDES Permit No. PA0264229, Sewage, SIC Code 8800, **Michael Piper**, PO Box 21, Sligo, PA 16255.

This proposed facility is located in Monroe Township, **Clarion 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

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

WQM Permit No. 4615412, Sewage, **Telford Borough Authority**, 122 Penn Avenue, Telford, PA 18969.

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

Description of Action/Activity: Construction and operation of a low pressure sewer system.

WQM Permit No. WQG02091512, Sewage, **Chalfont New Britian Township Joint Sewer Authority**, 1645 Upper State Road, Doylestown, PA 18901-2624.

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

Description of Action/Activity: Construction and operation of a low pressure sewer system.

WQM Permit No. 1507413, Sewage, Amendment, **East Whiteland Township**, 209 Conestoga Road, Frazer, PA 19355.

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

Description of Action/Activity: Replacement of the Wilburdale Pump Station. To meet current and future GVCC sanitary sewage needs, the pump station design capacity will be 397,000 gallons per day.

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701

WQM Permit No. 4902406 A-2, Sewage, SIC Code 4952, **Sunnyside Overlook Municipal Authority**, 206 South Market Street, Elysburg, PA 17824.

This existing facility is located in Ralpho Township, **Northumberland County**.

Description of Proposed Action/Activity: The addition of a precast concrete headworks tank and sewage grinder pump at Pump Station No. 1.

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

WQM Permit No. 6315407, Sewage, **North Strabane Township Municipal Authority**, 1929B Rt. 519 S, Canonsburg, PA 15317.

This proposed facility is located in North Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Extension of Linden Creek Interceptor.

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

WQM Permit No. 6215406, Sewage, **Alan Thompson**, 101 Chapman Road, Warren, PA 16365.

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

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

WQM Permit No. 1615401, Sewage, **Michael Piper**, PO Box 21, Sligo, PA 16255.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024515013	Pocono Mountain School District PO Box 200 Swiftwater, PA 18370	Monroe	Paradise Township	Swiftwater Creek (HQ-CWF, MF)
PAI023514001	Scranton Lackawanna Industrial Building Company 222 Mulberry Street P. O. Box 431 Scranton, PA 18501	Lackawanna	Jessup Borough	Grassy Island Creek (HQ-CWF, MF) Sterry Creek (CWF, MF)

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Dallas Township Luzerne County	PAG02004011021R	Halbing-Amato Developers John E. Halbing 3579 N Memorial Hwy Dallas, PA 18612	Trout Run (CWF, MF)	Luzerne Conservation District 570-674-7991
Frailey Township Schuylkill County	PAG02006615005	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901	Good Spring Creek (CWF, MF)	Wyoming County Conservation District 570-836-2589

NOTICES

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

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

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Gettysburg Borough Adams County	PAG02000115039	Matthew C. George Civil War Trust 1156 15th Street NW Suite 900 Washington, DC 20005	Stevens Run, tributary to Rock Creek (WWF, MF) Willoughby Run, tributary to Marsh Creek (CWF, MF)	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 173285-3404 717.334.0636
Tilden Township Berks County	PAG02000615060	Ashok Kumar	Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610.372.4657
Washington Township York	PAG02006715060	William Deardorff 235 Mine Bank Road Wellsville, PA 17365	UNT to Doe Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006715047	Capitol View Development Co., Inc. Greg Rhodes 1300 Market Street Suite 307 Lemoyne, PA 17043	UNT to Yellow Breeches Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Windsor Township York County	PAG02006715100	Phil Carpenter Custom Homes, LLC Phil Carpenter 2420 Oakmont Road Dover, PA 17315	UNT to Kreutz Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Windsor Township York County	PAG02006715064-1	Shawn Smith 80 Taylor Road York, PA 17406	UNT to Beaver Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Oxford Township Adams County	PAG02000107702R(1)	George S. & Margaret S. Zimmerman Oxford Real Estate Purchase, LP 775 Durlach Road Stephens, PA 17578	South Branch Conewago Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Mount Joy Township Lancaster County	PAG02003616009	Elizabethtown College 1 Alpha Drive Elizabethtown, PA 17022	Tributary to Conoy Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Hempfield Township Lancaster County	PAG02003615113	Mary Turnbaugh 3925 Columbia Avenue Columbia, PA 17512	Strickler Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Warwick Township Lancaster County	PAG02003615140	Kramer Real Estate 529 East Main Street Lititz, PA 17543	Bachman Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Rapho Township Lancaster County	PAG02003616002	Galyn Musser 1557 Auction Road Manheim, PA 17545	Chickies Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Mount Joy Township Lancaster County	PAG02003616005	Elizabethtown Brethren in Christ Church 996 East High Street Elizabethtown, PA 17022	UNT to Conoy Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County	PAG02003609027(1)	Mr. Linford Good Landis Homes 1001 East Oregon Road Lititz, PA 17543	Unnamed Tributary to Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Hanover Township Dauphin County	PAG02002216001	Hillcrest Properties LLC 7727 Valley View Avenue Harrisburg, PA 17112	Manada Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County	PAG02002215041(1)	PPL EU Corporation 1639 Church Road Allentown, PA 18104	Paxton Creek (WWF-MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Clearfield County Sandy Township	PAG02001716001	Elcam, Inc. 10 Industrial Drive Dubois, PA 15801	Beaver Run, CWF	Clearfield County Conservation District 511 Spruce St, Ste 6 Clearfield, PA 16830 (814) 765-2629
Columbia County Town of Bloomsburg	PAG02001912010(1)	Town of Bloomsburg Streater Farms 301 East 2nd Street Bloomsburg, PA 17815	Fishing Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Snyder County Monroe Twp	PAG02005515017	Penn Valley Airport 100 Airport Road Selinsgrove, PA 17870	Penns Creek, WWF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110

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>
South Strabane Township Washington County	PAG02006315047	M. F. Washington, LLC 2165 Louisa Drive Belleair Beach, FL 33786	UNT to Chartiers Creek (WWF)	Washington County Conservation District, Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098
Mount Pleasant Township Westmoreland County	PAG02006515026	B & D Builders of Westmoreland, Inc. 33 Patricia Drive Greensburg, PA 15601	Shupe Run (WWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township Westmoreland County	PAG02006515028	Calamar 3949 Forest Parkway Suite 100 Wheatfield, NY 14120	Bushy Run (TSF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Ligonier Township Westmoreland County	PAG02006515032	David S. Herrholtz P. O. Box 277 Laughlintown, PA 15655	Mill Creek (CWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
South Huntingdon Township Westmoreland County	PAG02006515034	Dale & Diane Kimberly 1821 Ray Avenue Sutersville, PA 15083	Youghiogheny River (WWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township Westmoreland County	PAG02006515039	Blackthorne Investors, LLC 960 Penn Avenue, Suite 1201 Pittsburgh, PA 15222	UNT to Lyons Run (TSF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Unity Township and Latrobe City Westmoreland County	PAG02006515043	Adelphoi USA, Inc. 1119 Village Way Latrobe, PA 15650	Loyalhanna Creek (WWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Loyalhanna Township Westmoreland County	PAG02006515042	Ligonier Lime and Stone Company 117 Marcia Street Latrobe, PA 15650	Getty Run (WWF); Loyalhanna Creek (WWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township Westmoreland County	PAG02006515044	Pasquarelli Property Management 1300 White Oak Drive North Huntingdon, PA 15642	UNT to Little Sewickley Creek (TSF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Loyalhanna Township Westmoreland County	PAG02006515046	Peoples TWP, LLC 6085 Freeport Road Natrona Heights, PA 15065	Loyalhanna Township (CWF)	Westmoreland Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

General Permit Type—PAG-03

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Philadelphia City Philadelphia County	PAR600024	SD Richman Sons Inc. 2435 Wheatsheaf Lane Philadelphia, PA 19137	Frankford Creek—3J	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Hilltown Township Bucks County	PAR800066	Waste Management of Indian Valley 400 Progress Drive Telford, PA 18969	Mill Creek—3E	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Troy Township Bradford County (Industrial Stormwater)	PAR224823	Oak Hill Veneer Inc. P. O. Box 304 Troy, PA 16947-0304	North Branch Sugar Creek—4-C	DEP North Central Regional Office Clean Water Program 208 W Third Street, Suite 101 Williamsport, PA 17701-6448 570.327.3636
Boggs Township Centre County (Industrial Stormwater)	PAR804837	Bestway Travel Center Inc. 645 Hamilton Street Suite 500 Allentown, PA 18101-2193	Unnamed Tributary to Bald Eagle Creek—9-C	DEP North Central Regional Office Clean Water Program 208 W Third Street, Suite 101 Williamsport, PA 17701-6448 570.327.3636
Columbia Township Bradford County (Industrial Stormwater)	PAR124814	Judson's Inc. 6872 Austinville Road P. O. Box 67 Columbia Cross Roads, PA 16914-8415	North Branch Sugar Creek—4-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street, Suite 101 Williamsport, PA 17701-6448 570.327.0530

General Permit Type—PAG-4

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Rockhill Township Bucks County	PAG040122	Kevin M. & Dolores R. Bergey 215 Augustine Road Sellersville, PA 18960-1307	Unnamed Tributary to East Branch Perkiomen Creek	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Upper Frederick Township Montgomery County	PAG040205	Leslie Robison 1410 Cedar Lane Green Lane, PA 18054	Unnamed Tributary to Deep Creek	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Benner Township, Centre County	PAG084814	Borough of Bellefonte 236 W. Lamb St. Bellefonte, PA 16823	Spicer Family Farm Benner Township, Centre County	Northcentral Regional Office 570.327.3636

General Permit Type—PAG-9 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Center Township, Snyder County	PAG094801	Jonathan Hummel 117 Daves Lane Middleburg, PA 17842	NOB Farm (Field NOB 2) Center Township, Snyder County	Northcentral Regional Office 570.327.3636

General Permit Type—PAG-12

Facility Location & Municipality	Permit No.	Applicant Name & Address	Receiving Water / Use	Contact Office & Phone No.
Franklin County/ Antrim Township	PAG123814	We Kings Farm CAFO 6028 Guinter Road Greencastle, PA 17225	Conococheague Creek/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County/ Centre Township	PAG123821	Kimberly Schlappich Duck Farm CAFO 1359 Main Street Mohrsville, PA 19541	Irish Creek/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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 (35 P. S. §§ 721.1—721.17).

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

Permit No. 4515505, Construction Permit, Public Water Supply.

Applicant	Lakewood Retreat c/o Milestone Community Health Care 1482 Cherry Lane Road East Stroudsburg, PA 18301
[Township or Borough]	Stroud Township, Monroe County

Responsible Official	William Chupcavich, Supt. 1150 Wyoming Avenue, Wyoming, PA 18644
Type of Facility	PWS
Consulting Engineer	Charles H. Niclaus, PE Niclaus Engineering Corporation 804 Sarah Street, Suite 201 Stroudsburg, PA 18360
Construction Permit Issued Date	02/22/2016
Permit No. 4015512 , Public Water Supply.	
Applicant	Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661
[Township or Borough]	Jackson Township, Luzerne County
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	PWS
Consulting Engineer	Jonathan Morris, PE GHD 1240 North Mountain Road Harrisburg, PA 17112 (717) 541-0622
Permit to Construct Issued	02/23/2016

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

Permit No. 3615516, Minor Amendment, Public Water Supply.

Applicant	Conestoga MHP, Inc.
Municipality	Conestoga Township
County	Lancaster
Responsible Official	Jerry E. Shultz, President 252 Willow Valley Drive Lancaster, PA 17602
Type of Facility	New corrosion control treatment system including caustic soda for pH adjustment and blended phosphate as a corrosion inhibitor.

Consulting Engineer Charles A. Kehew II, P.E.
James R. Holley & Associates,
Inc.
18 South George Street
York, PA 17401

Permit to Construct 2/24/2016
Issued

Permit No. 6716503 MA, Minor Amendment, Public Water Supply.

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

Type of Facility Repainting of the Cape Horn
Standpipe.

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

Permit to Construct 2/22/2016
Issued

Permit No. 2815506 MA, Minor Amendment, Public Water Supply.

Applicant **Franklin County General Authority**
Municipality Greene Township
County **Franklin**
Responsible Official John M. VanHorn PG, Executive
Director
5540 Coffey Avenue
Chambersburg, PA 17201

Type of Facility Refinishing and repainting of the
interior and exterior surfaces of
the Coffey Avenue finished water
storage tank.

Consulting Engineer Heath Edelman, P.E.
Entech Engineering Inc
315 Clay Road
Lititz, PA 17543

Permit to Construct 2/22/2016
Issued

Operation Permit No. 7220015 issued to: **SUEZ Water Pennsylvania, Inc. (PWS ID No. 7220015)**, Susquehanna Twp & Hummelstown Boro, **Dauphin County** on 2/26/2016 for facilities submitted under Application No. 2216502.

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

Permit No. 4116502-MA—Construction—Public Water Supply.

Applicant **Montoursville Borough**
Township/Borough Montoursville Borough
County **Lycoming**

Responsible Official Mr. Ronald Smith
Street and Water Commissioner
Montoursville Borough
617 North Loyalsock Avenue
Montoursville, PA 17754

Type of Facility Public Water Supply

Consulting Engineer Mr. Chase A. Kelch, P.E.
Larson Design Group
1000 Commerce Park Drive,
Suite 201
Williamsport, PA 17701

Permit Issued February 24, 2016

Description of Action Construction of a potable bulk
water loading station connected
to a watermain from the
distribution system, located in
the area of the non-potable bulk
water loading station near Pool
Road.

Permit No. 4116503-MA—Construction—Public Water Supply.

Applicant **Williamsport Municipal Water Authority**
Township/Borough City of Williamsport

County **Lycoming**

Responsible Official Douglas E. Keith, Executive
Director
Williamsport Municipal Water
Authority
253 West Fourth Street
Williamsport, PA 17701

Type of Facility Public Water Supply

Consulting Engineer Charles A. Hauser, P.E.
Williamsport Municipal Water
Authority
253 West Fourth Street
Williamsport, PA 17701

Permit Issued February 26, 2016

Description of Action Installation of the portable,
electric Grid Bee GS-12 mixer in
the Grimesville finished water
storage tank.

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

Permit No. 0215516, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Port Vue Borough

County **Allegheny**

Type of Facility Port Vue tank mixing system

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

Permit to Construct February 29, 2016
Issued

Permit No. 6315510, Public Water Supply.

Applicant **Tri-County Joint Municipal Authority**
26 Monongahela Avenue
Fredericktown, PA 15333

[Borough or Township] Deemston Borough

County **Washington**

Type of Facility Ridgewood pump station

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

Permit to Construct February 9, 2016
Issued

Permit No. 1115510, Public Water Supply.

Applicant **Nanty Glo Water Authority**
1015 First Street
Suite 1
Nanty Glo, PA 15943

[Borough or Township] Cambria Township

County **Cambria**

Type of Facility Water system improvements

Consulting Engineer Stiffler McGraw
1731 North Juniata Street
PO Box 462
Hollidaysburg, PA 16648

Permit to Construct February 11, 2016
Issued

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, Penn Liberty Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222 (**PWSID #5020038**) City of Pittsburgh, **Allegheny County** on February 9, 2016 for the operation of facilities approved under Construction Permit #0215519.

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, Penn Liberty Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222 (**PWSID #5020038**) City of Pittsburgh, **Allegheny County** on February 9, 2016 for the operation of facilities approved under Construction Permit #0215520.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (**PWSID #5020039**) Claysville Borough, **Washington County** on February 12, 2016 for the operation of facilities approved under Construction Permit #0215524.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344 (**PWSID #5300017**) Amwell Township, **Washington County** on February 12, 2016 for the operation of facilities approved under Construction Permit #3013512MA.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344 (**PWSID #5300017**) Amwell Township, **Washington County** on February 26, 2016 for the operation of facilities approved under Construction Permit #3014512MA.

Permit No. 0216501MA, Minor Amendment. Public Water Supply.

Applicant **Coraopolis Water and Sewer Authority**
1012 Fifth Avenue
Coraopolis, PA 15108

[Borough or Township] Coraopolis Borough

County **Allegheny**

Type of Facility Fleming Street waterline

Consulting Engineer Lennon, Smith, Souleret Engineering, Inc.
846 Fourth Avenue
Coraopolis, PA 15108

Permit to Construct February 29, 2016
Issued

Permit No. 6315504MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Fallowfield Township

County Washington

Type of Facility Twin Bridges Road waterline

Consulting Engineer Chester Engineers
501 McKean Avenue
Third Floor
Charleroi, PA 15022

Permit to Construct February 10, 2016
Issued

Permit No. 0415507MA, Minor Amendment. Public Water Supply.

Applicant **Center Township Water Authority**
224 Center Grange Road
Aliquippa, PA 15001

[Borough or Township] Center and Potter Townships

County **Beaver**

Type of Facility Transmission main

Consulting Engineer Lennon, Smith, Souleret Engineering, Inc.
846 Fourth Avenue
Coraopolis, PA 15108

Permit to Construct February 26, 2016
Issued

Permit No. 2615511MA, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Borough or Township] Luzerne Township

County **Fayette**

Type of Facility Chemical injection vault

Consulting Engineer Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Permit to Construct February 12, 2016
Issued

Permit No. 5615513MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of the Borough of Somerset**
PO Box 71
347 West Union Street
Somerset, PA 15501

[Borough or Township] Somerset Borough

County **Somerset**

Type of Facility Hickory Hill water storage tank

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Permit to Construct February 12, 2016
Issued

Permit No. Emergency, Minor Amendment. Public Water Supply.

Applicant **UMH Properties, Inc.**
3499 Route 9 North
Suite 3C
Freehold, NH 07728

[Borough or Township] Somerset Township

County **Somerset**

Type of Facility Waterline to connect to Somerset Township Municipal Authority

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Permit to Construct February 12, 2016
Issued

Permit No. 2616503-E, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**

Type of Facility Fairfield Estates waterline

Consulting Engineer Municipal Authority of Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Permit to Construct March 1, 2016
Issued

Permit No. 0213508MA, Minor Amendment. Public Water Supply.

Applicant **Plum Borough Municipal Authority**
4555 New Texas Road
Pittsburgh, PA 15239

[Borough or Township] Plum Borough

County **Allegheny**

Type of Facility Waterline

Consulting Engineer R.F. Mitall & Associates, Inc.
117 Sagamore Hill Road
Pittsburgh, PA 15239

Permit to Operate February 26, 2016
Issued

Permit No. 2615510MA, Minor Amendment. Public Water Supply.

Applicant **National Pike Water Authority**
PO Box 10
Markleysburg, PA 15459

[Borough or Township] Wharton Township

County **Fayette**

Type of Facility Burke Road waterline

Consulting Engineer McMillen Engineering
115 Wayland Smith Drive
Uniontown, PA 15401

Permit to Operate February 29, 2016
Issued

Permit No. 2615512MA, Minor Amendment. Public Water Supply.

Applicant **National Pike Water Authority**
PO Box 10
Markleysburg, PA 15459

[Borough or Township] Wharton Township

County **Fayette**

Type of Facility Half King Colony Road waterline

Consulting Engineer McMillen Engineering
115 Wayland Smith Drive
Uniontown, PA 15401

Permit to Operate February 29, 2016
Issued

Permit No. 2615513MA, Minor Amendment. Public Water Supply.

Applicant **National Pike Water Authority**
PO Box 10
Markleysburg, PA 15459

[Borough or Township] Henry Clay Township

County **Fayette**

Type of Facility Braddock Road waterline

Consulting Engineer McMillen Engineering
115 Wayland Smith Drive
Uniontown, PA 15401

Permit to Operate February 29, 2016
Issued

Permit No. 2615514MA, Minor Amendment. Public Water Supply.

Applicant **National Pike Water Authority**
PO Box 10
Markleysburg, PA 15459

[Borough or Township] Henry Clay Township

County **Fayette**

Type of Facility Mudd Pike Road waterline

Consulting Engineer McMillen Engineering
115 Wayland Smith Drive
Uniontown, PA 15401

Permit to Operate February 29, 2016
Issued

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

Permit No., 6215501, Public Water Supply
Applicant **Pine Grove Township
Municipal Authority**
Township or Borough Pine Grove Township
County **Warren**
Type of Facility Public Water Supply
Consulting Engineer Joel E. Romagna, P.E.
Stiffler McGraw Northwest
16424 Route 62
PO Box Q
Tidioute, PA 16351

Permit to Construct February 23, 2016
Issued

Permit No., 4215501 Public Water Supply
Applicant **Mike Davies, Lee Skinner,
Cindy Davies** (Pithole Water
WTP)
Township or Borough Keating Township
County **McKean County**
Type of Facility Public Water Supply
Consulting Engineer E&M Engineers
Permit to Construct March 1, 2016
Issued

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lykens Township	2073 E. Middle Rd. Lykens, PA 17048	Dauphin

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Saint Marys City Elk County	PAG098309	Buerk's Septic Service 1039 Bruxelles Street St. Marys, PA 15857	Buerk's Septic Service 1039 Bruxelles Street St. Marys, PA 15857	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

Plan Description: The Request for a planning exemption for the Samuel K. and Elsie S. Kauffman subdivision, DEP Code No. A3-22923-102-2E, APS Id 891509, consisting of the creation of two new single family residential building lots to use onlot sewage disposal systems, is disapproved. A preliminary hydrogeologic study is required because the proposed subdivision is within 1/4 mile of water supplies documented to exceed 5 PPMs nitrate-nitrogen and onlot sewage disposal is proposed. Reference: Chapter 71, Section 71.51(b)(1)(ii) and Lykens Township's Act 537 Sewage Facilities Plan. Furthermore, the proposed subdivision is within an area that Lykens Township's Official plan has designated as requiring preliminary hydrogeologic studies. Therefore, sewage planning for the proposed subdivision may be reconsidered using a Component 2 Module with a preliminary hydrogeologic study. The project is located along Lykens Valley Road, west of the junction with Honeymoon Trail Road.

**BIOSOLIDS INDIVIDUAL PERMITS
(PABIG, SSN AND PABIS)**

The Department has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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.

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:

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

PECO Wyncote MGP, Glenside Avenue and Webster Avenue, Cheltenham Township, **Montgomery County**. Matthias Ohr, AECO, 625 West Ridge Pike, E-100, Conshohocken, PA 19428, Peter Farrand, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19101 on behalf of Eric Gaul, 165 Township Line, L.P., by Pitcairn Company, General Partner, 165 Township Line Road, Suite 3000, Jenkintown, PA 19046 has submitted a Final Report concerning remediation of site groundwater contaminated with benzene, naphthalene and pahs. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF653753.

833 Westtown Road, 833 Westtown Road, West Goshen Township, **Chester County**. Christopher Thoeny, P.G., Environmental Alliance, Inc., 5341 Limestone Road,

Wilmington, Delaware 19808, Tom Quinn, Lewis Environmental, Inc., 155 Railroad Plaza #1, Royersford, PA 19468 on behalf of Lynn Danzeisen, 833 Westtown Road, West Chester, PA 19382 has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF783405.

Keenan Valley View Inn/Green Wood Charter, 468 Domino Lane, City of Philadelphia, **Philadelphia County**. Toby Kessler, P.G., Gilmore & Associates, Inc., 65 East Butler Avenue, New Britain, PA 18901 on behalf of Jean Wallace, Green Woods Charter School, 468 Domino Lane, Philadelphia, PA 19128 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with benzo(a)pyrene, arsenic and lead. The report is intended to document remediation of the site to meet the Site Specific Standard. PF750857.

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 man-

ager 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:

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

Boger Concrete Accident/Farmers Pride, SR 343 and US 22, Bethel Township, **Lebanon County**, Environmental Compliance Management, 345 King Street, Myerstown, PA 17067, and EnviroTrac, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Farmers Pride, Incorporated, dba Bell & Evans, 154 West Main Street, PO Box 39, Fredericksburg, PA 17026, submitted a Final Report concerning remediation of site soils and surface water contaminated with diesel fuel and hydraulic oil. The Final Report demonstrated attainment of the Non-Residential Statewide Health Standard, and was approved by the Department on February 24, 2016.

Former BP Terminal 4567—Eastern Parcel, Old US Route 220, Duncansville, PA 16635, Blair Township, **Blair County**. Antea Group, 780 East Market Street, Suite 120, West Chester, PA 19382, on behalf of Atlantic Richfield Company, A BP Products North America Inc. Affiliated Company, 501 West Lake Park Boulevard, WL1-28, 160B, Houston, TX 77079 and Pennsylvania Terminals Corporation, 900 South Eisenhower Boulevard, Middletown, PA 17057, submitted a Final Report concerning site soils and groundwater contaminated with petroleum hydrocarbons. The Final Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on February 24, 2016.

Former BP Terminal 4567—Western Parcel, Old US Route 220, Duncansville, PA, 16635, Blair Township, **Blair County**. Antea Group, 780 East Market Street, Suite 120, West Chester, PA 19382, on behalf of Atlantic Richfield Company, A BP Products North America Inc. Affiliated Company, 501 West Lake Park Boulevard, WL1-28, 160B, Houston, TX 77079 and Kevin Kneezle, 236 Pioneer Drive, Duncansville, PA 16635, submitted a Final Report concerning site soils and groundwater contaminated with petroleum hydrocarbons. The Final Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on February 24, 2016.

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

Wawa Red Roof Carriage House, 260 West Baltimore Pike, Chester Heights Borough, **Delaware County**. Geoff Kristof, P.G., JK Environmental Services LLC, P. O. Box 509, Lafayette Hill, PA 19444, Kenneth Kim, JK Environmental Services, LLC, P. O. Box 509, Lafayette Hill, PA 19444, Brian Lettini, P.G., JK Environmental Services, LLC, P. O. Box 509, Lafayette Hill, PA 19444 on behalf of Joe Standen, P.G., Wawa Inc., 260 West Baltimore Pike, Media, PA 19063 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 23, 2016. PF805859/804850.

Gau Residence, 209 North Fairfield Road, Easttown Township, **Chester County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Theresa O'Connor, State Farm Insurance, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Bih-Shya Gau, 209 North Fairfield has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 24, 2016. PF777395.

866 Associates, 866 West Lancaster Avenue, Lower Merion Township, **Montgomery County**. Julie Baniewicz, JK Environmental Services LLC, P. O. Box 509, Lafayette Hill, PA 19444, John Krinis, JK Environmental Services LLC, P. O. Box 509, Lafayette Hill, PA 19444 on behalf of Andrew Gibbs, 866 Associates, LP, 633 Hunter Lane, Bryn Mawr, PA 19010 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 23, 2016. PF805553.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (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 Voluntarily Terminated

American Transportation Solutions, LLC, 2100 Georgetowne Dr, Sewickley, PA 15143. License No. PA-AH 0779. Effective Sep 21, 2015.

Hazardous Waste Transporter License Issued

Earth Smart Environmental Solutions, LLC, 232 South Dillard Street, Winter Garden, FL 34787. License No. PA-AH 0833. Effective Feb 25, 2016.

Hazardous Waste Transporter License Reissued

Smith Systems Transportation, Inc., PO Box 2455, Scottsbluff, NE 69361. License No. PA-AH 0654. Effective Mar 01, 2016.

Univar USA Inc., 328 Bunola River Road, Bunola, PA 15020. License No. PA-AH 0334. Effective Feb 29, 2016.

Renewal Applications Received

Smith Systems Transportation, Inc., PO Box 2455, Scottsbluff, NE 69361. License No. PA-AH 0654. Effective Feb 29, 2016.

Univar USA Inc., 328 Bunola River Road, Bunola, PA 15020. License No. PA-AH 0334. Effective Feb 26, 2016.

AIR QUALITY

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

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

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

GP9-09-0070: A.H. Cornell & Son, Inc. (P. O. Box 311, Jamison, PA 18929) On February 29, 2016 for a diesel-fired internal combustion engines in Wrightstown Township, **Bucks County**.

GP3-09-0140: A.H. Cornell & Son, Inc. (P. O. Box 311, Jamison, PA 18929) On February 29, 2016 for a portable crusher, Wrightstown, **Bucks County**.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531

GP3-35-009: Keystone Sanitary Landfill, Inc (249 Dunham Drive, Dunmore, PA 18512) on February 23, 2016 for the construction and operation of a Portable Crushern with watersprays at the site located in Dunmore and Throop Boroughs, **Lackawanna County**.

GP11-35-009: Keystone Sanitary Landfill, Inc (249 Dunham Drive, Dunmore, PA 18512) on February 23, 2016 for the installation and operation of a Diesel IC engine located at the site located in Dunmore and Throop Boroughs, **Lackawanna County**.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

GP5-26-00555C: Laurel Mountain Midstream Operating, LLC (Park Place 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on February 23, 2016, for the continued operation of previously installed equipment at the Joseph Compressor Station located in Dunbar Township, **Fayette County**.

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

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

GP3-16-162G: Neiswonger Construction, Inc., Mascharka Plant (51 Heeter Road, Emlenton, PA 16373) on February 16, 2016, for the authority to construct a new screen replacing an existing screen, a secondary crusher, a log washer, and wet screening operation with all sources powered by pole power (BAQ-GPA/GP-3) located at their facility in Richland Township, **Clarion County**.

GP5-42-196B: Catalyst Energy, Inc., Swamp Angel Compressor Station (242 Sand Road, Lewis Run, PA 16738) on February 18, 2016, for the authority to construct and/or operate one (1) rich burn, 4 stroke natural gas engine, Waukeshia Model No. F3524GSI rates 840 bhp at 1,200 rpm (BAQ-GPA/GP-5) located at their facility in Lafayette Township, **McKean County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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.

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

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

45-00031B: Ardent Mills, LLC (Ardent Milling-Mt Pocono) (Route 940 Harvest Lane, P. O. Box 147, Mt. Pocono, PA 18344, PA 18610) On February 26, 2016 for the construction and operation of an Ultra-fine System consisting of (3) grinding mills each controlled by a fabric collector at their facility in Tobyhanna Twp, Pocono Township, Mt. Pocono Borough, **Monroe County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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

23-0047G: Evonik Corp (1200 W Front St, Chester, PA 19013-3438) On February 29, 2016 for the replacement of two baghouses, in City of Chester, **Delaware County**.

46-0283: Danco General Contracting: (485 Texas Road, Morganville, NJ 07751) On February 29, 2016 for the installation of a portable nonmetallic mineral processing plant and associated engines in Limerick Township, **Montgomery County**.

09-0009G: Quad/Graphics Marketing, LLC (4371 County Line Rd, Chalfont, PA 18914-1825) On February 29, 2016 for installation of a new 38" Harris M1000BE heat set lithographic printing press and blanket washers in New Britain Township, **Bucks County**.

46-0166C: Harleysville Materials: (P. O. Box 619, 427 S Whitehorse Pike, Berlin, NJ 08009-0619) On February 29, 2016 for the installation of a batch asphalt plant in Lower Salford Township, **Montgomery County**.

09-0024H: Waste Management of Pennsylvania (1000 New Ford Mill Road, Morrisville, PA 19067) On February 29, 2016 for the construction/installation of a landfill gas fired 2,233 Hp Internal Combustion engine to generate 1,600 kW of power to offset on-site electrical demand in Tullytown Borough, **Bucks 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

05-05021B: Creative Pultrusions, Inc. (214 Industrial Lane, Alum Bank, PA 15521) on February 23, 2016, for the construction of a TR102 pultrusion machine to their existing Source ID 101, and a 35 kW Kohler propane fired generator at their facility located in West St. Clair Township, **Bedford County**. The plan approval was extended.

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

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

08-00051A: Seaboard International, Inc. (1612 SE 23rd Street, Oklahoma City, OK 73129-7661) on February 23, 2016 to extend the authorization to operate the wellhead equipment repair operation at their facility

located in Athens Township, **Bradford County** on a temporary basis to August 21, 2016. The plan approval has been extended.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

PA-63-00096C: Union Electric Steel Corporation (P. O. Box 465, Carnegie, PA 15106) Plan Approval extension date issuance February 29, 2016, to continue construction and temporary operation of Scrap Reheat Furnace consisting of 12 burners each rated at 1.25 MMBtu/hr at their Harmon Creek Plant located in Smith Township, **Washington County**.

32-00059E: GenOn Northeast Management Company (121 Champion Way, Suite 200, Canonsburg, PA 15317) Extension effective March 3, 2016, to extend the period of temporary operation of the Unit 1 and 2 SCR systems and limestone/SO₃ sorbent storage silos controlled by bin vent filters authorized under PA-32-00059E, until August 28, 2016, at the Conemaugh Power Plant located in West Wheatfield Township, **Indiana County**.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328

43-356C: Hermitage Municipal Authority (800 North Hermitage Road, Hermitage, PA 16148-3220) on February 28, 2016, has issued a plan approval extension for the modification of Source 101 (Combined Heat and Power Unit), last permitted in Plan Approval 43-356B. The facility will use natural gas as a supplemental fuel for Source 101. This equipment is located at the Bobby Run Water Pollution Control Plant in the City of Hermitage, **Mercer County**.

62-185A: Berenfield Containers Inc. (304 Main Avenue, Warren, PA 16365) on February 28, 2016, will issue a plan approval extension for the construction of a metal container manufacturing facility. The inside liner coating and exterior paint will be applied using high volume, low pressure (HVLP) spray guns in spray booths. Emissions from spray booths will be controlled by fiber filter pads. A recuperative thermal oxidizer (RTO) will be used to control VOC emissions from the curing process. This facility will be located in the City of Warren, **Warren County**.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

28-05040: Ingenco Wholesale Power LLC (811 Main Street, Suite 3500, Houston, TX 77002-6225) on February 25, 2016, for the landfill gas-to-energy facility associated with the Mountain View Landfill located in Peters Township, **Franklin County**. The Title V permit was renewed.

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

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

53-00008: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221) on February 4, 2016, issued a Title V operating permit for the East Fork Compressor Station located in Wharton Township, **Potter County**. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

42-00004: American Refining Group (77 North Kendall Avenue, Bradford, PA 16701) on February 23, 2016, issued an administrative amendment to the Title V Operating Permit to incorporate the conditions of plan approval 42-004I into the permit for the facility located in Bradford City, **McKean County**.

62-00012: NRG REMA, LLC/Warren Generating Station (121 Champion Way, Ste. 200, Canonsburg, PA 15317-5817) on February 26, 2016, the Department re-issued a Title V Operating Permit to operate an electricity generating facility, located in Conewango Township, **Warren County**. The facility uses a Combustion Turbine to generate electricity during peak demand periods. The permit includes the requirements from the Federal and State Clean Air Interstate Rule (CAIR).

This facility is also now subject to the following federal requirements which are incorporated into the operating permit by reference:

Subpart AAAAA—Transport Rule (TR) NO_x Annual Trading Program

Subpart BBBBB—Transport Rule (TR) NO_x Ozone Season Trading Program

Subpart CCCCC—Transport Rule (TR) SO_x Group 1 Trading Program

The potential emissions from this facility, if it were operated non-stop for the entire year, are as follows. (All values are in tons/year.) PM₁₀ = 13.2, SO_x = 31.2, NO_x = 400.0, VOC = 2.3, CO = 84.0, CO_{2e} = 195,919.0, HAPs = 1.7.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

40-00028: Dupont Terminals—DE, Dupont Terminal (PO Box 2621, Harrisburg, PA 17105-2621). The Department issued a renewal State-Only Synthetic Minor operating permit on February 25, 2016 for Petroleum Bulk Stations and Terminals facility in Pittston Township, **Luzerne County**. The sources consist of gasoline and distillate storage tanks, one (1) Truck Loading Rack, and an emergency generator. The control devices consist of two (2) Vapor Recovery Units (VRU's). The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The issued permit contains applicable requirements for emission limita-

tions, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00029: Dupont Terminals—DE, Dupont East Terminal/Pittston (PO Box 2621, Harrisburg, PA 17105-2621). The Department issued a renewal State-Only Synthetic Minor operating permit on February 25, 2016 for Petroleum Bulk Stations and Terminals facility in Pittston Township, **Luzerne County**. The sources consist of gasoline and distillate storage tanks and one (1) Truck Loading Rack. The control device consists of one (1) Vapor Recovery Unit (VRU). The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The issued 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

36-03106: New Enterprise Stone & Lime Co., Inc. (PO Box 550, Blue Ball, PA 17506) on February 23, 2016, for the stone crushing facility located in West Cocalico Township, **Lancaster County**. The State-only permit was renewed.

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

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

55-00003: Susquehanna University (514 University Avenue, Selinsgrove, PA 17870) on February 23, 2016, was issued a renewal State Only operating permit for their Selinsgrove Campus located in Selinsgrove Borough, **Snyder County**. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00011: Bimbo Bakeries USA, Inc. (249 North 11th Street, Sunbury, PA 17801) on February 23, 2016, was issued a renewal State Only (Synthetic Minor) operating permit for their Sunbury Plant 1 located in the City of Sunbury, **Northumberland County**. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

18-00008: Woolrich, Inc. (2 Mill Street, PO Box 138, Woolrich, PA 17779) on February 24, 2016, was issued a renewal State Only operating permit for its Woolrich Plant located in Pine Creek Township, **Clinton County**. The facility's main sources include two boilers and the Dye and Finish Operation at the facility. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-5226

03-00152: Glacial Sand and Gravel Co./Tarrtown Land Plant (4023 Tarrtown Road, Adrian, PA 16210) on February 23, 2016, the Department issued a State Only Operating Permit renewal for the processing of sand and decorative gravel facility located in East Franklin Township, **Armstrong County**.

30-00086: Golden Eagle Construction Co./Carmichaels Plant (169 Green Valley Rd, Carmichaels, PA 15220) on February 23, 2016, the Department issued a State Only Operating Permit renewal for the operation of an asphalt facility located in Franklin Township, **Greene County**. Golden Eagle operates a hot mix asphalt plant rated 250 tph. Emissions are controlled through the use a baghouse. The facility is is not to exceed the following limits: 100 tpy NO_x, 100 tpy CO, 100 tpy SO_x, 50 tpy VOC, 100 tpy PM₁₀, 10 tpy single HAP, and 25 tpy combined HAPs. This facility is subject to the applicable requirements of Pa. Code Chapters 121—145.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940

37-00287: DeCarbo Funeral Home and Crematory (941 S. Mill Street, P. O. Box 7728, New Castle, PA 16107) located at 3000 Wilmington Road, Neshannock Township, **Lawrence County**, on February 26, 2016, the Department re-issued the Natural Minor Operating Permit for the crematory operations at this facility.

Potential emissions from this facility are as follows: Particulate Matter = 0.28 TPY (tons per year), CO = 0.066 TPY, NO_x = 0.024 TPY, VOC = 0.66 TPY, and SO₂ = 0.05 TPY.

62-00153: Whirley Industries, Inc. (618 4th Avenue, Warren, PA 16365-4923) on February 26, 2016, the Department re-issued the Natural Minor Operating Permit to operate a printing and silk screening operation located at the 6 Harmar Street Facility, Warren City, **Warren County**.

The Emergency Power Generator at this facility is now subject to the requirements of 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. These requirements have been attached to this source.

The potential VOC emissions from this facility are limited by Plan Approval Number 62-153A to no more than 34.1 tons/year. Emissions of all other criteria pollutants, if all sources were operated 8,760 hours per year are as follows: Particulate Matter = 0.63 TPY (tons per year), CO = 3.3 TPY, CO₂e = 9986 TPY, NO_x = 7.8 TPY, and SO₂ = 0.05 TPY.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

23-00003: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061) on February 26, 2016, for an operating

permit to modify the vapor pressure limit for storage tank No. 160 (Source IDs 194 and T003) in Trainer Borough, Delaware County.

09-00007: Waste Management Disposal Services of Pennsylvania, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) On February 26, 2016, the operating permit was amended to replace an existing hours of operation limitation on Backup Enclosed Flare Source ID C03 with an equivalent heat input limitation. The hours of operation limit was included in the RACT (issued 12/19/1997, revised 7/17/2001) and was incorporated into the State Implementation Plan (SIP) on 10/30/2001. DEP will be revising the RACT SIP. Notifications of a public hearing on the revision will follow. The facility is located in Falls Township, Bucks County.

09-00107: Oldcastle Retail, Inc., d/b/a Bonsal American (1214 Hayes Blvd., Bristol, PA 19007) On February 26, 2016 for the modification of the pressure drop range on dust collectors C03, C04 and C06 and the removal of Source No. 105 Cement Storage Silo, and Control Device No. C05 Cement Storage Silo Bin Vents/Filters which vent indoors and not directly to the atmosphere in the State Only, Natural Minor Operating Permit in Bristol Township, Bucks 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

38-03003: Bayer Healthcare LLC (400 W. Stoeber Avenue, Myerstown, PA 17067-1418) on February 26, 2016, for the healthcare products manufacturing facility located in Myerstown Borough, Lebanon County. The State-only permit was administratively amended in order to update responsible official information and to correct information in the permit related to certain emergency engines.

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

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

10-00337: McKnight Cranberry III, LP (800 Cranberry Woods Drive, Suite 260, Cranberry Township, PA 16066) on February 24, 2016, the Department issued an administrative amendment to the State Only Operating Permit for the facility located in Cranberry Township, Butler County. The amendment incorporates the change of ownership from Verizon Wireless Cranberry Call Center. The responsible official was changed to Denise Novak—Senior Property Manager. The permit contact was changed to Sally A. Matthews—Coordinator.

33-00137: Kullagruppen USA Holding Company (568 Tomato Drive, Punxsutawney, PA 15767) on February 23, 2016, the Department issued an administrative amendment to the State Only Operating Permit for the greenhouse facility located in Ringgold Township, Jefferson County. The amendment incorporates the change of ownership from VL Greenhouses LLC to Kullagruppen USA Holding Company. The responsible official was changed to Lars Jacobsen—President. The permit contact was changed to Tracy McDonald—Office Manager.

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

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, Morris Township, Washington County for installation of the 4 North 1 Waterline. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. No additional discharges. Surface Acres Proposed 10.6. The application was considered administratively complete on June 10, 2015. Application received March 26, 2015. Permit issued February 19, 2016.

56121301 and NPDES No. PA0236152. AK Coal Resources, Inc., (1134 Stoystown Road, Friedens, PA 15541). To revise the permit for the North Fork Mine in Quemahoning Township, Somerset County and related NPDES permit to install the North Fork Dewatering Site and add NPDES Outfall 003. Surface Acres Proposed 9.7. Receiving Stream: Two Mile Run, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority and intake: Quemahoning Reservoir. The application was considered administratively complete on February 10, 2015. Application received September 18, 2014. Permit issued February 24, 2016.

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

Permit No. 11813039 and NPDES No. PA0125474, Cooney Brothers Coal Co., P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Adams Township, Cambria County, affecting 1,353 acres. Receiving streams: unnamed tributary to/and Paint Creek; unnamed tributary to/and Sulphur Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 4, 2015. Permit issued: February 11, 2016.

Permit No. 56743138 and NPDES No. PA0606511, Cooney Brothers Coal Co., P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Ogle and Adams Townships, **Somerset and Cambria Counties**, affecting 739.51 acres. Receiving streams: Paint Creek and unnamed tributaries to/and Babcock Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 4, 2015. Permit issued: February 11, 2016.

Permit No. 11860104 and NPDES No. PA0597724, Cooney Brothers Coal Co., P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Conemaugh Township, **Cambria County**, affecting 456.0 acres. Receiving streams: Bear Run and unnamed tributaries to/and Little Conemaugh River, classified for the following use: cold water fishes. There are no portable water supply intakes within 10 miles downstream. Application received: August 9, 2013. Permit issued: February 19, 2016.

Permit No. 56050107 and NPDES No. PA0249866, Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 124.4 acres. Receiving streams: Buffalo Creek and unnamed tributaries to Buffalo Creek, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Meyersdale Municipal Authority. Application Received: February 1, 2016. Permit Issued: February 22, 2016.

Permit No. 56950110 and NPDES No. PA0213217, Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, permit renewal for reclamation only of a bituminous surface mine in Elk Lick Township, **Somerset County** affecting 166.8 acres. Receiving streams: unnamed tributary to/and Flag Run; unnamed tributary to/and Casselman River, Crab Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 21, 2015. Permit issued: February 23, 2016.

Permit 56100105, NPDES No. PA0263079 and General Permit GP-12-56100105, Wilson Creek Energy, LLC, 1576 Stoystown Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Black Township, **Somerset County**, affecting 140.3 acres. Receiving streams: Wilson Creek and Coxes Creek classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 4, 2015. Permit issued: February 23, 2016.

Permit No. 11813040 and NPDES No. PA0125423, Cooney Brothers Coal Co., P. O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 750 acres. Receiving streams: unnamed tributary to/and South Fork Little Conemaugh River; unnamed tributary to/and Sulfur Creek, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: September 24, 2015. Permit issued: February 23, 2016.

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

14090102 and NPDES PA0257117. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit renewal for continued operation and restoration of a bituminous surface mine located in Rush Township, **Centre County** affecting 236.6 acres. Receiving stream(s): Trout Run, Unnamed Tributaries to Trout Run, and Unnamed Tributaries to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 2, 2015. Permit issued: February 26, 2016.

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

GP12-30140101. Stash Mining LLC (675 Old Route 51 Road, Waltersburg, PA 15488). Approval for portable coal crusher authorized under General Permit BAQ-GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-30140101 for an existing bituminous surface mine, located in Monongahela Township, **Greene County**. Application received: January 29, 2016. Permit issued: February 25, 2016.

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

Permit No. 54070103R. White Pine Coal Co., Inc., (PO Box 119, Ashland, PA 17921), renewal for reclamation activities only of an existing anthracite surface mine and refuse disposal operation in Reilly Township, **Schuylkill County** affecting 159.9 acres, receiving stream: Muddy Branch Creek and Pollys Creek. Application received: February 20, 2013. Renewal issued: February 23, 2016.

Permit No. 54070103GP104. White Pine Coal Co., Inc., (PO Box 119, Ashland, PA 17921), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54070103 in Reilly Township, **Schuylkill County**, receiving streams: Muddy Branch Creek and Pollys Creek. Application received: February 20, 2013. Permit issued: February 23, 2016.

Permit No. 40130201. Ken Nowakowski, (80 Foote Avenue, Duryea, PA 18642), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Avoca Borough, **Luzerne County** affecting 15.7 acres, receiving stream: Mill Creek. Application received: April 24, 2013. Permit issued: February 23, 2016.

Permit No. 40130201GP104. Ken Nowakowski, (80 Foote Avenue, Duryea, PA 18642), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40130201 in Avoca Borough, **Luzerne County**, receiving stream: Mill Creek. Application received: April 24, 2013. Permit issued: February 23, 2016.

Permit No. 54890102R5. White Pine Coal Co., Inc., (PO Box 119, Ashland, PA 17921), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Reilly, Cass and Foster Townships, **Schuylkill County** affecting 729.78 acres, receiving streams: Muddy Branch Creek and unnamed tributary to Swatara Creek. Application received: September 29, 2014. Renewal issued: February 23, 2016.

Permit No. 54890102GP104. White Pine Coal Co., Inc., (PO Box 119, Ashland, PA 17921), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54890102 in Reilly, Cass and Foster Townships, **Schuyl-**

kill County, receiving streams: Muddy Branch creek and unnamed tributary to Swatara Creek. Application received: September 29, 2014. Permit issued: February 23, 2016.

Permit No. 54803004R6. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal for reclamation activities only of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 214.0 acres, receiving stream: Good Spring Creek. Application received: October 30, 2015. Renewal issued: February 23, 2016.

Permit No. 54803004GP104R. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54803004 in Hegins and Porter Townships, **Schuylkill County**, receiving stream: Good Spring Creek. Application received: October 30, 2015. Permit issued: February 23, 2016.

Permit No. 54080101R. Michael Coal Company, (PO Box 8, Williamstown, PA 17098), renewal of an existing anthracite surface mine and coal refuse disposal in Tremont Township, **Schuylkill County** affecting 133.0 acres, receiving stream: Rausch Creek and Swatara Creek. Application received: February 27, 2013. Renewal issued: February 26, 2016.

Permit No. 54080101GP104. Michael Coal Company, (PO Box 8, Williamstown, PA 17098), correction to update the post-mining land use from forestland to unmanaged natural habitat of an existing anthracite surface mine and coal refuse disposal in Tremont Township, **Schuylkill County** affecting 133.0 acres, receiving stream: Rausch Creek and Swatara Creek. Application received: February 27, 2013. Renewal issued: February 26, 2016. Correction issued: February 26, 2016.

Noncoal Permits Issued

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

62100302-GP-104. A.C.A. Sand & Gravel, LLC (19170 Route 89, P. O. Box 16, Corry, PA 16407) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 62100302 in Columbus Township, **Warren County**. Receiving streams: Unnamed tributaries to Brokenstraw Creek. Application received: January 19, 2016. Permit Issued: February 26, 2016.

42110301-GP-104. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 42110301 in Ceres Township & Shinglehouse Borough, **McKean & Potter Counties**. Receiving streams: Raub Hollow & Horse Run. Application received: January 28, 2016. Permit Issued: February 26, 2016.

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

08080806. Richard J. Fly Estate (2427 Race Hill Road, Wyalusing, PA 18853-8070). Final bond release for a small industrial minerals surface mine, located in Terry Township, **Bradford County**. Restoration of 1.0 acre completed. Receiving stream(s): UNT to Susquehanna River. Application received: February 23, 2016. Final bond release approved: February 25, 2016.

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

Permit No. 58152503. Tri County Material Corporation, (2620 Egypt Road, Norristown, PA 19403), commencement, operation and restoration of a quarry operation in Choconut Township, **Susquehanna County** affecting 10.0 acres, receiving stream: unnamed tributary to Choconut Creek. Application received: September 15, 2015. Permit issued: February 22, 2016.

Permit No. 58152503GP104. Tri County Material Corporation, (2620 Egypt Road, Norristown, PA 19403), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58152503 in Choconut Township, **Susquehanna County**, receiving stream: unnamed tributary to Choconut Creek. Application received: September 15, 2015. Permit issued: February 22, 2016.

Permit No. 48080302GP104. Penn Big Bed Slate Co., Inc., (PO Box 184, Slatington, PA 18080), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 48080302 in Pen Argyl Borough, **Northampton County**, receiving stream: Waltz Creek. Application received: July 30, 2015. Permit issued: February 24, 2016.

Permit No. 09050302GP104R. Waste Management of Pennsylvania, Inc., (1000 New Ford Mill Road, Morrisville, PA 19067), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 09050302 in Falls Township, **Bucks County**, receiving streams: Delaware River and Lehigh River. Application received: November 5, 2015. Permit issued: February 24, 2016.

Permit No. 5278SM2C9 and NPDES Permit No. PA0595764. Hanson Aggregates PA, LLC, (7600 Imperial Way, Allentown, PA 18195), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Lake Township, **Wayne County** affecting 107.8 acres, receiving stream: unnamed tributary to Middle Creek. Application received: December 18, 2012. Renewal issued: February 25, 2016.

Permit No. 1579601GP104. Lynn Hanaway, (151 North Church Street, Parkesburg, PA 19365), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 1579601 in Parkesburg Borough, **Chester County**, receiving stream: Buck Run. Application received: November 24, 2015. Permit issued: February 25, 2016.

Permit No. 73737SM1C4 and NPDES Permit No. PA0595683. H & K Group, Inc., (PO Box 196, Skippack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Penn Forest Township, **Carbon County** affecting 11.0 acres, receiving stream: Stony Creek to Yellow Run. Application received: October 31, 2013. Renewal issued: February 26, 2016.

Permit No. 13930301C5 and NPDES Permit No. PA0595829. H & K Group, Inc., (PO Box 196, Skippack, PA 19474), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Penn Forest Township, **Carbon County** affecting 14.9 acres, receiving stream: Stony Creek to Yellow Run. Application received: December 23, 2013. Renewal issued: February 26, 2016.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

14154109. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866). Blasting for construction of a new Benner Township Building located in Benner Township, **Centre County** with an expiration date of June 30, 2016. Permit issued: February 4, 2016.

14164101. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866). Blasting for construction of a residential development located in College Township, **Centre County** with an expiration date of December 1, 2016. Permit issued: February 5, 2016.

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

Permit No. 52164103. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Milford Road Project in Lehman Township, **Pike County** with an expiration date of February 13, 2019. Permit issued: February 22, 2016.

Permit No. 36164108. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Zimmerman Steel in Earl Township, **Lancaster County** with an expiration date of March 30, 2016. Permit issued: February 28, 2016.

Permit No. 48164101. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Congra Mills in Lower Mt. Bethel Township, **Northampton County** with an expiration date of February 3, 2017. Permit issued: February 28, 2016.

Permit No. 48164102. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Greenfield Industrial Park in Lower Nazareth and Bethlehem Townships, **Northampton County** with an expiration date of March 1, 2017. Permit issued: February 28, 2016.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-505. Pennsylvania Department of Transport, District 6, 7000 Geerdes Blvd, Bethel, Upper Chichester, Thornberry and Concord Townships in **Delaware County**; ACOE Philadelphia District.

To perform the below-listed water obstruction and encroachment activities associated with a planned improvement project creating an Operations Staging Area (OSA—Relocated Maintenance Facility) as part of the larger U. S. Route 322 Improvement Project (State Route [S.R.] 0322, Sections 101, 102, and OSA/MIT) to address deficiencies of the existing U. S. Route 322 (U. S. 322) roadway in Concord, Bethel, and Upper Chichester Townships, Delaware County. The Section MIT includes both the OSA site and an off-corridor Wetland Mitigation Site (WMS).

1. To construct and maintain a 48 feet by 11 feet precast concrete Arch structure stream crossing on an unnamed tributary to Webb Creek (TSF-WWF) to facilitate the realignment of Station Road North/S.R. 2035.

2. To impact five separate wetlands areas on the OSA site totaling approximately 0.21-acre of temporary impact and 0.22-acre of permanent impact.

3. To impact approximately 23.1 linear feet of watercourse (UNT Webb Creek) associated with the construction of a stormwater basin outfall structure and impacting approximately 318.7 linear feet of ephemeral channel.

4. To provide for stream impact mitigation through a cooperative effort with the Pennsylvania Fish and Boat Commission.

5. To provide for, construct, and maintain approximately 2.33 acres of Wetland for mitigation at the Patterson Tract site located along the East Branch of Chester Creek in Thornbury Township. The created wetlands will consist of 1.53 acre of palustrine emergent, 0.4 scrub shrub, and 0.4 forested habitat.

The WMS site is located at the intersection of Tanguy Road (S.R. 4012) and Creek Road (S.R. 4011) in Thornberry Township. The OSA site is located at the intersection of State Route [S.R.] 0322 and Station Road/S.R. 2035 on the north side of S.R. 0322 in Concord Township, Delaware County (Meridian at the center of the proposed Precast Concrete Arch structure -Latitude 39°52'49.7"; Longitude 75°30'53.7").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511

E35-458. Scranton/Lackawanna Industrial Building Company, 222 Mulberry Street, P. O. Box 431, Scranton, PA 18501. Jessup Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To place and maintain fill in a de minimus area of wetland equal to 0.04 acre for a parking lot associated with the development of a proposed warehouse located in the Valley View Business Park, Lot 18. The project is located at the end of a cul-de-sac at the end of Valley View Drive approximately 0.5 mile east of the intersection of SR 0247 and Valley View Drive (Olyphant, PA Quadrangle Latitude: 41°27'25"; Longitude: -75°32'43"). Subbasin: 5A.

E35-459. Moosic Borough, 715 Main Street, Moosic, PA 18507. Moosic Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a stormwater outfall in Spring Brook (HQ-CWF, MF) consisting of a 24-inch diameter HDPE pipe and flap gate. The project is located within the Moosic Flood Protection Project (C35-06) at the southern end of Salina Street (Avoca, PA Quadrangle Latitude: 41°21'2"; -75°43'47") in Moosic Borough, Lackawanna County. Subbasin: 5A.

E35-461. Roaring Brook Township, 430 Blue Shutters Road, Roaring Brook, PA 18444. Roaring Brook Township, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To maintain an existing single span stone arch bridge over Stafford Meadowbrook (HQ-CWF, MF) with a span of approximately 18 feet and an underclearance of approximately 8 feet. An improved superstructure was con-

structed overtop of the existing arch and consists of steel girders and a concrete deck on independent abutments. The project is located on Smith Road at the intersection of State Route 0307 (Moscow, PA Quadrangle Latitude: 41°22'27"; Longitude: -75°36'37"). Subbasin: 5A.

E40-766. Jason Bower, 500 Long Run Road, Drums, PA 18222. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing 2,173 sq. ft. lakehouse/dock and to construct and maintain a 2,680 sq. ft. lakehouse/dock within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 72, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°22'23.7"; Longitude: -76°2'10.5"). Subbasin: 5B.

E52-251. Verizon North, LLC, 40 S. Mercer Street, New Castle, PA 16101. Shohola Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain two 3-inch diameter communication conduits for a length of 270-foot long in the deck of Pond Eddy Bridge crossing the Delaware River (WWF, MF). The project is located at the intersection of Flagstone Road and Pond Eddy Bridge (Pond Eddy, PA Quadrangle Latitude: 41°26'21"; Longitude: -74°49'11"). Subbasin: 1D.

E58-300A. Constitution Pipeline Company, LLC, 2800 Post Oak Boulevard, Level 17, Houston, TX 77056. Brooklyn, Hartford, New Milford, Jackson, Oakland & Harmony Townships, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To amend Permit E58-300 which authorizes the construction and maintenance of various water obstructions and encroachments associated with the installation of approximately 25 miles of 30-inch diameter gas pipeline as part of the Constitution Pipeline Project. The amendment includes the addition of twenty two (22) stream crossings and sixteen (16) wetland crossings; the modification of thirty nine (39) stream crossings and thirty six (36) wetland crossings; and the deletion of four (4) stream crossings and four (4) wetland crossings. The crossings are associated with the pipeline, workspace and access roads. The permit, as amended, authorizes the permanent encroachment on 10.63 acres of wetlands and the temporary encroachment on 5.75 acres of wetlands and encroachment on approximately 6,368 feet of stream channel. The water obstructions and encroachments, as amended, are shown in the attached tables.

Permit E58-300 originally authorized ninety three (93) wetland crossings and eighty eight (88) stream crossings associated with the pipeline, workspace and access roads. It also authorized permanent encroachment on 9.5 acres of wetlands, temporary encroachment on 5.05 acres of wetlands and encroachment on approximately 6,225 feet of stream channel. Subbasin: 4E.

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact		Crossing Method	State Wetland Classification	USGS Quadrangles				
							in Permanent 50ft ROW (acres)	in Temporary ROW (acres)							
WETLANDS ASSOCIATED WITH PIPELINE															
1	SU-1X-W343	Brooklyn	PFO	41.796593	-75.82177	17	0.04	0.00	0.05	0.00	0.00	II	Other	Montrose East	
2	SU-1B-W226	Brooklyn	PEM	41.796761	-75.817838	104	0.00	0.00	0.12	0.00	0.00	0.07	II	Other	Montrose East
3	SU-1C-W342	Brooklyn	PEM	41.79672	-75.817215	0	0.00	0.00	0.00	0.00	0.00	0.02	N/A	Other	Montrose East
4	SU-1B-W227	Brooklyn	PEM	41.796884	-75.815971	159	0.00	0.00	0.18	0.00	0.00	0.08	II	Other	Montrose East
5	SU-1Q-W316	Brooklyn	PEM	41.800194	-75.809127	11	0.00	0.00	0.02	0.00	0.00	0.01	II	Other	Montrose East
6	SU-1B-W229	Brooklyn	PEM/PSS	41.800447	-75.8045	421	0.00	0.10	0.39	0.00	0.09	0.18	II	Other	Montrose East
7	SU-1C-W187	Brooklyn	PEM	41.800287	-75.786528	154	0.00	0.00	0.17	0.00	0.00	0.04	II	Other	Montrose East
8	SU-1C-W188	Brooklyn	PEM	41.800355	-75.783758	403	0.00	0.00	0.44	0.00	0.00	0.24	II	Other	Montrose East
9	SU-1C-W189	Brooklyn	PSS/PFO/PEM	41.800423	-75.782401	223	0.05	0.13	0.03	0.01	0.03	0.01	II	Other	Montrose East
10	SU-1C-W190	Brooklyn	PEM/PSS	41.800241	-75.78159	56	0.00	0.00	0.06	0.00	0.01	0.04	II	Other	Montrose East
11	SU-1A-W352	Brooklyn/Harford	PFO	41.799607	-75.771971	17	0.02	0.00	0.00	0.01	0.00	0.00	II	Other	Montrose East
12	SU-1B-W234	Harford	PEM	41.800136	-75.766308	103	0.00	0.00	0.12	0.00	0.00	0.07	II	Other	Montrose East
13	SU-1C-W351	Harford	PEM	41.808405	-75.766499	0	0.00	0.00	0.00	0.00	0.00	0.04	N/A	Other	Montrose East
14	SU-1M-W236	Harford	PSS	41.812907	-75.764876	0	0.00	0.02	0.00	0.00	0.11	0.00	N/A	Other	Montrose East
15	SU-1B-W237	New Milford	PEM	41.815741	-75.764271	316	0.00	0.00	0.35	0.00	0.00	0.14	II	Other	Montrose East
16	SU-1B-W238	New Milford	PEM	41.816624	-75.763847	112	0.00	0.00	0.13	0.00	0.00	0.05	II	Other	Montrose East
17	SU-1B-W239	New Milford	PEM	41.817402	-75.76384	90	0.00	0.00	0.11	0.00	0.00	0.08	II, IV	Other	Montrose East
18	SU-1I-W116	New Milford	PEM	41.821029	-75.763846	0	0.00	0.00	0.00	0.00	0.00	0.02	N/A	Other	Montrose East
19	SU-1X-W132B	New Milford	PEM/PFO	41.828334	-75.75731	99	0.01	0.00	0.10	0.01	0.00	0.07	II	Other	Montrose East

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact			Crossing Method	State Wetland Classification	USGS Quadrangles			
							in Permanent 50ft ROW (acres)	in Temporary ROW (acres)	PSS/PEM PFO PSS/PEM						
20	SU-1F-W134	New Milford	PEM	41.836582	-75.742306	31	0.00	0.00	0.03	0.00	0.00	0.02	II	Other	Harford
21	SU-1B-W136	New Milford	PSS	41.838516	-75.740705	119	0.00	0.14	0.00	0.00	0.07	0.00	II	Other	Harford
22	SU-1F-W135	New Milford	PSS/PEM	41.838968	-75.740452	30	0.00	0.03	0.01	0.00	0.02	0.01	II	Other	Harford
23	SU-1F-W137	New Milford	PFO	41.844621	-75.735374	9	0.01	0.00	0.00	0.01	0.00	0.00	II	Other	Harford
24	SU-1C-W385	New Milford	PFO	41.846306	-75.732356	102	0.12	0.00	0.00	0.03	0.00	0.00	II	Other	Harford
25	SU-1D-W384	New Milford	PEM	41.847562	-75.730168	121	0.00	0.00	0.13	0.00	0.00	0.05	II	Other	Harford
26	SU-1D-W386	New Milford	PEM	41.847724	-75.7272	0	0.00	0.00	0.04	0.00	0.00	0.05	II	Other	Harford
27	SU-1C-W387	New Milford	PEM	41.847822	-75.726919	0	0.00	0.00	0.01	0.00	0.00	0.00	II	Other	Harford
28	SU-1D-W389	New Milford	PEM	41.847833	-75.725816	0	0.00	0.00	0.01	0.00	0.00	0.00	II	Other	Harford
29	SU-1C-W397	New Milford	PEM	41.847635	-75.724451	0	0.00	0.00	0.00	0.00	0.00	0.01	N/A	Other	Harford
30	SU-1C-W398	New Milford	PEM	41.847716	-75.723283	0	0.00	0.00	0.01	0.00	0.00	0.01	N/A	Other	Harford
31	SU-1B-W138	New Milford	PEM/PSS	41.848528	-75.714781	272	0.00	0.07	0.20	0.00	0.01	0.06	II	Other	Harford
32	SU-1F-W139	New Milford	PFO	41.852378	-75.709622	65	0.09	0.00	0.00	0.09	0.00	0.00	II	Other	Harford
33	SU-1A-W376	New Milford	PEM	41.853098	-75.708423	198	0.00	0.00	0.17	0.00	0.00	0.02	II	Other	Harford
34	SU-1F-W141	New Milford	PEM/PSS	41.855844	-75.703484	523	0.00	0.14	0.44	0.00	0.08	0.21	II	Other	Harford
35	SU-1D-W245	New Milford	PEM	41.856158	-75.70321	58	0.00	0.00	0.06	0.00	0.00	0.05	II	Other	Harford
36	SU-1D-W246	New Milford	PSS	41.861887	-75.69647	12	0.00	0.01	0.00	0.00	0.01	0.00	II	Other	Harford
37	SU-1D-W250	New Milford	PEM	41.86447	-75.695234	0	0.00	0.00	0.01	0.00	0.00	0.01	N/A	Other	Harford
38	SU-1X-W253	New Milford	PEM	41.865005	-75.694854	52	0.00	0.00	0.06	0.00	0.00	0.05	II	Other	Harford
39	SU-1D-W254	New Milford	PSS	41.865849	-75.693618	66	0.00	0.06	0.00	0.00	0.08	0.00	II	Other	Harford

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact			Crossing Method	State Wetland Classification	USGS Quadrangles			
							in Permanent ROW (acres)		in Temporary ROW (acres)						
							PFO	PSS					PEM		
40	SU-1X-W258	New Milford	PFO/PEM	41.867979	-75.69078	80	0.09	0.00	0.10	0.00	0.01	II	Other	Harford	
41	SU-1X-W259	New Milford	PEM	41.870103	-75.686925	105	0.00	0.00	0.11	0.00	0.00	0.02	II	Other	Harford
42	SU-1B-W039	New Milford	PEM	41.871283	-75.682857	175	0.00	0.00	0.23	0.00	0.00	0.12	II	Other	Harford
43	SU-1D-W261	New Milford	PEM	41.871793	-75.681199	364	0.00	0.00	0.41	0.00	0.00	0.18	II	Other	Harford
44	SU-1G-W305	New Milford	PFO	41.872442	-75.678921	0	0.00	0.00	0.00	0.01	0.00	0.00	N/A	Other	Harford
45	SU-1E-W040	New Milford	PFO	41.87276	-75.67775	262	0.30	0.00	0.00	0.09	0.00	0.00	II	Other	Harford
46	SU-1D-W262	New Milford	PEM	41.873884	-75.674899	94	0.00	0.00	0.10	0.00	0.00	0.03	II	Other	Harford
47	SU-1B-W041	New Milford	PFO	41.873818	-75.674246	0	0.00	0.00	0.00	0.01	0.00	0.00	N/A	Other	Harford
48	SU-1B-W045	New Milford	PFO	41.878358	-75.670565	91	0.12	0.00	0.00	0.11	0.00	0.00	II	Other	Great Bend
49	SU-1B-W048	New Milford	PEM	41.880089	-75.668443	90	0.00	0.00	0.10	0.00	0.00	0.06	II	Other	Great Bend
50	SU-1E-W046	New Milford	PEM	41.880477	-75.667986	191	0.00	0.00	0.21	0.00	0.00	0.05	II	Other	Great Bend
51	SU-1E-W070 ^h	New Milford	PEM	41.881075	-75.667197	0	0.00	0.00	0.01	0.00	0.00	0.00	N/A	Other	Great Bend
52	SU-1G-W308	New Milford	PFO	41.888145	-75.657001	12	0.01	0.00	0.00	0.01	0.00	0.00	II	Other	Great Bend
53	SU-1G-W306	New Milford	PFO	41.888356	-75.656584	56	0.08	0.00	0.00	0.04	0.00	0.00	II	Other	Great Bend
54	SU-1L-W307	New Milford	PFO	41.88912	-75.655483	28	0.03	0.00	0.00	0.01	0.00	0.00	II	Other	Great Bend
55	SU-1K-W278	New Milford	PFO	41.889832	-75.654202	127	0.14	0.00	0.00	0.06	0.00	0.00	II	Other	Great Bend
56	SU-1D-W326	Jackson	PFO	41.897567	-75.645651	127	0.15	0.00	0.00	0.07	0.00	0.00	II	Other	Great Bend
57	SU-1D-W327	Jackson	PFO	41.899848	-75.642597	0	0.01	0.00	0.00	0.02	0.00	0.00	N/A	Other	Great Bend
58	SU-1G-W054	Jackson	PEM	41.902066	-75.634473	136	0.00	0.00	0.17	0.00	0.00	0.12	II	Other	Great Bend
59	SU-1G-W055	Jackson	PFO	41.90223	-75.632337	34	0.04	0.00	0.00	0.02	0.00	0.00	II	Other	Great Bend
60	SU-1B-W134	Jackson	PEM	41.902666	-75.63129	56	0.00	0.00	0.06	0.00	0.00	0.03	II, IV	Other	Great Bend
61	SU-1K-W268	Jackson	PEM	41.904118	-75.62767	0	0.00	0.00	0.02	0.00	0.00	0.00	N/A	Other	Great Bend

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact		Crossing Method	State Wetland Classification	USGS Quadrangles			
							in Permanent 50ft ROW (acres)	in Temporary ROW (acres)						
62	SU-1C-W269	Jackson	PEM	41.90422	-75.626528	286	0.00	0.32	0.00	0.00	0.18	II	Other	Great Bend
63	SU-1G-W058	Jackson	PEM/PSS	41.905865	-75.617399	0	0.00	0.01	0.00	0.01	0.02	N/A	Other	Great Bend
64	SU-1G-W059A	Jackson	PFO	41.906212	-75.616683	144	0.15	0.00	0.00	0.06	0.00	II	Other	Great Bend
65	SU-1K-W062	Jackson	PEM	41.907501	-75.61204	51	0.00	0.00	0.09	0.00	0.00	II	Other	Great Bend
66	SU-1K-W064	Jackson	PSS/PEM	41.908339	-75.609517	41	0.00	0.03	0.01	0.00	0.02	II	Other	Susquehanna
67	SU-1G-W068 ^h	Jackson	PFO	41.909845	-75.606527	0	0.00	0.00	0.00	0.01	0.00	N/A	Other	Susquehanna
68	SU-1K-W273	Oakland	PFO	41.913022	-75.60213	0	0.02	0.00	0.00	0.00	0.00	II	Other	Susquehanna
69	SU-1H-W161	Oakland	PFO	41.915238	-75.600624	111	0.13	0.00	0.00	0.04	0.00	II	Other	Susquehanna
70	SU-1H-W164	Oakland	PFO/PEM	41.919	-75.596213	228	0.22	0.00	0.03	0.05	0.00	II	Other	Susquehanna
71	SU-1C-W391	Oakland	PEM	41.920346	-75.593672	62	0.00	0.00	0.07	0.00	0.00	II	Other	Susquehanna
72	SU-1D-W394	Oakland	PFO	41.920703	-75.592887	5	0.01	0.00	0.00	0.01	0.00	II	Other	Susquehanna
73	SU-1D-W392	Oakland	PEM	41.920833	-75.592603	22	0.00	0.00	0.02	0.00	0.00	II	Other	Susquehanna
74	SU-1C-W393	Oakland	PFO	41.920552	-75.593319	0	0.01	0.00	0.00	0.00	0.00	N/A	Other	Susquehanna
75	SU-1A-W375	Harmony	PFO	41.929418	-75.57926	23	0.05	0.00	0.00	0.10	0.00	N/A, II	Other	Susquehanna
76	SU-1S-W326	Harmony	PSS	41.94078	-75.568722	76	0.00	0.09	0.00	0.00	0.04	II	Other	Susquehanna
77	SU-1L-W310	Harmony	PSS	41.941496	-75.567979	73	0.00	0.08	0.00	0.00	0.03	II	Other	Susquehanna
78	SU-1X-W300	Harmony	PSS	41.947157	-75.550557	144	0.00	0.15	0.00	0.00	0.04	II	Other	Susquehanna
79	SU-1X-W301	Harmony	PFO	41.947222	-75.548569	73	0.09	0.00	0.00	0.02	0.00	II	Other	Susquehanna
80	SU-1S-W303 ^h	Harmony	PEM	41.949796	-75.534498	36	0.00	0.00	0.03	0.00	0.00	II	Other	Susquehanna
81	SU-1S-W306 ^h	Harmony	PEM	41.94995	-75.534089	18	0.00	0.00	0.02	0.00	0.00	II	Other	Susquehanna
82	SU-1S-W305	Harmony	PFO	41.950029	-75.533869	0	0.01	0.00	0.00	0.00	0.00	N/A	Other	Susquehanna
83	SU-1A-W348	Harmony	PFO	41.952353	-75.53263	0	0.01	0.00	0.00	0.00	0.00	N/A	Other	Susquehanna
84	SU-1D-W395	Harmony	PSS	41.95726	-75.529947	71	0.00	0.08	0.00	0.00	0.05	II	Other	Susquehanna
85	SU-1C-W347	Harmony	PSS	41.958934	-75.529872	0	0.00	0.00	0.00	0.00	0.01	N/A	Other	Susquehanna
86	SU-1C-W293	Harmony	PFO	41.959923	-75.529622	25	0.03	0.00	0.00	0.02	0.00	II	Other	Susquehanna
87	SU-1C-W289A	Harmony	PFO	41.961655	-75.525354	0	0.01	0.00	0.00	0.01	0.00	N/A	Other	Susquehanna
88	SU-1X-W291	Harmony	PFO	41.970251	-75.522694	112	0.13	0.00	0.00	0.02	0.00	II	Other	Susquehanna
89	SU-1C-W292	Harmony	PFO	41.970868	-75.523938	39	0.07	0.00	0.00	0.02	0.00	II	EV	Susquehanna
90	SU-1X-W299	Harmony	PFO	41.970787	-75.525313	106	0.11	0.00	0.00	0.06	0.00	II	EV	Susquehanna
91	SU-1C-W368	Harmony	PFO	41.970651	-75.525606	34	0.03	0.00	0.00	0.00	0.00	II	EV	Susquehanna
92	SU-1X-W298	Harmony	PEM	41.970171	-75.528314	91	0.00	0.00	0.12	0.00	0.00	II	Other	Susquehanna
93	SU-1C-W365	Harmony	PEM	41.973165	-75.53742	38	0.00	0.00	0.03	0.00	0.00	II	Other	Susquehanna
94	SU-1C-W294	Harmony	PEM	41.973534	-75.537835	22	0.00	0.00	0.03	0.00	0.00	II	Other	Susquehanna
95	SU-1J-W117	Harmony	PFO	41.985746	-75.542507	15	0.02	0.00	0.00	0.01	0.00	II	Other	Susquehanna

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact in Permanent 50ft ROW (acres)		Crossing Method	State Wetland Classification	USGS Quadrangles	
							PFO	PSS/PEM				
96	SU-1P-W287 ^b	Harmony	PFO	41.985859	-75.542394	0	0.00	0.00	N/A	Other	Susquehanna	
97	SU-1B-W119	Harmony	PFO	41.986952	-75.542619	0	0.01	0.00	N/A	Other	Susquehanna	
98	SU-1B-W120	Harmony	PFO	41.987632	-75.542497	148	0.17	0.00	II	Other	Susquehanna	
99	SU-1B-W121	Harmony	PFO	41.987894	-75.542531	0	0.01	0.00	N/A	Other	Susquehanna	
100	SU-1C-W171	Harmony	PFO/PSS	41.993869	-75.543378	414	0.34	0.13	II	Other	Susquehanna	
101	SU-1C-W170	Harmony	PEM/PFO/PSS	41.999629	-75.54121	542	0.25	0.06	II	Other	Susquehanna	
Permanent ROW Total							3.19	1.32	5.92			
Temporary ROW Total							1.53	0.86	3.15			

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact in Permanent 50ft ROW (acres)		Crossing Method	State Wetland Classification	USGS Quadrangles	
							PFO	PSS/PEM				
102	SU-1H-W335	Brooklyn	PEM	41.79623	-75.824169	0	0.00	0.00	N/A	Other	Montrose East	
103	SU-1C-W376	Brooklyn	PEM	41.80788	-75.815886	0	0.00	0.00	N/A	Other	Montrose East	
Permanent Contractor Yards Total							0.00	0.00	0.00			
Temporary Contractor Yards Total							0.00	0.00	0.00			
WETLANDS ASSOCIATED WITH ABOVEGROUND FACILITIES												
104	SU-1B-W242	Brooklyn	PFO	41.797515	-75.821715	0	0.00	0.00	N/A	Other	Montrose East	
105	SU-1C-W002	Brooklyn	PFO	41.79874	-75.822272	0	0.00	0.00	N/A	Other	Montrose East	
Permanent Aboveground Facilities Total							0.00	0.00	0.00			
Temporary Aboveground Facilities Total							0.00	0.00	0.00			
WETLANDS ASSOCIATED WITH ACCESS ROADS												
106	SU-1A-W370/ PAR-C1	Brooklyn	PFO	41.796186	-75.824160	0	0.00	0.00	N/A	Other	Montrose East	
107	SU-1B-W242/ PAR-1D	Brooklyn	PFO	41.797665	-75.822727	0	0.00	0.00	N/A	Other	Montrose East	
108	SU-1B-W231/ PAR-1	Brooklyn	PFO	41.802247	-75.792062	0	0.00	0.00	N/A	Other	Montrose East	
109	SU-1M-W232/ PAR-1	Brooklyn	PFO	41.802931	-75.791293	0	0.00	0.00	N/A	Other	Montrose East	

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Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact			Crossing Method	State Wetland Classification	USGS Quadrangles
							in Permanent ROW (acres)	in Temporary ROW (acres)	PSS/PEM			
110	SU-1C-W353/ PAR-1	Brooklyn	PEM	41.804607	-75.790279	0	0.00	0.00	0.00	0.00	Other	Montrose East
111	SU-1C-W177/ PAR-3	Harford	PEM	41.809955	-75.763510	0	0.00	0.00	0.00	0.00	Other	Montrose East
112	SU-1B-W239/ PAR-3A	New Milford	PEM	41.817188	-75.120764	0	0.00	0.00	0.00	0.00	Other	Montrose East
113	SU-1F-W137/ TAR-6	New Milford	PEM	41.844350	-75.735298	0	0.00	0.00	0.00	0.00	Other	Harford
114	SU-1C-W382/ TAR-6	New Milford	PFO/PEM	41.842099	-75.735073	178	0.00	0.00	0.04	0.00	Other	Harford
115	SU-1D-W257/ TAR-8	New Milford	PSS/PFO	41.864898	-75.690458	35	0.00	0.00	0.00	0.02	Other	Harford
116	SU-1X-W256/ TAR-8i	New Milford	PSS	41.865698	-75.690962	211	0.00	0.00	0.00	0.09	Other	Harford
117	SU-1D-W328/ PAR-10	New Milford	PEM	41.879545	-75.661647	0	0.00	0.00	0.00	0.00	Other	Great Bend
118	SU-1D-W328A/ PAR-10	New Milford	PEM	41.879545	-75.661647	0	0.00	0.00	0.00	0.00	Other	Great Bend
119	SU-1G-W053/ PAR-11A	Jackson	PEM	41.896789	-75.637782	0	0.00	0.00	0.00	0.00	Other	Great Bend
120	SU-1K-W265/ PAR-13	Jackson	PFO	41.904689	-75.618728	0	0.00	0.00	0.00	0.00	Other	Susquehanna
121	SU-1C-W266/ PAR-13	Jackson	PFO	41.904727	-75.616161	0	0.00	0.00	0.00	0.00	Other	Susquehanna
122	SU-1E-W075/ PAR-15	Harmony	PFO	41.929535	-75.581643	0	0.00	0.00	0.00	0.00	Other	Susquehanna
123	SU-1E-W077/ PAR-15	Harmony	PFO	41.929236	-75.581299	0	0.00	0.00	0.00	0.00	Other	Susquehanna
124	SU-1L-W310/ PAR-15B	Harmony	PSS	41.941492	-75.568016	0	0.00	0.00	0.00	0.00	Other	Susquehanna
125	SU-1A-W348/ PAR-15A	Harmony	PFO	41.952332	-75.532687	0	0.00	0.00	0.00	0.00	Other	Susquehanna
126	SU-1B-W337/ PAR-16	Harmony	PEM/PFO	41.968718	-75.540761	0	0.00	0.00	0.00	0.00	Other	Susquehanna
127	SU-1C-W348/ PAR-16	Harmony	PEM	41.968981	-75.540936	0	0.00	0.00	0.00	0.00	Other	Susquehanna
128	SU-1C-W366/ PAR-16	Harmony	PEM	41.970611	-75.540644	0	0.00	0.00	0.00	0.00	Other	Susquehanna
129	SU-1Q-W338/ PAR-16	Harmony	PEM	41.971091	-75.540466	0	0.00	0.00	0.00	0.00	Other	Susquehanna

Crossing No.	Feature ID	Township	Wetland Classification	Longitude (Decimal Degrees)	Latitude (Decimal Degrees)	Crossing Length (feet)	Area of Impact in Permanent 50ft ROW (acres)		Crossing Method	State Wetland Classification	USGS Quadrangles	
							PFO	PSS/PEM				
130	SU-1B-W339/ PAR-16	Harmony	PEM	41.972127	-75.538832	0	0.00	0.00	N/A	Other	Susquehanna	
131	SU-1C-W170/ TAR-1	Harmony	PFO	41.996956	-75.543299	142	0.00	0.00	TEM	Other	Susquehanna	
Permanent Access Road Total							0.00	0.00	0.00			
Temporary Access Road Total							0.05	0.11	0.04			
Project Totals							3.19	1.32	5.92	1.58	0.97	3.19

TEM—Temporary Equipment Mats

BAC—Bottomless Arch Culvert

TBC—Temporary Bridge/Culvert

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

E49-339. Ralpho Township, 206 S. Market Street, Suite 1, Elysburg, PA 17824. Ralpho Township Channel Improvements, in Ralpho Township, **Northumberland County**, ACOE Baltimore District (Shamokin, PA Quadrangle Latitude: 40°51'53.4"; Longitude: 76°33'9.3").

To construct, operate and maintain two watershed improvement projects on two unnamed tributaries to Shamokin Creek, Cold Water Fisheries that are located south of East Mill Street and north of West Roosevelt Avenue in Elysburg. The South Area beginning at South Market Street shall grade of the right bank to a slope of 1.5:1 and place R-5 riprap stabilization, along the left bank this permit authorizes grading of the bank to a 1.5:1 slope and placing R-5 riprap, removal of a failing concrete retaining wall, re-installing a new retaining wall system utilizing a Geogrid Retaining Wall system, creation of a bank full bench 2 feet above bed elevation and stabilize with R-5 riprap extending landward 3 feet then sloping the remaining banks to the existing grade and to remove a failing bridge structure in its entirety and replace it with a 7 foot by 14 foot box culvert depressed 1 foot below bed elevation with the designed baffle configuration; the North Area beginning at South Market Street shall place concrete grout bags and R-5 riprap toe protection to eliminate scour, place R-5 riprap slope protection, remove the failing concrete wall section grade the banks back to a 1.5:1 slope and re-vegetate, and to remove a failing bridge structure in its entirety and replace it with a 7 foot by 14 foot box culvert depressed 1 foot below bed elevation with the designed baffle configuration. This project impacts a total of 600 linear feet of two unnamed tributaries to Shamokin Creek, which are designated as Cold Water Fisheries and does not impact any wetlands (Shamokin, PA Quadrangle Latitude 40°51'53.4"; Longitude 76°33'9.3") Ralpho Township, Northumberland County. This permit also includes 401 Water Quality Certification.

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, 16335.

E43-363, Mercer Borough, 145 North Pitt Street, Mercer, PA 16137 in Mercer Borough, **Mercer County**. ACOE Pittsburgh District.

To modify and maintain the existing sewage treatment plant including demolition of existing tanks and structures and construction of a screw screen, a headworks building, 2 SBR tanks, 2 digesters, a post equalization tank, a shed, a garage, and associated grading within the 100-year flood plain of Neshannock Creek (Mercer, PA Quadrangle N: 41° 13' 21"; W: -80° 13' 48")

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
ESG0012915001(1)	Columbia Gas Transmission 1700 MacCorkle Avenue, SE P. O. Box 1273 Charleston, WV 25314-1518	Westmoreland County	North Huntingdon Township	Possum Hollow (WWF)
ESG0012915002	Peoples Natural Gas, LLC 1201 Pitt Street Pittsburgh, PA 15221	Westmoreland County	Salem Township	Allegheny River (WWF)

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

<i>ESCGP No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
East Manchester Township York County	ESG00133115002	Brunner Island, LLC Thomas E. Hickes 1400 Wago Road Mount Wolf, PA 17347	UNT to Codorus Creek, UNT to Susquehanna, and Hartman Run/ WWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Drumore Township Lancaster County	ESG00071140001(1)	Timothy Powell 2800 Post Oak Blvd. Level 17 Houston, TX 77056	Multiple	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601-3149

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESG15-019-0051—PER W45 Well Pad
Applicant PennEnergy Resources, LLC

Contact Mr. Greg Stewart
Address 1000 Commerce Drive, Park Place One,
Suite 100

City Pittsburgh State PA Zip Code 15275
County Butler Township(s) Winfield(s)
Receiving Stream(s) and Classification(s) Unnamed tributary to Cornplanter Run

ESCGP-2 #ESG14-019-0002A—Trillith to Bluestone Pipeline Major Modification

Applicant MarkWest Liberty Bluestone, LLC
Contact Rick Lowry

Address 4600 J. Barry Court, Suite 500
City Canonsburg State PA Zip Code 15317
County Butler Township(s) Lancaster & Jackson
Receiving Stream(s) and Classification(s) UNTs to Connoquenessing Creek, Connoquenessing Creek WWF, UNTs to Little Connoquenessing Creek, Little Connoquenessing Creek CWF, UNTs to Little Yellow Creek, Little Yellow Creek CWF, UNTs to Yellow Creek CWF, UNTs to Crab Run CWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESG29-113-15-0009
Applicant Name Chief Oil & Gas LLC

Contact Person Jeff Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Sullivan
Township(s) Cherry
Receiving Stream(s) and Classification(s) Little Loyalsock Ck (EV)

ESCGP-2 # ESX29-115-16-0007
Applicant Name Cabot Oil & Gas Corp
Contact Person Kenneth L Marcum
Address 2000 Park Lane, Suite 300
City, State, Zip Pittsburgh, PA 15275-1121
County Susquehanna
Township(s) Brooklyn
Receiving Stream(s) and Classification(s) Martin Ck (CWF) and Dry Ck (CWF)
Secondary—Tunkhannock Ck (CWF) and Martin Ck (CWF)

ESCGP-2 # ESG29-081-15-0036
Applicant Name Anadarko Marcellus Midstream LLC
Contact Person Rane Wilson
Address 33 W Third St, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Cascade
Receiving Stream(s) and Classification(s) UNT to Slacks Run (HW-CWF)
Secondary—Slacks Run (HW-CWF)

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
16-36-004	Schwanger Bros. & Co., Inc. 500 Roseville Road PO Box 4186 Lancaster, PA 17604 Attn: Steve Schwanger	Lancaster	Manheim Township	1 AST storing fuel oil #2	30,000 gallons

SPECIAL NOTICES

Notice of Planning Grant Awards under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mr. Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P O Box 8472, Harrisburg, PA 17105-8472.

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northwest	Jefferson	Jefferson County	Plan Revision/Update	\$15,224

PUBLIC HEARING RESCHEDULED
Municipal Waste Management Landfill Expansion Application #100020-A151
Submitted by IESI PA Bethlehem Landfill Corporation
Lower Saucon Township, Northampton County

The Department of Environmental Protection has rescheduled the public hearing to accept comments on Municipal Waste Management Permit Application 100020-A151 for a proposed expansion of the IESI PA Bethlehem Landfill in Lower Saucon Township, Northampton County. The application is currently under review.

The public hearing will be held on Wednesday, April 13, 2016 from 6 to 9 p.m. at the Saucon Valley High School, 2100 Polk Valley Road, Hellertown, PA 18055.

The major permit modification application was submitted to DEP in January 2015 and requests an expansion of 29 acres. The expansion area is to be located within the current permit boundary and involves expanding over existing fill areas and a small portion of new disposal area in the southeast corner of the site. The proposed expansion does not include a change in waste acceptance rates.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Colleen Connolly, Community Relations Coordinator, IESI PA Bethlehem Landfill Public Hearing, PA DEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, or by e-mail at coconnolly@pa.gov.

The Department will accept notices up to the day of the hearing. The written notice should include the person's name, address, telephone number and a brief statement as to the nature of their presentation. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify.

Written copies of oral testimony are requested. Relinquishing of time to others will not be allowed. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who pre-register to testify will be given priority on the agenda. Persons unable to attend the hearing may submit written statements/comments to the Department on or before April 13, 2016.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Colleen Connolly, 570-826-2511 or through the Pennsylvania AT&T Relay Service at 800-654-5984 (TDD) to discuss how the Department can meet their needs.

The permit application is available for review at the Department's Northeast Regional Office, 2 Public Square, Wilkes-Barre or the Department's Bethlehem District Office located at 4530 Bath Pike, Bethlehem. Contact the Northeast Regional Office at 570-826-2511 or the Bethlehem District Office at 610-861-2070 to schedule an appointment to review the application.

The permit application is also available for review at the Bethlehem Public Library, 11 W. Church Street, Bethlehem and the Hellertown Area Library, 409 Constitution Avenue, Hellertown. The public does not need an appointment to view the application at either library.

For further information, contact Colleen Connolly, DEP Northeast Regional Office at 570-826-2511.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of February 2016 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Nicholas Barbarini	4144 Feidler Dr. Erie, PA 16506	Mitigation/Testing
Stephen Beloyan	2 Field Ct. Wrightstown, NJ 08562	Testing
Mario Cote MMC Radon Remediation, LLC	1310 W 40th St. Erie, PA 16509	Mitigation
Kevin Dunkle	PO Box 211 Worthington, PA 16262	Mitigation
Idrees Fareed	1260 Woodland Ave #MSA5 Springfield, PA 19064	Testing/Mitigation
Nathan Feldwieser	3650 Concorde Pkwy., Ste. 100 Chantilly, VA 20151	Testing
Graham Foster	272 Keystone Rd. East Stroudsburg, PA 18302	Testing
Michael Gabriel	292 Main St. Harleysville, PA 19438	Testing
Mark Garland	5970 W Webb Rd. Mineral Ridge, OH 44440	Testing
Gregory Hancock	147 Mountainstone Trl. Lock Haven, PA 17745	Testing
Carla Higgins	1310 W 40th St. Erie, PA 16509	Testing
Daniel Kauffman	153 Knoll Dr. New Castle, PA 16102	Testing
Dannie Keen	PO Box 155 St. Thomas, PA 17252	Testing
Joseph D. Kelly III	PO Box 15811 Pittsburgh, PA 15244	Testing
Layne Kihle	1002 Bayberry Ln. Collegeville, PA 19426	Testing
Jarrold Lape Family 1st Radon & Mitigation Services, LLC	109 Sunset St. Monongahela, PA 15063	Mitigation
Robert Leiby	809 N 7th St. Perkasie, PA 18944	Testing
Mark Long	800 Frailey Rd. Emmitsburg, MD 21727	Testing
Scott Messner	PO Box 952 Camp Hill, PA 17011	Testing
Professional Home Inspection, LLC	14 Crestmont Ct. Lititz, PA 17543	Testing
Kathleen Remsnyder	7301 Allentown Blvd. Harrisburg, PA 17112	Testing
Nickelas Reznick	8020 Mine St. Fogelsville, PA 18051	Mitigation
RSSI	6312 Oakton St. Morton Grove, IL 60053	Laboratory Analysis

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Jeffrey Schlaline Absolute Radon Mitigation, LLC	800 Locust Grove Rd. York, PA 17402	Mitigation
Thomas Stangroom	PO Box 120 Bovard, PA 15619	Testing
David Taylor	1738 N 3rd St., Ste. A Harrisburg, PA 17104	Testing
Brian Thomas	8026 Maureen Dr. Cranberry Township, PA 16066	Testing
Top Dawg Inspections	16 W. Hanover St. Gettysburg, PA 17325	Testing
Frederick Wedman Moyer Indoor Outdoor	PO Box 64198 Souderton, PA 18964	Testing
Matthew Winslow	51 Sugar Maple Rd. Barto, PA 19504	Mitigation
Andrew Wolfe	37 Virginia Ave. Shrewsbury, PA 17361	Testing

DRINKING WATER STATE REVOLVING FUND SPECIAL NOTICE

Special Notice Under the Federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f, et. seq.

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

Project Location:

The Municipal Authority of the Borough of Somerset, PO Box 71, 347 West Union Street, Somerset, PA 15501-0071, **Somerset County (Project No. 56123041512-CW)**.

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Applicant, The Municipal Authority of the Borough of Somerset, is proposing to construct a new 1.0 MG rectangular concrete finished water storage tank located at the Hickory Hill Water Tank site. The proposed project is located in Somerset Borough, Somerset County. The Department's review of the project concluded that the project is eligible to be categorically excluded from the environmental review process, and a subsequent public review confirmed that there are no exceptional circumstances that warrant an Environmental Assessment.

Project Location:

Nanty Glo Water Authority, 1015 First Street, Suite 1, Nanty Glo, PA 15943, **Cambria County (Project No. 1024041601-CW)**.

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Applicant, Nanty Glo Water Authority, is proposing to construct two up-flow buoyant media filled clarifier units, two tri-media rapid rate gravity filters, conversion of an existing 35,000 gallon sludge storage tank into a backwash waste equalization tank, a flow water meter and meter pit, a backwash water supply pump station, and the installation of a backwash wastewater plate settler. The proposed

project is located in Cambria Township, Cambria County. The Department's review of the project concluded that the project is eligible to be categorically excluded from the environmental review process, and a subsequent public review confirmed that there are no exceptional circumstances that warrant an Environmental Assessment.

SPECIAL NOTICE

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

Notice is hereby given that the Department of Environmental Protection, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901 will conduct a public meeting on Tuesday, March 29, 2016 between 5:30 p.m. and 10:00 p.m. in the auditorium of the Boyertown Area Junior High School East, 2020 Big Road, Gilbertsville, PA 19525; concerning the renewal of an Individual National Pollution Discharge Elimination System (NPDES) Permit No. PA0224308, which will be operated in association with the Gibraltar Rock, Inc., Gibraltar Quarry, Surface Mine Permit Number 46030301. The NPDES permit renewal application outlines three (3) water discharge points. The receiving stream for the NPDES discharge points is an unnamed tributary to Swamp Creek, which is classified as Trout Stocking (TSF), Migratory Fishes (MF) in 25 Pa. Code Chapter 93. Scioto Creek (TSF, MF) will receive only perimeter berm runoff from the extreme northeast corner of the proposed permit area. At the meeting the Department will be taking testimony from the public regarding the proposed renewal of NPDES Permit Application No. PA 0224308. After the testimony the Department will hold an informal conference to answer questions from the public related to the above-referenced application. A copy of the application is available for public inspection at the New Hanover Township Administrative office at 2943 North Charlotte Street, Gilbertsville, PA 19525 during township regular business office hours and at the Pottsville District Mining Office during regular business hours of 8:00 a.m. to 4:00 p.m., Monday through Friday.

[Pa.B. Doc. No. 16-417. Filed for public inspection March 11, 2016, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Rescission of Technical Guidance

DEP ID: 257-0900-017. *Title:* Requirements for Registration of ASTs and UST. *Description:* This document is no longer necessary because contents of this guidance have been replaced by internal standard operating procedures.

Contact: Questions regarding this action should be directed to Eric Lingle at (717) 783-2403 or elingle@pa.gov.

Effective Date: March 13, 2016

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-418. Filed for public inspection March 11, 2016, 9:00 a.m.]

State Board for Certification of Sewage Enforcement Officers; 2016 Sewage Enforcement Officers Examinations Announcement

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection (Department) have scheduled three examinations for the remainder of 2016. To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must complete the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business on the deadlines indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The examination schedule for 2016 is as follows:

Examination Date:	Monday, June 20, 2016 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	May 20, 2016
Location:	Department of Environmental Protection Rachel Carson State Office Building 2nd Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Monday, September 12, 2016 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	August 12, 2016
Location:	Department of Environmental Protection Rachel Carson State Office Building 2nd Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Monday, December 12, 2016 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	November 12, 2016
Location:	Department of Environmental Protection Rachel Carson State Office Building 2nd Floor Training Room 400 Market Street Harrisburg, PA 17101

Additional examination dates will be posted as scheduled.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program, and technical criteria for soils and disposal systems with a 3 1/2-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-2186.

Applicants will receive an admittance letter from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-5157 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss the request. This request must be submitted with the application form.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-419. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Lancaster County

of retail space for the Liquor Control Board in Lancaster, Lancaster County. For more information on SFP No. 94792, which is due on Friday, March 25, 2016, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-420. Filed for public inspection March 11, 2016, 9:00 a.m.]

Proposals are invited to provide the Department of General Services with 9,500 to 12,500 usable square feet

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b). The following requests for exception 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)
Excela Health Norwin Medical Commons	28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery)
LVHN Children's Surgery Center	28 Pa. Code § 551.21(d)(2) and (3) 28 Pa. Code § 561.1 (relating to drugs and biologicals)
McCandless Endoscopy Center, LLC	28 Pa. Code § 553.31 (relating to administrative responsibilities)
Philadelphia Surgi-Center, Inc.	28 Pa. Code § 559.2 (relating to director of nursing)
Progressive Surgical Institute, ABE, Inc.	28 Pa. Code § 553.31

The requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-421. Filed for public inspection March 11, 2016, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related in 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Magee-Womens Hospital of UPMC Health System	28 Pa. Code § 107.61 (relating to written orders)
Uniontown Hospital	28 Pa. Code § 101.172 (relating to patient limits)
UPMC Bedford	28 Pa. Code § 107.61

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>
Albert Einstein Medical Center	2.1-8.2.1.2	Ventilation and space-conditioning requirements	2014
Ephrata Community Hospital	2.1-8.5.3.2 2.1-8.5.3.2(2)	Size (TDRs) Location and access requirements (TDRs)	2014 2014
Hanover Hospital	2.2-3.4.2.1(1)(b)	CT scanner rooms	2014
Lancaster General Hospital	2.1-8.5.3.2	Size (TDRs)	2014
Main Line Hospital Bryn Mawr	2.1-8.5.1.2 2.1-8.5.1.4	Size (TSERs) Building system requirements (TSERs)	2014 2014
Penn Highlands DuBois (177 Washington Street, St. Marys)	3.1-3.2.2.2(1) 3.1-3.2.2.2(2)	Space requirements—area Space requirements—clearances	2014 2014
St. Luke's Hospital—Anderson Campus	2.2-3.12.2.8(1)	Nurse station	2014
UPMC Altoona	2.1-8.5.3.1(1) 2.2-3.5.3.1(2)—(4)	Number (TDRs) Pre-procedure and recovery patient care areas	2014 2014
UPMC Bedford	4-6.7.1	Air distribution systems—general	2014

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-422. Filed for public inspection March 11, 2016, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Audubon Villa Health and Rehabilitation Center
125 South Broad Street
Lititz, PA 17543
FAC ID # 012302

ManorCare Health Services—Elizabethtown
320 South Market Street
Elizabethtown, PA 17022
FAC ID # 023202

Mt. Hope Nazarene Retirement Community
3026 Mount Hope Home Road
Manheim, PA 17545
FAC ID # 134002

Susquehanna Valley Nursing and Rehabilitation Center
745 Chiques Hill Road
Columbia, PA 17512
FAC ID # 084802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Rehabilitation Center at Brethren Village
3001 Lititz Pike
Lancaster, PA 17606
FAC ID # 24480201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

The Village at Penn State
160 Lion's Hill Road
State College, PA 16803
FAC ID # 15550201

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-423. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is announcing its intent to allocate funding in Fiscal Year (FY) 2015-2016 for disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that serve the indigent population of cities in this Commonwealth with an average per capita income significantly below the Statewide average. These payments are intended to provide additional financial support to hospitals that serve an inordinate amount of low-income individuals and Medical Assistance (MA) beneficiaries in impoverished areas of this Commonwealth. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2015-2016 impact as a result of the funding allocation for these payments is \$4.145 million (\$1.989 million in State general funds) upon approval by the Centers for Medicare and Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any revision of the Department's intent.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-998. (1) General Fund; (2) Implementing Year 2015-16 is \$1,989,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-424. Filed for public inspection March 11, 2016, 9:00 a.m.]

Additional Disproportionate Share Hospital Payments

The Department of Human Services (Department) is announcing its intended funding allocations for several classes of disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals. The Department is

not otherwise changing its State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Background

The Department intends to allocate funding for certain classes of DSH payments to qualifying acute care general hospitals for Fiscal Year (FY) 2015-2016. Specifically, these classes of payments include DSH payments to critical access and qualifying rural hospitals, DSH payments for obstetrical and neonatal health care services, and trauma DSH payments.

DSH Payments to Critical Access Hospitals and Qualifying Rural Hospitals

For FY 2015-2016, the Department intends to allocate \$6.669 million (\$3.200 million in State general funds and \$3.469 million in Federal funds) upon approval by the Centers for Medicare and Medicaid Services (CMS) for DSH payments to critical access and qualifying rural hospitals.

DSH Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Health Care Services

For FY 2015-2016, the Department intends to allocate \$6.252 million (\$3.000 million in State general funds and \$3.252 million in Federal funds) upon approval by CMS for DSH payments to qualifying hospitals providing obstetrical and neonatal health care services.

Trauma DSH Payments

For FY 2015-2016, the Department intends to allocate \$18.038 million (\$8.656 million in State general funds and \$9.382 million in Federal funds) upon approval by CMS for trauma DSH payments.

Fiscal Impact

The FY 2015-2016 fiscal impact, as a result of these payments, is \$30.959 million (\$14.856 million in State general funds and \$16.103 million in Federal funds) upon approval by CMS.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-999. (1) General Fund;

(7) MA—Fee-for-Service; (2) Implementing Year 2015-16 is \$6,200,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000;

(7) Trauma Centers; (2) Implementing Year 2015-16 is \$8,656,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$8,656,000; 2013-14 Program—\$8,656,000; 2012-13 Program—\$8,656,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-425. Filed for public inspection March 11, 2016, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Banner Associates, Inc. Wayne Grace, individually FEIN No. 23-2691126	60 Merkel Road Gilbertsville, PA 19525	1/19/2016

KATHY M. MANDERINO,
Secretary

[Pa.B. Doc. No. 16-426. Filed for public inspection March 11, 2016, 9:00 a.m.]

Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Thursday, March 31, 2016, at 12 p.m. at the Department of Labor and Industry, 1st Floor, E-100 Conference Room, 651 Boas Street, Harrisburg, PA 17121.

Additional information concerning the meeting may be found on the Department of Labor and Industry web site

at www.dli.pa.gov (select "Uniform Construction Code," then "UCC Review & Advisory Council").

Questions concerning this meeting may be directed to Penny Myers at (717) 783-6304.

KATHY M. MANDERINO,
Secretary

[Pa.B. Doc. No. 16-427. Filed for public inspection March 11, 2016, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
12-102	Department of Labor and Industries Uniform Construction Code	2/29/16	3/31/16

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 16-428. Filed for public inspection March 11, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Southampton Manor Nursing and Rehabilitation Center, LP

Southampton Manor Nursing and Rehabilitation Center, LP has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Shippensburg Health Care Center in Shippensburg. The initial filing was received on February 16, 2016, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-429. Filed for public inspection March 11, 2016, 9:00 a.m.]

Application for Approval of Proposed Merger of Atlantic Specialty Insurance Company with and into OneBeacon Specialty Insurance Company

Atlantic Specialty Insurance Company, a New York domiciled stock property and casualty insurance company, has filed an application for approval to merge with OneBeacon Specialty Insurance Company, a domestic stock property and casualty insurance company, with OneBeacon Specialty Insurance Company surviving the merger. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932 (relating to merger liabilities and sale of assets); and the GAA Amendment Act of 1990 (15 P. S. §§ 21101—21404).

Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-430. Filed for public inspection March 11, 2016, 9:00 a.m.]

Application for Approval of Proposed Merger of Homeland Insurance Company of New York with and into OneBeacon Select Insurance Company

Homeland Insurance Company of New York, a New York domiciled stock property and casualty insurance company, has filed an application for approval to merge with OneBeacon Select Insurance Company, a domestic stock property and casualty insurance company, with OneBeacon Select Insurance Company surviving the merger. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932 (relating to merger liabilities and sale of assets); and the GAA Amendment Act of 1990 (15 P. S. §§ 21101—21404).

Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-431. Filed for public inspection March 11, 2016, 9:00 a.m.]

First Priority Life Insurance Company (BCNP-130409345); Small Group Transitional; Rate Filing

First Priority Life Insurance Company submitted a rate filing to increase the premium rates for its Small Group Transitional Plans renewing on October 1, 2016. The filing proposes a rate increase of 9.8% and will affect approximately 34,344 members. The proposed rate increase will generate approximately \$17 million of additional annual revenue.

Unless formal administrative action is taken prior to May 25, 2016, 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. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-432. Filed for public inspection March 11, 2016, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Room 2015, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of William and Valerie Ainsworth; File No. 15-188-190647; State Farm Mutual Automobile Insurance Company; Doc. No. P15-12-007; April 13, 2016, 10 a.m.

Appeal of Susan Lightner; File No. 15-130-192192; GEICO Casualty Company; Doc. No. P16-01-007; April 13, 2016, 11 a.m.

Appeal of Kathleen Pacacha; File No. 15-119-192138; Nationwide Mutual Insurance Company; Doc. No. P16-02-003; April 13, 2016, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-433. Filed for public inspection March 11, 2016, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the companies' termination of the insureds' homeowners policy. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Phyllis and Talmadge Tippet; File No. 15-188-191817; IDS Property Casualty Insurance Company; Doc. No. P16-01-004; March 30, 2016, 10 a.m.

The following hearing will be held in Hearing Room 2015, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Gary A. Green; File No. 15-116-189937; Wall Rose Mutual Insurance Company; Doc. No. P15-11-021; April 13, 2016, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-434. Filed for public inspection March 11, 2016, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

[OFFICIAL OPINION 2016-1]

Request for Legal Opinion Concerning the State Treasury's Authority to Issue a Warrant for the Payment of Requisitions to Pay Expenses of State Correctional Institutions

February 25, 2016

Christopher B. Craig, Esq.
Chief Counsel
Pennsylvania Treasury
129 Finance Building
Harrisburg, PA 17120

Dear Mr. Craig:

On behalf of the State Treasury, you have requested a legal opinion, pursuant to the Commonwealth Attorneys Act, 71 P.S. § 732-204, concerning the authority of the State Treasurer to issue his warrant for the payment of requisitions submitted by the Governor's Office of Budget to pay the continuing operational expenses of the state correctional institutions that exceed the appropriation level established in the Fiscal Year 2015-16 General Appropriation Act, Act of December 29, 2015 (P.L. ____, No. 10A) ("Act 10A of 2015"). After careful review, we have concluded that the prohibition in Article III, Section 24 of the Pennsylvania Constitution and 72 P.S. § 3422 against the Treasury paying any money in excess of that appropriated is superseded to the extent the state law is in direct conflict with the United States Constitution or federal statutes.

As a threshold matter, Section 204(a)(1) of the Commonwealth Attorneys Act provides that, "[u]pon the request of the Governor or the head of any Commonwealth Agency, the Attorney General shall furnish legal advice concerning any matter or issue arising in connection with the exercise of the official powers or the performance of the official duties of the Governor or agency." 71 P.S. § 732-204(a)(1). The Commonwealth Attorneys Act further provides that the State Treasury shall not be considered a Commonwealth Agency for purposes of Section 204(a). 71 P.S. § 732-102 (defining the State Treasury to be a Commonwealth Agency only for purposes of Section 204(b) and 204(f) and 42 Pa.C.S. § 5110). As a result, this legal opinion is not binding on the State Treasury. Furthermore, please be advised that the protection from liability afforded recipients of binding opinions from the Attorney General under Section 204(a)(1) also does not apply to the State Treasury; therefore, reliance on this opinion is at the Treasury's discretion.

Factual Background

On December 29, 2015, Governor Wolf partially approved and signed Act 10A of 2015. As it pertains to this matter, the appropriation for state correctional institutions was reduced by the Governor from \$1.89 billion to the sum of \$956 million. You have indicated that the Treasury imminently expects the Department of Corrections to exhaust all funds appropriated for the continued operations of the state correctional institutions. Despite this anticipated appropriation shortfall, you also indicated that the Treasury anticipates the receipt of requisitions from the Office of Budget to pay for continued operations of the state correctional institutions, including requisitions for salaries and benefits for employees, as well as

food service, facility maintenance, health care, mental health care, drug interdiction programs, security operations, utility service, and safety systems.

State Law

Article III, Section 24 of the Pennsylvania Constitution provides:

No money shall be paid out of the treasury, except on appropriations made by law and on warrant issued by the proper officers; but cash refunds of taxes, licenses, fees and other charges paid or collected, but not legally due, may be paid, as provided by law, without appropriation from the fund into which they were paid on warrant of the proper officer.

Pa. Const. Art. III, § 24.

This provision establishes a constitutional requirement that the Treasury not disperse any money without an appropriation made by law and a warrant issued by the proper officer. These requirements are further supported and supplemented by Section 3422 of the Fiscal Code which provides, in relevant part, that, “[i]f the state treasurer shall pay out for any appropriation named in an appropriation bill, a greater sum than is named therein for each appropriation, . . . they shall be deemed guilty of a misdemeanor, punishable by a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, for each and every offence.” 72 P. S. § 3422.

The Fiscal Code also establishes the procedures by which expenditure requisitions are submitted to the Treasury and by which the Treasury evaluates such requisitions. Of particular importance to the issue at hand, Section 1502 of the Fiscal Code provides that, “[r]equisitions shall be audited by the Treasury Department in accordance with generally accepted auditing standards and if they appear to be lawful and correct, the State Treasurer shall issue his warrant for the payment thereof.” 72 P. S. § 1502.

The United States Constitution and Federal Statutes Have Supremacy Over Conflicting Provisions of State Constitutions and State Statutes.

The Supremacy Clause of the United States Constitution, U. S. Const. Art. VI, Cl. 2, makes the United States Constitution and federal laws the supreme law of the land governing anything to the contrary in state laws or state constitutions. *Testa v. Katt*, 330 U. S. 386, 67 S.Ct. 810, 91 L.Ed. 967 (1947); *Knoll v. White*, 141 Pa. Cmwlth. 188, 194, 595 A.2d 665, 668 (1991). It is a fundamental principle that state law that conflicts with federal law is without effect. *Council 13, AFSCME, AFL-CIO v. Rendell*, 604 Pa. 352, 380, 986 A.2d 63, 80 (2009). (citing *McCulloch v. Maryland*, 17 U. S. (4 Wheat) 316, 4 L.Ed. 579 (1819)). Such a conflict arises where compliance with both state and federal laws or regulations is an impossibility or where state law stands as an obstacle to the accomplishments and execution of the full purposes and objectives of Congress. *Id.* at 81 (citing *Hillsborough County, Fl. v. Automated Med. Laboratories, Inc.*, 471 U. S. 707, 105 S.Ct. 2371, 85 L.Ed.2d 714 (1985)). Accordingly, if a conflict exists between the United States Constitution or federal statutes and the Pennsylvania Constitution or Pennsylvania Laws where it is impossible to comply with both federal and state law, the United States Constitution or federal statute would supersede the conflicting provision of the Pennsylvania Constitution or state law. However, the state law is displaced only to the extent that it actually conflicts with federal law. *Dalton v. Little Rock Family Planning Services*, 516 U. S. 474, 116 S.Ct. 1063, 134 L.Ed.2d 115 (1996).

In this matter, strict adherence to Article III, Section 24 of the Pennsylvania Constitution and 72 P. S. § 3422 would act as a complete bar to any and all payments for the Department of Corrections once it has completely exhausted all appropriated funds. However, from that moment going forward until such time as a new appropriation is made, zero payment would result in complete cessation of operation of the Department of Corrections and its state correctional institutions. Complete cessation of operation of the Department of Corrections would undoubtedly conflict with the requirements set forth by the United States Constitution. To the extent that the United States Constitution or federal statutes require action of the Department of Corrections, those provisions would supersede Article III, Section 24 of the Pennsylvania Constitution and 72 P. S. § 3422 and would be limited to the time period in which the Department of Corrections has completely exhausted all appropriations and to the scope of the actual conflict with the federal law.

The Pennsylvania Commonwealth Court has held that budget impasses and the absence of state funding appropriations do not allow the Commonwealth to forego its obligations with regard to certain federal programs. *Knoll*, 141 Pa. Cmwlth. at 195. In *Knoll*, the Commonwealth Court found it lawful for the Treasury to continue payment for distribution of benefits to recipients of federal programs based on the supremacy of federal law over Article III, Section 24 of the Pennsylvania Constitution. *Id.*

The Department of Corrections, likewise, has duties mandated by the United States Constitution and federal statutes that would be impossible to meet with complete cessation of operation. “When the state takes [a person] into custody and holds him there against his will, [both the United States and Pennsylvania Constitution impose] upon it a corresponding duty to assume some responsibility for his safety and general well-being.” *DeShaney v. Winnebago County Dept of Soc. Servs.*, 489 U. S. 189, 199-200, 109 S.Ct. 998, 1005, 103 L.Ed.2d 249 (1989); Pa. Const. Art. I, § 13. This affirmative duty to protect arises “from the limitation which [the state] has imposed on the [inmate’s] freedom to act on his own behalf.” *Id.* at 190.

The principle behind the Commonwealth’s obligation to provide for an inmate’s basic needs is relatively straightforward—the state “so restrains an individual’s liberty that it renders him unable to care for himself, and at the same time fails to provide for his basic human needs—e.g., food, clothing, shelter, medical care, and reasonable safety—it transgresses the substantive limits on state action set by the Eighth Amendment and the Due Process Clause.” *Id.* at 200. Specifically, the Eighth Amendment’s proscription against cruel and unusual punishment guarantees that prison officials “must provide humane conditions of confinement.” *Farmer v. Brennan*, 511 U. S. 825, 832, 114 S.Ct. 1970, 1976, 128 L.Ed.2d 811 (1994); US Const. amend. VIII. To that end, prison officials have an obligation to ensure that inmates receive basic needs including “adequate food, clothing, shelter, and medical care, and must take reasonable measures to guarantee [their] safety.” *Id.*

Courts have held that “deliberate indifference” to the basic human needs of prisoners will be considered a violation of the Eighth Amendment. See e.g. *Estelle v. Gamble*, 429 U. S. 97, 97 S.Ct. 285, 50 L.Ed.2d. 251 (1976) (holding that the deliberate indifference to serious medical needs of prisoners violates the Eighth Amendment proscription against cruel and unusual punishment.); See

also *Inmates of Allegheny Cty. Jail v. Pierce*, 612 F.2d 754, 762 (3d Cir. 1979) (finding that deliberate indifference to serious medical needs is shown when prison officials have prevented an inmate from receiving recommended treatment or when an inmate is denied access to medical personnel capable of evaluating the need for treatment.).

Additionally, the Department of Corrections has certain obligations under the First Amendment to protect expressive activities for all inmates including speech, the free exercise of religion and access to courts. See US Const. amend. I; see also *Turner v. Safley*, 482 U.S. 78, 107 S.Ct. 2254, 96 L.Ed.2d 64 (1987); *Cruz v. Beto*, 405 U.S. 319, 92 S.Ct. 1079, 31 L.Ed.2d 263 (1972).

Taken together, these myriad of duties impose inescapable requirements on the Department of Corrections to provide a minimum level of basic service and protection to inmates in its custody and control. If the Department of Corrections was forced to completely cease operation of state correctional institutions as a result of the application of Article III, Section 24 and 72 P.S. § 3422 prohibiting any payments following exhaustion of appropriated funds, it would be impossible to comply with these minimum requirements of federal law. *Council 13*, 604 Pa. at 380. Due to this conflict between the Pennsylvania Constitution and the myriad of applicable federal laws during the period once the Department of Corrections has completely exhausted its appropriations until any new appropriation is made, the applicable federal law supersedes Article III, Section 24 of the Pennsylvania Constitution and 72 P.S. § 3422.

Treasury Has Authority to Issue a Warrant for the Payment of any Requisition that Appears to be Lawful and Correct.

Pursuant to the Pennsylvania Fiscal Code, the Treasurer shall issue a warrant for the payment of a requisition only if it “appear[s] to be lawful and correct.” 72 P.S. § 1502. The statutory standard employed by the Treasurer is not one of absolute legal certainty, but rather, if the requisition “appears” to the Treasurer, in his sole discretion, to be “lawful and correct.” The legislature’s purposeful use of the conditional term “appears” is noteworthy, as it is an acknowledgment of the large number of expenditure requisitions that are presented daily to the Treasurer often accompanied by little legal guidance and lack in absolute legal certainty. As a consequence, the Fiscal Code permits the Treasurer to exercise his independent judgment when considering the legality of an expenditure requisition. This independent judgment would certainly apply to his analysis of whether an individual requisition for payment of a Department of Correction’s operating expense would be authorized due to the supremacy of the United States Constitution or federal statute over Article III, Section 24 of the Pennsylvania Constitution or 72 P.S. § 3422.

It will be at the discretion of the Treasury whether any individual requisition “appear[s] to be lawful and correct” based on the supremacy of the United States Constitution or federal statute superseding Article III, Section 24 of the Pennsylvania Constitution and 72 P.S. § 3422.

Conclusion

As the Department of Corrections must continue to operate to the level required by the United States Constitution and any applicable federal statutes, the prohibition in Article III, Section 24 of the Pennsylvania Constitution or 72 P.S. § 3422 against the Treasury paying any money in excess of that appropriated is superseded to the extent the state law is in direct conflict with the United States Constitution or federal statutes.

Finally, you are advised that, in accordance with Section 204(a)(1) of the Commonwealth Attorneys Act, 71 P.S. § 732-204(a)(1), you are not required to follow the advice set forth in this Opinion and are not protected from liability for doing so in any way.

BRUCE R. BEEMER,

First Deputy Attorney General

[Pa.B. Doc. No. 16-435. Filed for public inspection March 11, 2016, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security

Public Meeting held
February 25, 2016

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; Pamela A. Witmer; John F. Coleman, Jr.; Robert F. Powelson

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security;
M-2015-2490383

Tentative Order

By the Commission:

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferable in blue ink, and displays a “raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of February 12, 2016, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2012-2311410	Commercial and Industrial Solutions LLC	2/3/16
A-2013-2365762	Diversegy LLC	2/5/16
A-2013-2365828	MSI Utilities, Inc.	2/7/16
A-2014-2437023	Navigate Power LLC	5/30/15
A-2014-2412948	Nextility, Inc.	2/1/16
A-2010-2162202	Power Management Co LLC	2/9/16
A-2011-2248651	The Energy Link LLC	2/9/16

* Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 60 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the Electric Generation Supplier Licenses held by each company listed in the Supplier Table, are cancelled and the cases may be closed.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do

business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-436. Filed for public inspection March 11, 2016, 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 (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 March 28, 2016. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2016-2529848. ADI Cab Services, LLC (665 Wyncroft Lane, No. 2, Lancaster, Lancaster County, PA 17603) in call or demand service, in the City of York, York County, and the City of Lancaster, Lancaster County.

A-2016-2530721. Prestige Limousine, LLC (7039 Ely Road, New Hope, Bucks County, PA 18938) for the right 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 Bucks County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2530762. Blue Line Secure Transportation Services, LLC (631 Red Hill Road, Milton, Northumberland County, PA 17847) persons in limousine service, from points in Juniata, Mifflin, Perry, Lebanon, Schuylkill, Carbon, Sullivan, Clinton, Northumberland, Lycoming, Union, Snyder, Montour, Columbia, Centre, Dauphin, Luzerne and Lackawanna Counties to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2015-2509080. Kastriot Isai, t/a Isai Trucking (4691 Bishop Circle, Doylestown, Bucks County, PA 18902) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2016-2529703. Dano P. Guerrieri, t/a Valley Wide Small Movers (2345 Ridge Drive, Hellertown, Northampton County, PA 18055) household goods in use, from points in the Counties of Lehigh and Northampton, to points in Pennsylvania.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2016-2530709. Boomerang Transport, LLC (102 Glenrose Lane, Cary, NC 27518) for a brokerage license evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of persons between points in Pennsylvania.

Applications of the following for the approval of the transfer of stock as described under each application.

A-2016-2527180. Gracie's Transportation Service, LLC (P. O. Box 14728, Philadelphia, PA 19134) for the approval of the transfer of ownership, from Elizabeth Tita Caceres to Mohamed Maher Albari.

A-2016-2529849. East End Energy, LLC (1149 Firetower Road, Clearfield, Clearfield County, PA 16830) for the approval of the transfer of ownership, from Herbert J. Wilson to Andrew B. Hawkins. *Attorney:* Eric E. Cummings, 110 North Second Street, P. O. Box 1320, Clemfield, PA 16830.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2016-2530769. Janet Landis Eberly (1001 East Oregon Road, Lititz, Lancaster County, PA 17543) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-437. Filed for public inspection March 11, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due March 28, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Hannah Trucking, Inc.; Docket No. C-2016-2526235

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement respon-

sibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Hannah Trucking, Inc., (respondent) is under suspension effective November 12, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 8 Blue Jay Drive, Watsontown, PA 17777.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 02, 2013, at A-2013-2348529.

4. That respondent has failed to maintain evidence of Bodily Injury and Property Damage Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2013-2348529 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/9/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise

all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 16-438. Filed for public inspection March 11, 2016, 9:00 a.m.]

Transfer by Sale

A-2016-2527153. PPL Electric Utilities Corporation. Application of PPL Electric Utilities Corporation for approval of the transfer by sale to Area 18, LP of property located in Manheim Township, Lancaster County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 28, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PPL Electric Utilities Corporation

Through and By Counsel: Paul E. Russell, Esquire, PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 16-439. Filed for public inspection March 11, 2016, 9:00 a.m.]

Water Service

A-2016-2531741. Pennsylvania American Water Company. Application of Pennsylvania American Water Company for approval of the right of Pennsylvania American Water Company to begin to offer, render, furnish or supply water service to the public in a portion of Oakland Township, Butler County, nunc pro tunc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 28, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Pennsylvania American Water Company

Through and By Counsel: Susan Simms Marsh, Esquire, Melanie J. El Atieh, Esquire, 800 West Hershey-park Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 16-440. Filed for public inspection March 11, 2016, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 16-019.S, Vegetation Control Services for Various PRPA Facilities, until 2 p.m. on Wednesday, March 30, 2016. Information can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 16-441. Filed for public inspection March 11, 2016, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project Nos. 16-022.P, 16-023.P and 16-024.P, On-Call Engineering Services, until 2 p.m. on Thursday, April 14, 2016. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 16-442. Filed for public inspection March 11, 2016, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Elaina Harris, RN; File No. 13-51-10348; Doc. No. 2147-51-2014

On February 12, 2016, Elaina Harris, RN, Pennsylvania license no. RN547748, last known of Phoenix, AZ, had her license revoked based on disciplinary action being taken against her license by another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-443. Filed for public inspection March 11, 2016, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Nina Guinn Jackson, LPN; File No. 14-51-03121; Doc. No. 1035-51-2014

On February 3, 2016, Nina Guinn Jackson, LPN, Pennsylvania license no. RN343298L, of Wellsburg, VA, was issued a reprimand and a \$500 civil penalty based on disciplinary action being taken against her license by another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-444. Filed for public inspection March 11, 2016, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. LaJuana Johnine Jordan, RN; File No. 14-51- 05503; Doc. No. 1079-51-2014

On February 3, 2016, LaJuana Johnine Jordan, RN, Pennsylvania license no. RN592087, of Warren, OH, was issued a \$500 civil penalty and indefinitely suspended based on disciplinary action being taken against her license by another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-445. Filed for public inspection March 11, 2016, 9:00 a.m.]

