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PENNSYLVANIA BULLETIN

Volume 45

Number 21

Saturday, May 23, 2015 • Harrisburg, PA

Pages 2447—2580

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

No. 486, May 2015

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 7a]

[EXECUTIVE ORDER NO. 2015-06]

State Emergency Operations Plan

April 16, 2015

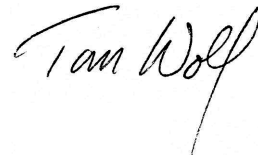
Whereas, it is the responsibility of government at all levels to address the needs of the public during disaster emergencies; and

Whereas, the Constitution of the Commonwealth of Pennsylvania vests supreme executive power in the Governor, and the Governor must meet the dangers to this Commonwealth and its people presented by disasters, pursuant to the Emergency Management Services Code, 35 Pa.C.S. §§ 7101—7707, as amended; and

Whereas, the Pennsylvania Emergency Management Agency is statutorily tasked with preparing, maintaining, and keeping current an emergency management plan, known as the State Emergency Operations Plan; and

Whereas, the State Emergency Operations Plan serves to prevent and minimize injury and damage caused by disaster emergencies; facilitate prompt and effective response to disaster, disaster emergency relief, and recovery; and allow Commonwealth departments and agencies to coordinate amongst themselves and with federal and local entities.

Now Therefore, I, Thomas W. Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution and laws of the Commonwealth of Pennsylvania, hereby direct that the Pennsylvania Emergency Management Agency develop and manage the Pennsylvania State Emergency Operations Plan. So as to prepare for any potential danger to the Commonwealth or its people, it is hereby ordered as follows.



Governor

Fiscal Note: GOV-15-06. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 7a. ADDITIONAL MISCELLANEOUS PROVISIONS

Subchapter K. STATE EMERGENCY OPERATIONS PLAN

- Sec.
7a.121. Pennsylvania Emergency Management Agency.
7a.122. Commonwealth agencies.
7a.123. General provisions.

§ 7a.121. Pennsylvania Emergency Management Agency.

The Pennsylvania Emergency Management Agency shall maintain and take all action with regard to the State Emergency Operations Plan (Plan) as is necessary to ensure the Commonwealth's ability to prepare for, respond to and recover from disaster emergencies. Action includes, but is

not limited to, providing training and exercise opportunities, guidance and other assistance to Commonwealth agencies tasked with emergency support functions under the Plan.

§ 7a.122. Commonwealth agencies.

Each Commonwealth agency shall:

(1) Familiarize its personnel with the State Emergency Operations Plan (Plan) and applicable emergency support functions. Each Commonwealth agency is responsible for fulfilling its duties under the Plan.

(2) Prepare, maintain and keep current comprehensive standard operating procedures for the execution of its assigned duties and emergency support functions in accordance with guidance from the Pennsylvania Emergency Management Agency.

(3) Provide pertinent training to its personnel and conduct periodic exercises consistent with its obligations under the Plan.

(4) Ensure that personnel and work rules, position descriptions and other relevant considerations allow the agency to provide additional support to the Commonwealth during disaster emergencies requiring such support.

§ 7a.123. General provisions.

(a) This subchapter is effective immediately.

(b) The State Emergency Operations Plan supersedes all previous emergency management plans in their entirety and shall be implemented consistent with applicable law.

(c) Nothing in this subchapter shall be construed to impair or otherwise affect the authority granted by law to an executive department, agency or the head thereof.

(d) This subchapter is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities, its officers, employees or agents, or any other person.

(e) The Pennsylvania Emergency Management Agency shall carry out its responsibilities under this subchapter in consultation with other Commonwealth departments and agencies.

[Pa.B. Doc. No. 15-942. Filed for public inspection May 22, 2015, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 85 AND 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 77

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania is amending its Rules of Organization and Procedure to shorten the length of time that informal admonitions are deemed relevant from six years to four years. In addition, Board Rule 85.5(b) is being amended to reflect the change of location of the District I Office of Disciplinary Counsel.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P. L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Secretary of the Board shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

(4) The amendments to Board Rule 93.104(d)(4) shall apply only to informal admonitions administered on or after the effective date of the amendments.

(5) This Order shall take effect immediately.

By The Disciplinary Board of the Supreme Court of Pennsylvania

ELAINE M. BIXLER,
Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 85. GENERAL PROVISIONS

§ 85.5. Location of Office of Disciplinary Counsel.

* * * * *

(b) *Disciplinary District Offices.* The present locations of the district offices of the Office of Disciplinary Counsel and the office of the Assistant Disciplinary Counsel for each such disciplinary district are:

- (1) District I Office
Office of Disciplinary Counsel
The Disciplinary Board of the
Supreme Court of Pennsylvania
[16th Floor, Seven Penn Center]
[1635] 1601 Market Street
Suite 3320
Philadelphia, PA [19103-2202] 19103-2337
(215) 560-6296
(fax: (215) 560-4528)

* * * * *

CHAPTER 93. ORGANIZATION AND ADMINISTRATION

Subchapter F. CONFIDENTIALITY

§ 93.104. Access by judicial system agencies to confidential information.

* * * * *

(d) *Restrictions on available information.* The fact that:

* * * * *

(4) an informal admonition **was administered more than four years** or private reprimand was administered more than six years before the request for access is made shall not be deemed relevant if no other grievances or complaints resulting in the imposition of discipline were filed against the respondent-attorney during such **four or six year period, respectively.**

[Pa.B. Doc. No. 15-943. Filed for public inspection May 22, 2015, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1920]

Order Amending Rules 1920.17, 1920.31, 1920.33, 1920.42, 1920.54, 1920.55-2, 1920.71, 1920.72 and 1920.75 of the Rules of Civil Procedure; No. 622 Civil Procedural Rules Doc.

Amended Order

Per Curiam

And Now, this 6th day of May, 2015, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 43 Pa.B. 7244 (December 14, 2013) and republished for additional comment in the *Pennsylvania Bulletin*, 44 Pa.B. 4165 (July 5, 2014):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1920.17, 1920.31, 1920.33, 1920.42, 1920.54, 1920.55-2, 1920.71, 1920.72 and 1920.75 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

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

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

(Editor's Note: The following rule is new and printed in regular type to enhance readability.)

Rule 1920.17. Discontinuance. Withdrawal of Complaint.

(a) The plaintiff may withdraw the divorce complaint and discontinue the divorce action by praecipe that includes a certification that:

(1) no ancillary claims or counterclaims have been asserted by either party; and

(2) grounds for divorce have not been established.

(b) A party may withdraw a claim of equitable distribution only:

(1) by written consent of both parties filed with the court, or

(2) after filing and serving on the other party a written notice that the party intends to withdraw the claim of equitable distribution 20 days after service of the notice.

(c) The notice required in subdivision (b) above shall be substantially in the following form:

(Caption)

NOTICE OF INTENTION TO WITHDRAW CLAIM FOR EQUITABLE DISTRIBUTION

TO: _____
(PLAINTIFF) (DEFENDANT)

(Plaintiff) (Defendant) intends to withdraw (his) (her) pending claim for equitable distribution of property twenty days after the service of this notice. Unless you have already filed with the court a written claim for equitable distribution, you should do so within twenty days of the service of this notice, or you may lose the right to assert a claim for equitable distribution. If a decree in divorce is entered and you have not filed a claim for equitable distribution, you will forever lose the right to equitable distribution of property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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(Address)

(Telephone)

(d) In the event one party dies during the course of the divorce proceeding, no decree of divorce has been entered and grounds for divorce have been established, neither the complaint nor economic claims can be withdrawn except by the consent of the surviving spouse and the personal representative of the decedent. If there is no agreement, the economic claims shall be determined pursuant to the Divorce Code. If no personal representative has been appointed within one year of the decedent's death, then, upon motion of the surviving party, the court may allow the withdrawal or dismissal of the complaint and/or any pending economic claims.

Official Note: To the extent that *Tosi v. Kizis*, 85 A.3d 585 (Pa. Super. 2014) holds that 23 Pa.C.S. § 3323(d.1) does not prevent the plaintiff in a divorce action from discontinuing the divorce action following the death of the defendant after grounds for divorce have been established, it is superseded.

Rule 1920.31. Joinder of Related Claims. Child and Spousal Support. Alimony. Alimony Pendente Lite. Counsel Fees. Expenses.

(a)(1) [**Within thirty days after the service of the pleading or petition containing**] **When either party has raised** a claim for alimony or counsel fees, costs and expenses, each party shall file a true copy of the most recent federal income tax return, pay stubs for the preceding six months, a completed Income Statement in the form required at Rule 1910.27(c)(1) and a completed Expense Statement in the form required by Rule 1910.27(c)(2)(B). **A party may not file a motion for the appointment of a master or a request for court action regarding alimony, alimony pendente lite or counsel fees, cost and expenses until at least 30 days following the filing of that party's tax returns, Income Statement and Expense Statement. The other party shall file the tax returns, Income Statement and Expense Statement within 20 days of service of the moving party's documents.** If a claim for child support, spousal support or alimony pendente lite is raised in a divorce complaint, no expense form is needed in a support action that can be decided pursuant to the support guidelines unless a party claims unusual needs or unusual fixed expenses or seeks deviation pursuant to Rule 1910.16-5 or apportionment of expenses pursuant to Rule 1910.16-6.

* * * * *

Rule 1920.33. Joinder of Related Claims. Distribution of Property. Enforcement.

(a) [**Within ninety days after service of a pleading or petition containing a claim for determination and distribution of property under Section 3502 of the Divorce Code, each**] Each party shall file an inventory specifically describing all property owned or possessed at the [**time the action was commenced**] **date of separation. A party may not file a motion for the appointment of a master or a request for court**

action regarding equitable distribution until at least 30 days following the filing of that party's inventory. The other party shall file the inventory within 20 days of service of the moving party's inventory. The inventory shall set forth as of the date of [the filing of the complaint] separation:

(1) a specific description of all marital property in which either or both have a legal or equitable interest individually or with any other person and the name of such other person and all marital liabilities; [and]

(2) a specific description of all property [in which a spouse has a legal or equitable interest which is claimed to be excluded from marital property] or liabilities that are claimed to be non-marital and the basis for such [exclusion.] claim; and

(3) the estimated value of each item of marital and non-marital property and the amount of each marital and non-marital liability.

Official Note: Subdivision (c) of this rule provides sanctions for failure to file an inventory as required by this subdivision. An inventory [filed within the ninety day period] may be incomplete where the party filing it does not know of all of the property involved in the claim for equitable distribution. Consequently, the rule does not contemplate that a party be precluded from presenting testimony or offering evidence as to property omitted from the inventory. The omission may be supplied by the pre-trial statement required by subdivision (b).

* * * * *

Rule 1920.42. Affidavit and Decree under § 3301(c) or § 3301(d)(1) of the Divorce Code. Notice of Intention to Request Entry of Divorce Decree in § 3301(c) and § 3301(d)(1)(i) Divorces. [Counteraffidavit] Counter-affidavit.

(a) If a complaint has been filed requesting a divorce on the ground of irretrievable breakdown and

(1) both parties have filed an affidavit under § 3301(c) of the Divorce Code substantially in the form prescribed by Rule 1920.72(b), or

(2) either party has filed a § 3301(d) affidavit under § 3301(d) of the Divorce Code substantially in the form prescribed by Rule 1920.72(d) [the averments of which] and has served it upon the other party along with a form counter-affidavit and the other party has admitted or failed to deny the averments of the § 3301(d) affidavit, the prothonotary on praecipe in the form prescribed by Rule 1920.73(b) shall transmit the record to the court, which shall review the record and enter [an] the appropriate decree. No master shall be appointed.

* * * * *

(d)(1) Except as provided in (e), no decree shall be entered by the court under § 3301(c) or § 3301(d)(1)(i) of the Divorce Code unless a notice of intention to request entry of divorce decree, substantially in the form prescribed by Rule 1920.73(a), was mailed or delivered to the attorney of record of the party against whom the decree is to be entered or, if there is no attorney of record, to the party, along with a form counter-affidavit if none has been filed, at least twenty days prior to the date of the filing of the praecipe to transmit the record. [The

praecipe] A copy of the praecipe, which shall state the date and manner of service of the notice, [a copy of which] shall be attached.

(2) [If the party against whom the decree is to be entered has no attorney of record, the notice required by subdivision (d)(1) shall be accompanied by a form counter-affidavit substantially in the form prescribed by Rule 1920.72(e).] The affidavit required under § 3301(d) of the Divorce Code shall be filed with the prothonotary and served upon the other party, along with a form counter-affidavit. The moving party must wait a minimum of 20 days after service of the § 3301(d) affidavit before serving the Notice of Intention to File Praecipe to Transmit the Record and another form counter-affidavit or filing the waiver of notice pursuant to Rule 1920.72(c).

* * * * *

Rule 1920.54. Hearing by Master. Report. Related Claims.

(a) If claims for child support, alimony pendente lite, or counsel fees and expenses have been referred to a master pursuant to Rule 1920.51(a), the master's report shall contain separate sections captioned "Child Support," "Alimony Pendente Lite," or "Counsel Fees and Expenses" as appropriate. The report may be in narrative form stating the reasons for the recommendation and shall include a proposed order stating

- (1) the amount of support or alimony pendente lite;
(2) by and for whom it shall be paid; and
(3) the effective date of the order.

[The Income and Expense Statements shall be attached to the report.]

(b) If a claim for alimony has been referred to a master, the report shall contain a separate section captioned "Alimony." The report shall conform to the requirements of subdivision (a) and, in addition, shall set forth

* * * * *

Rule 1920.55-2. Master's Report. Notice. Exceptions. Final Decree.

(a) After conclusion of the hearing, the master shall:

- (1) file the record and the report within
(i) twenty days in uncontested actions or;
(ii) thirty days [after] from the last to occur of the receipt of the transcript by the master or close of the record in contested actions; and

* * * * *

Rule 1920.71. Form of Notice.

The notice required by Rule 1920.12(c) shall be substantially in the following form:

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgment may also be entered against you for

any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody [or visitation] of your children.

* * * * *

Rule 1920.72. Form of Complaint. Affidavit under § 3301(c) or § 3301(d) of the Divorce Code. Counter-affidavit. Waiver of Notice of Intention to Request Decree under § 3301(c) and § 3301(d).

* * * * *

(e)(1) The [**counteraffidavit**] **counter-affidavit** prescribed by Rule [**1920.42(c)(2)**] **1920.42(d)(2)** shall be substantially in the following form in a § 3301(c) divorce:

(Caption)
COUNTER-AFFIDAVIT UNDER § 3301(c) OF THE
DIVORCE CODE

I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I understand that I must file my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____
(PLAINTIFF) (DEFENDANT)

NOTICE: IF YOU DO NOT WISH TO CLAIM ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

(2) The counter-affidavit prescribed by Rule 1920.42(d)(2) shall be substantially in the following form in a § 3301(d) divorce:

(Caption)
COUNTER-AFFIDAVIT
UNDER § 3301(d) OF THE DIVORCE CODE

1. Check either (a) or (b):

(a) I do not oppose the entry of a divorce decree.

(b) I oppose the entry of a divorce decree because (Check (i), (ii), (iii) or [**both**] **all**):

(i) The parties to this action have not lived separate and apart for a period of at least two years.

(ii) The marriage is not irretrievably broken.

(iii) **There are economic claims pending.**

(2) Check [**either (a) or (b)**] (a), (b) or (c):

(a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

(b) I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

[I understand that in addition to checking (b) above, I must also file all of my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.]

I UNDERSTAND THAT IN ADDITION TO CHECKING (b) ABOVE, I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS WITH THE PROTHONOTARY IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO REQUEST DIVORCE DECREE, THE DIVORCE DECREE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I SHALL BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

(c) **Economic claims have been raised and are not resolved.**

I verify that the statements made in this [**counteraffidavit**] **counter-affidavit** are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
(PLAINTIFF/DEFENDANT)

[**NOTICE: If you do not wish to oppose the entry of a divorce decree and you do not wish to make any claim for economic relief, you should not file this counteraffidavit.]**

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

Rule 1920.75. Form of Inventory.

The inventory required by Rule 1920.33(a) shall be substantially in the following form:

(Caption)
INVENTORY
OF

(Plaintiff) (Defendant) files the following inventory of all property owned or possessed by either party at the [**time this action was commenced**] **date of separation** and all property transferred within the preceding three years.

(Plaintiff) (Defendant) verifies that the statements made in this inventory are true and correct. (Plaintiff) (Defendant) understands that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

(Plaintiff) (Defendant)

ASSETS OF THE PARTIES

(Plaintiff) (Defendant) marks on the list below those items applicable to the case at bar and itemizes the assets on the following pages.

* * * * *

() 24. [**Debts due, including loans, mortgages held] Accounts receivable, including loans and mortgages payable to a party**

() 25. Household furnishings and personalty (include as a total category and attach itemized list if distribution of such assets is in dispute)

() 26. Other

MARITAL PROPERTY

(Plaintiff) (Defendant) lists all marital property in which either or both spouses have a legal or equitable interest individually or with any other person as of the date [**this action was commenced**] of separation:

<i>Item Number</i>	<i>Description of Property</i>	<i>Names of All Owners</i>	<i>Estimated Value at Date of Separation</i>
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NON-MARITAL PROPERTY

(Plaintiff) (Defendant) lists all property in which a spouse has a legal or equitable interest which is claimed to be excluded from marital property:

<i>Item Number</i>	<i>Description of Property</i>	<i>Reason for Exclusion</i>	<i>Estimated Value at Date of Marriage</i>	<i>Estimated Value at Date of Separation</i>
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PROPERTY TRANSFERRED

<i>Item Number</i>	<i>Description of Property</i>	<i>Date of Transfer</i>	<i>Consideration</i>	<i>Person to Whom Transferred</i>	<i>Estimated Value at Date of Separation</i>
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LIABILITIES

<i>Item Number</i>	<i>Description of Property</i>	<i>Names of All Creditors</i>	<i>Names of All Debtors</i>	<i>Estimated Amount at Date of Separation</i>
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[Pa.B. Doc. No. 15-944. Filed for public inspection May 22, 2015, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Adoption of a Compliance Program for the Philadelphia Municipal Court Traffic Division; Administrative Doc. No. 01 of 2015

Order

And Now, this 4th day of May, 2015, in order to ensure that the reforms implemented at the Philadelphia Municipal Court Traffic Division since 2011 remain in effect, and further to ensure that the Philadelphia Municipal Court Traffic Division continues to operate with integrity and professionalism so as to promote public confidence in the administration of justice, it is hereby *Ordered* and *Decreed* that the Compliance Program described in the following document be implemented effective immediately.

It is further *Ordered* and *Decreed* that Joseph L. Hassett, Esquire, is appointed Compliance Officer pursuant to Section V of the Compliance Program.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. This Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and one certified copy of

this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two certified copies of this Order, and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, shall be published in *The Legal Intelligencer*, and will be posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be submitted to American Lawyer Media, the Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania.

By the Court

HONORABLE GARY S. GLAZER,
Administrative Judge

Philadelphia Municipal Court Traffic Division

Philadelphia Municipal Court Traffic Division

Compliance Program

May 2015

I. Introduction

The Traffic Division of the Philadelphia Municipal Court adjudicates in excess of one hundred thousand motor vehicle citations annually and is the court that most Philadelphians encounter during their lives. Public confidence in the integrity and professionalism of the Traffic Division is essential to the court fulfilling its mission to adjudicate cases promptly, fairly and cost-effectively.

For decades the former Traffic Court was plagued with recurring scandals that undermined public confidence in the court. In 2011, following a raid by the Federal Bureau of Investigation, the Pennsylvania Supreme Court took

the unprecedented step of appointing a commissioned Court of Common Pleas judge as Administrative Judge of the Traffic Court with the mission of reforming the Traffic Court permanently and restoring public confidence in the adjudication of traffic citations in Philadelphia. Major reforms implemented since 2011 include:

- The enactment of legislation by the Pennsylvania General Assembly transferring jurisdiction for traffic offenses from the Traffic Court to the Philadelphia Municipal Court and initiating the process for amending Pennsylvania's Constitution to abolish the Traffic Court;
- Replacing elected non-attorney Traffic Court judges with state-level attorney hearing officers recruited through an open process and hired on the basis of merit;
- Arranging for the Philadelphia District Attorney's Office to represent the Commonwealth at all traffic proceedings;
- Revising case scheduling procedures to minimize the risk of case-fixing and ensure the integrity of the adjudicative process;
- Transferring appeals of traffic offense convictions from courtrooms in the Stout Center for Criminal Justice to a newly established Common Pleas courtroom at 800 Spring Garden staffed by specially designated Municipal Court judges who have been authorized to hear traffic appeals.
- Conducting mandatory training in ethics and professionalism for all employees of the Traffic Division.

As a result of these and other reforms, and the recent federal prosecutions of former Traffic Court judges and staff, there is, at present, a high level of confidence that the Traffic Division is operating with integrity and professionalism. However, history has shown that past efforts to reform the Traffic Court attenuated over time, and corruption—fueled by the insatiable desire of many Philadelphians to fix traffic tickets—always returned. To address the risk of corruption returning and to ensure that the Traffic Division continues to operate with integrity and professionalism into the future, the Traffic Division has adopted this Compliance Program, which is structured along the lines of compliance programs in the private sector. The program enlists the support of every employee of the Traffic Division in monitoring the integrity and professionalism of the court's operations.

II. *Statement of Policy*

It is the policy of the Traffic Division that:

- All personnel are to adhere to the highest standards of ethical conduct and professionalism.
- Cases are to be adjudicated promptly and fairly and solely on the basis of evidence presented in open court and in hearing rooms.
- Ex parte communications regarding pending matters are strictly prohibited.
- Defendants and their attorneys are to be treated fairly and equally; no one shall receive special or preferential treatment.
- Defendants, their attorneys, the public at large, and fellow employees are to be treated with courtesy and respect at all times.

- Courtrooms and hearing rooms are to operate in a prompt and timely fashion to minimize inconvenience to the public.

- All employees have a role in maintaining the integrity and professionalism of the court and are required to report suspect conduct.

III. *Potential Risk Areas*

This Compliance Program addresses the following risk areas that threaten to undermine the mission of the court:

- Ex parte communications with judges, hearing officers and staff regarding pending cases and matters.
- Attempts to secure special consideration for fellow employees, friends, family and the politically connected.
- Inquiries from public officials and their staffs regarding pending cases.
- Political campaign activity by judges, hearing officers and staff.
- Unauthorized access to confidential information such as the PennDOT driving record and the eTIMS case record information.
- Work hours abuse.
- Discourteous and unprofessional treatment of the public and fellow employees.
- Adjudication of citations involving court employees and their immediate family members.

IV. *Standards of Conduct*

The Traffic Division operates in a complex regulatory environment established by the following:

- Article V of the Pennsylvania Constitution
- Orders of the Pennsylvania Supreme Court pursuant to its administrative authority
- The Pennsylvania Rules of Criminal Procedure promulgated by the Supreme Court
- Local Rules of Criminal Procedure adopted by the First Judicial District upon review and approval by the Supreme Court Criminal Procedural Rules Committee
- Orders of the Administrative Governing Board of the First Judicial District
- Written directives of the President Judge of the Philadelphia Municipal Court or the Administrative Judge of the Municipal Court Traffic Division
- Enactments of the Pennsylvania General Assembly including the State Ethics Act and the Pennsylvania Crimes Code
- Federal criminal statutes including Theft of Honest Services and Bribery

Compliance with every aspect of the above is critical to the Traffic Division fulfilling its mission. For the purposes of this program, which is focused on integrity and professionalism, the following codes of conduct incorporate the standards of conduct required by the regulatory scheme:

- Pennsylvania Code of Judicial Conduct: effective July 1, 2014

- Pennsylvania Rules Governing Standards of Conduct of Magisterial District Judges, effective December 1, 2014
- Code of Conduct for Employees of the Unified Judicial System
- Code of Conduct for Judicial Staff of the First Judicial District
- Code of Conduct for Non-Judicial Staff of the First Judicial District

Every employee must be fully knowledgeable about the code of conduct applicable to his or her position.

V. *Compliance Officer*

The program shall be overseen by the Compliance Officer, who shall report directly to the Administrative Judge on all matters relating to the program, unless the Supreme Court has not appointed an Administrative Judge for the Traffic Division, in which event the Compliance Officer shall report directly to the President Judge of the Municipal Court. The duties of the Compliance Officer are as follows:

1. Implement and administer the Compliance Program.
2. Develop and implement periodic training programs in the areas of ethics and professionalism for all Traffic Division employees.
3. Ensure that all employees execute an annual acknowledgement that they have read and understand the personnel policies of the FJD including the applicable Code of Conduct.
4. Implement the process for reporting alleged violations, including a method for anonymous reporting, pursuant to Section VI of this Program.
5. Develop and maintain a method for logging complaints of unethical conduct.
6. Ensure the protection of whistleblowers from retaliation.
7. Oversee the investigation and resolution of complaints.
8. Confer with the Administrative Judge regarding the action to be taken on complaints that have been determined to be founded, including personnel actions and referrals to appropriate authorities.
9. Meet monthly with the Administrative Judge to review matters relevant to compliance.

VI. *Procedures for Reporting*

The Program's reporting procedures are designed to encourage employees to report suspect activity. Reports may be made verbally or in writing, and on a named basis or anonymously. The Compliance Officer shall keep the Administrative Judge apprised of all complaints of suspect conduct. Specific provisions concerning reporting are as follows:

A. *Confidentiality*

An employee making a report shall not disclose to others that the report has been made. The requirement, applicable to the reporting employee, is intended to protect the integrity of the fact-finding process; to protect the reporting employee from retaliation; and to prevent reputational harm to the subject during the pendency of the investigation and after the investigation in the event that the report is determined to be unfounded. While the Compliance Officer is not bound by confidentiality, the

Compliance Officer shall, where possible, use discretion to minimize the risk of retaliation against the reporting employee.

B. *Named Reporting*

Suspect conduct may be reported in person or in writing to the Compliance Officer. If provided in writing, the report should be submitted on the appropriate form, a sample of which is attached. Within five days, or as soon as practicable, of receiving a named report, the Compliance Officer shall notify the reporting employee of the status of the matter.

C. *Anonymous Reporting*

Employees may also report suspect activity anonymously by sending a written but unsigned report to the Compliance Officer on the form provided, or by leaving a voicemail on the Traffic Division Compliance Program's Hotline at 215-686-1625.

D. *False Reporting*

The purpose of this program is to ensure the integrity and professionalism of the Traffic Division. While employees are encouraged to make good faith reports of suspected unethical or unprofessional conduct, intentional false reporting could lead to disciplinary action, up to and including termination.

VII. *Response, Monitoring and Tracking*

1. The Compliance Officer shall keep a log of all reports received. The log shall include the date and time of the report, the names of the reporter and the subjects, the date, time and place of the alleged conduct, and a narrative description of the conduct.
2. The Compliance Officer shall, within thirty days of the receipt of a report, conduct a preliminary review to determine whether the report is founded and whether further investigation is warranted.
3. If the Compliance Officer determines that the report is unfounded, the Compliance Officer will confer with the Administrative Judge and close the matter.
4. If the Compliance Officer determines that the report is founded, he/she shall consult with the Administrative Judge to determine appropriate action to be undertaken.

VIII. *Monitoring of Key Risk Indicators*

In addition to the reporting procedures set forth above, the Compliance Program includes the monitoring of key risk indicators for evidence of unethical activity. Key risk indicators are statistical measures that are applied to the data in the periodic reports generated by court administration.

[Pa.B. Doc. No. 15-945. Filed for public inspection May 22, 2015, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Local Rule of Judicial Administration 1901—Prompt Disposition of Matters; Termination of Inactive Cases—Civil Division Matters Only; Administrative Doc. No. AD-2015-74-PJ

Order of Court

And Now, this 9th day of March, 2015, it is hereby *Ordered, Adjudged and Decreed* that the Court of Common Pleas of Allegheny County, Pennsylvania, adopted the following Local Rule of Judicial Administration 1901—Prompt Disposition of Matters; Termination of Inactive Cases—Civil Division Matters Only, and shall become effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

JEFFREY A. MANNING,
President Judge

Local Rule of Judicial Administration 1901. Prompt Disposition of Matters; Termination of Inactive Cases—Civil Division Matters Only.

And Now, pursuant to the suspension of Pa.R.C.P. 230.2 by the Pennsylvania Supreme Court as of April 23, 2014, the Civil Division of the Court of Common Pleas of Allegheny County employs Rule 1901 of the Pennsylvania Rules of Judicial Administration and this local rule of Judicial Administration to terminate on this Court's docket stale claims which appear to have been abandoned or resolved by the parties without notice to the Court.

1. At the direction of the District Court Administrator, the Department of Court Records (DCR) shall prepare lists of civil matters that have been dormant for more than two (2) years beginning with the oldest filings.

2. Notice of the proposed termination of these cases shall be published in the *Pittsburgh Legal Journal*. Case listings shall be available at the websites of the Department of Court Records—Civil/Family Division (<http://dcr.alleghenycounty.us>) and the Fifth Judicial District (www.alleghenycourts.us). Further, copies of the lists shall be made available for inspection at the DCR—Civil/Family Division, City-County Building, 414 Grant Street, Pittsburgh, PA 15219 and Court Administration, 300 Frick Building, 437 Grant Street, Pittsburgh, PA 15219.

3. If no action is taken or no written objection is docketed as to any listed case within thirty (30) days after notice is published, all identified cases will be administratively terminated by order of court and so reflected on the docket.

4. All matters so terminated may not be reinstated except upon written motion to the Calendar Control Judge.

[Pa.B. Doc. No. 15-946. Filed for public inspection May 22, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

NORTHAMPTON COUNTY

Administrative Order 2015-1; Family Law Rule 1915.19: Co-Parent Education Program; C-48-CV-2015-3645

Order of Court

And Now, this 27th day of April, 2015, this Administrative Order is intended to replace/supersede the existing Court policy related to the Co-Parent Education Program.

All parties to a custody action (parents or other custodial resources), shall complete a program entitled "Co-Parent Education Program" hereinafter referred to as COPE and administrated through Family Divorce Services—Marilyn Davenport, ACSW, LSW (610-366-8868).

The moving party must register for COPE within thirty days of filing an applicable action. The responding party shall register for COPE within thirty days of service of the applicable pleading. Both parties, within sixty days of filing the applicable action, shall have completed COPE.

The moving party must serve upon the responding party with the applicable pleading, a copy of this rule and the registration form. Copies of this rule and registration form are available online at www.nccpa.org/civil/child-custody.

Payment of the fee is established by the court and is required for participation in COPE. Payment must be submitted with the registration form. Any request for waiver or reduction of the fee must be presented to Motions Court along with a verification in the form of the In Forma Pauperis Affidavit or other proof of financial hardship.

Any request for extension of time to complete COPE shall be made directly to the Northampton County Custody Conciliation Officer, Lisa Tresslar, Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania, 18042.

Failure to comply with the requirements of this rule as it relates to attending and completing the Co-Parent Education Program, may result in the applicable action being dismissed at the direction of the court.

A party who has previously completed the COPE Program, is excused from this rule providing the party files a copy of the Certificate of Completion within the time period set by this rule for completing COPE.

By the Court

STEPHEN G. BARATTA,
President Judge

Co-Parent Education Program

- COPE: The program is provided by Family/Divorce Services. Register by mail only, using this form. If you have questions, call 610-366-8868.
WHERE: The program is held at the Northampton County Courthouse. Security will direct you to the room location.
PARKING/ ENTRANCE: Park in the parking deck at the rear of the courthouse, and enter through the back door marked "Employee Entrance."
WHEN: Second Wednesday of the month, 6:30 p.m. to 8:00 p.m.
FEE: The cost is \$25 per person, payable by money order only.
REGISTER: Enclose a money order with the form below, indicating the month in which you plan to attend, and one week in advance to Family/Divorce Services, P. O. Box 318, Trexlertown, PA 18087.
CHILDREN: Children should NOT be brought to the courthouse.
DVD: If you reside more than 90 minutes from the courthouse, you may take the course by viewing a DVD and completing a questionnaire. Order below only if you qualify.

DETACH

Name: _____
Address: _____
Home/Cell Phone: _____
Guest(s): _____

_____ DVD Include \$60 for the course fee, shipping and handling, and \$25 deposit. The deposit will be refunded when the DVD is returned per instructions provided.
_____ January _____ April _____ July _____ October
_____ February _____ May _____ August _____ November
_____ March _____ June _____ September _____ December

[Pa.B. Doc. No. 15-947. Filed for public inspection May 22, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

NORTHAMPTON COUNTY

Administrative Order 2015-3; C-48CV2015-2333

Order of Court

And Now, this 13th day of March, 2015, pursuant to Pa.R.C.P. 3129.2, the Court hereby adopts the following local rule for Exceptions to Divorce Master's Report in Northampton County.

Rule N1920.55-2. Exceptions to Divorce Master's Report.

(a) If exceptions are filed to the report of a Divorce Master, the excepting party shall within ten (10) days arrange for the transcribing of the testimony for filing with the court and pay to the stenographer within said time the estimated cost thereof, unless the court on motion shall grant an extension for cause shown. The completed transcript shall be filed within thirty (30) days of the filing of the exceptions unless the court on motion shall grant an extension for cause shown.

(b) Absent good cause shown, failure of the excepting party to act promptly in accordance with (a) above to pay the cost and secure the transcript shall result in the dismissal of said exceptions by the court upon motion.

Order of Court

And Now, this 13th day of March, 2015, Northampton County Administrative Order 2015-3, Northampton County Local Rule N1920.55-2, Exceptions to Divorce Master's Report, is hereby adopted as follows, effective thirty (30) days after publication in the Pennsylvania Bulletin.

Seven (7) certified copies of the within Administrative Order shall be filed with the Administrative Office of Pennsylvania Court; two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; and one (1) certified copy shall be filed with the Pennsylvania Civil Procedural Rules Committee. One (1) copy of the Administrative Order shall be kept available in the Office of the Prothonotary. A copy is directed to be published in the Northampton County Reporter.

By the Court

STEPHEN G. BARATTA,
President Judge

[Pa.B. Doc. No. 15-948. Filed for public inspection May 22, 2015, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF AUCTIONEER EXAMINERS [49 PA. CODE CH. 1] Schedule of Fees

The State Board of Auctioneer Examiners (Board) amends § 1.41 (relating to schedule of fees) to read as set forth in Annex A.

Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*. It is anticipated that the increased biennial renewal fees will be implemented with the February 28, 2017, biennial renewal.

Statutory Authority

Section 6(a) of the Auctioneer Licensing and Trading Assistant Registration Act (act) (63 P. S. § 734.6(a)) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period.

Background and Need for Amendment

Under section 6(a) of the act, the Board is required by law to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises the majority of its revenue through biennial renewal fees. A small percentage of its revenue comes from application fees and civil penalties.

The Board has not raised its biennial renewal fees since 1998, when the biennial renewal fee for apprentice auctioneers increased from \$30 to \$100 and the biennial renewal fees for auctioneers, auction companies and auction houses increased from \$50 to \$200. At the time, the Board anticipated that these fees would sustain the Board for at least 10 years. At the March 12, 2012, Board meeting, representatives from the Department of State's Bureau of Finance and Operations (BFO) presented a summary of the Board's revenue and expenses for Fiscal Year (FY) 2009-2010 and FY 2010-2011 and projected revenue and expenses through FY 2014-2015. As anticipated, the biennial renewal fees were adequate for about 10 years. However, the actual expenditures for FYs 2009-2010 and 2010-2011 outpaced revenues during the same period by approximately \$128,400. At the current fee levels, the BFO projected that, without an increase to the biennial renewal fees, the Board will incur a deficit of approximately \$155,800 by the end of FY 2013-2014, necessitating a fee increase in 2015 to recoup existing deficits and to ward off further deficits. Therefore, the Board determined that it was necessary to raise fees to meet or exceed projected expenditures, in compliance with section 4(b) of the act (63 P. S. § 734.4(b)). As a result, the Board voted at its July 9, 2012, meeting to increase biennial renewal fees by 30% to meet projected expenditures.

Summary of Comments and the Board's Response

The Board published the proposed rulemaking at 43 Pa.B. 1279 (March 9, 2013) with a 30-day public comment period. The Board did not receive comments from the public. On April 24, 2013, the House Professional Licensure Committee (HPLC) submitted two comments to the Board. First, the HPLC requested information pertaining to the major cost centers of the Board and any significant increases in its expenditures. Second, the HPLC requested further explanation on the Board's statutory authority for establishing a renewal fee for trading assistants, noting that the act of October 8, 2008 (P. L. 1080, No. 89) established the registration requirement for trading assistants, specified that registration is required on a biennial basis, established that the registration fee shall be \$100 and specified that the Board may not promulgate regulations pertaining to the registration requirement. Therefore, the HPLC questioned the Board's statutory authority to treat this biennial registration requirement as a renewal.

On May 8, 2013, the Independent Regulatory Review Commission (IRRC) submitted comments to the Board. First, IRRC agreed with the HPLC's comments and indicated that IRRC would review the Board's response to the HPLC's comments as part of IRRC's determination of whether this rulemaking is in the public interest. IRRC further asked the Board to explain its statutory authority to include provisions for fees for trading assistants. In addition, IRRC asked for updated fee calculations and financial information and questioned the basis for the proposed 30% increase to the fees.

The Board first considered the HPLC and IRRC comments with regard to its statutory authority to include a provision for fees for trading assistants, to treat the registration fee for trading assistants as a "renewal" fee and to increase this fee which was initially set by statute. The Board believes that it has the authority to provide for and increase fees for trading assistants, which would be imposed in accordance with the act. However, the Board has determined that, at least at this time, the costs associated with regulating the 47 licensed trading assistants did not merit an increase to the fee, as for each biennial renewal period it would raise only an additional \$1,410 (47 trading assistants x \$30 increase). The Board revised this final-form rulemaking to remove the proposed inclusion of fees for trading assistants. The Board notes that it will continue to charge the fee of \$100 with each application for trading assistant registration. Under section 10.1 of the act (63 P. S. § 734.10.1), trading assistant "[r]egistration is required on a biennial basis" and "[a] registration fee of \$100 shall be included with each application for registration."

The HPLC and IRRC also questioned the major cost centers of the Board and any significant increases in expenditures. The need for a fee increase at this time is not the result of significant increases in expenditures, but rather the fact that the Board has not increased its fees since 1998. At the present time, the BFO projects biennial revenue of approximately \$546,000 for FYs 2012-2013 and 2013-2014. Projected expenditures for that same biennial period are expected to be approximately \$660,000, producing a deficit of \$114,000. It is this deficit situation that mandates that the Board raise its fees in accordance with section 6(a) of the act.

The cost centers of the Board fall into two categories: administrative costs and legal costs. Administrative costs include those associated with Board administration, the Commissioner's office, the revenue office and departmental services (human resources, finance and operations, management information systems, and the like). Legal costs include costs associated with the legal office (prosecution division, Board counsel and services of experts), hearing expenses, the Professional Compliance Office and enforcement and investigation. The largest cost center for the Board has historically been in the area of enforcement and investigation, ranging from a low of \$80,022.53 in FY 2008-2009 to a high of \$133,509.34 in FY 2010-2011, with an average of \$98,853.51 from FY 2006-2007 through FY 2012-2013. These are the costs associated with investigatory services provided by the Bureau of Enforcement and Investigation to the Board and are entirely dependent upon how many complaints are filed, and how many of those complaints merit investigation. It is difficult to predict how many complaints may be filed in a given year, and historically the numbers have fluctuated dramatically, ranging from a low of 53 in FY 2008-2009 to a high of 185 in FY 2010-2011, with an average of 106 during the FY 2006-2007 through FY 2012-2013 time frame.

The second largest cost center is Board administration, which includes costs associated with the Board's administrative staff, printing and mailing, publications, supplies, operating and fixed assets, and the like. Board administration costs tend to fluctuate somewhat depending on whether a given year is a "renewal year" or a "nonrenewal year," as more administrative staff and resources are dedicated to the Board during a renewal year. This cost center has ranged from a low of \$46,699.09 during FY 2007-2008 (a nonrenewal year) to a high of \$100,796.46 during FY 2008-2009 (a renewal year), but has averaged approximately \$68,945.47 during the FY 2006-2007 through FY 2012-2013 time frame.

The third largest cost center for the Board is the legal office which includes personnel related costs for the Board counsel, prosecuting attorneys, regulatory counsel and legal support staff. It also includes direct charges such as expert witness fees and costs associated with legal notices published on behalf of the Board. Legal office costs are also dependent to a large degree on the number of complaints that are filed, investigated and prosecuted. However, it also includes costs associated with the Board's counsel and regulatory counsel, which tend to remain fairly constant. This cost center has ranged from a low of \$46,490.75 in FY 2008-2009 to a high of \$75,387.38 in FY 2012-2013, with an average cost of \$62,350.52 from FY 2006-2007 through FY 2012-2013. These three cost centers make up approximately 70% of the Board's total expenses, with the remaining cost centers (Commissioner's office, revenue office, departmental services, hearing expenses, Professional Compliance Office and Board member expenses) making up the remaining 30%.

In response to IRRC's request for updated financial information as the basis for the fee increase, the Board attached information prepared by the BFO to the Regulatory Analysis Form. This information is available upon request. IRRC asked for information about how the proposed increases correlate with the actual expenditures the Board incurs for each activity for which it is increasing a fee. The Board notes that biennial renewal fees are not related to a specific "activity," but rather support all of the operations of the Board that are not otherwise funded by a specific fee. An application fee is an example

of a specific fee that is designed to fund an activity, that is, processing the application. On average, the Board receives less than \$50,000 in these targeted application fees each biennial renewal period. Biennial renewal fees produce over 90% of the Board's revenue. The Board's goal is to set the biennial renewal fee at a level that covers the operations of the Board, complies with section 6(a) of the act and is reasonable for the regulated community.

Description of Amendments to the Final-Form Rulemaking

The Board amended the proposed rulemaking to eliminate the increased fee for biennial registration of trading assistants. Therefore, in the final-form rulemaking, the result is that the biennial renewal fees for apprentice auctioneers increase from \$100 to \$130 and the biennial renewal fees for auctioneers, auction houses and auction companies increase from \$200 to \$260, as proposed. The biennial registration fee for trading assistants remains at \$100.

Fiscal Impact

The increased biennial renewal fees will impact licensees of the Board. There are currently approximately 311 apprentice auctioneers, 157 auction houses, 2,059 auctioneers and 220 auction companies that will be required to pay 30% more to renew their licenses and registrations when they expire in 2017, and thereafter. The Board has concluded that virtually all auction houses and auction companies in this Commonwealth are small businesses. Likewise, auctioneers and apprentice auctioneers either are themselves small businesses or are employed by small businesses. However, whether these businesses will be adversely affected by the increase in the biennial renewal fee depends on whether the employer elects to pay the biennial renewal fees on behalf of its licensed employees. Some companies may do so, others may not. A company could avoid the adverse effect by requiring its employees to pay their own licensure fees. The final-form rulemaking should not have other fiscal impact on the private sector, the general public or political subdivisions of this Commonwealth.

Paperwork Requirements

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

Sunset Date

The act requires the Board to monitor its revenue and costs on a fiscal year and biennial basis. 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 February 21, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 1279, to IRRC and the Chairpersons of the HPLC and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) for review and comment.

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

On October 17, 2014, the Board delivered final-form rulemaking to the HPLC, the SCP/PLC and IRRC. On November 10, 2014, the Board withdrew the previously-delivered final-form rulemaking and delivered this revised final-form rulemaking to the HPLC, the SCP/PLC and IRRC. The General Assembly adjourned sine die on November 13, 2014, without the HPLC and the SCP/PLC having the full 20-day review period. Following designation of the legislative standing committees and publication in the *Pennsylvania Bulletin* on March 7, 2015, the Board delivered the revised final-form rulemaking to the HPLC, the SCP/PLC and IRRC on March 13, 2015.

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

Contact Person

Further information may be obtained by contacting Terrie Kocher, Board Administrator, State Board of Auctioneer Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649, ra-auctioneer@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 public comments were not received.
- (3) The amendments to the final-form rulemaking do not enlarge the purpose of proposed rulemaking published at 43 Pa.B. 1279.

(4) This final-form rulemaking is necessary and appropriate for administering and enforcing the act.

Order

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

- (a) The regulations of the Board, 49 Pa. Code Chapter 1, are amended by amending § 1.41 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 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 upon publication in the *Pennsylvania Bulletin*.

SHERMAN E. HOSTETTER, Jr., AU,
Chairperson

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

Fiscal Note: Fiscal Note 16A-649 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 1. STATE BOARD OF AUCTIONEER EXAMINERS

FEES

§ 1.41. Schedule of fees.

Applicants shall pay the following fees:

Application fee for auctioneer license	\$50
Biennial renewal fee for auctioneer license	\$260
Application fee for apprentice auctioneer license . . .	\$30
Biennial renewal fee for apprentice auctioneer . . .	\$130
Application fee for auction house and auction company	\$50
Biennial renewal fee for auction house and auction company	\$260
Special license to conduct auction	\$200
Application fee to approve course	\$45
Application fee to change sponsor	\$15
Application fee to change auction house or auction company license	\$15
Nonresident exam eligibility review	\$25
Certification of scores, permit or registration	\$25
Verification of license, registration, permit or approval	\$15

[Pa.B. Doc. No. 15-949. Filed for public inspection May 22, 2015, 9:00 a.m.]

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CHS. 3, 5, 23, 31 AND 32]

[L-2013-2376902]

Household Goods in Use Carriers and Property Carriers

The Pennsylvania Public Utility Commission (Commission), on June 19, 2014, adopted a final rulemaking order amending existing regulations governing household goods carriers, eliminating the requirement that applications for authority establish a public demand or need for the proposed service and modifying insurance requirements.

Executive Summary

The Pennsylvania Public Utility Commission is vested with jurisdiction over common carriers, including household goods carriers, operating within Pennsylvania. Due to increased competition in this industry, the Commission proposed modifying its current regulations governing household goods carriers. The Proposed Rulemaking Order was published in the *Pennsylvania Bulletin* on November 23, 2013. 43 Pa.B. 6894. Comments to the Proposed Rulemaking were filed by numerous parties.

Following a thorough review of the comments, the Commission issued a Final Rulemaking Order on June 19, 2014.

The evidentiary criteria governing applications for household goods in use authority historically required that an applicant establish that approval of the application would serve a useful public purpose, responsive to a public demand or need. Protests to applications for household goods applications were filed on this basis, often frustrating the applicant's successful prosecution of its case. In light of the competitive nature of the industry, we find that it is appropriate to eliminate the requirement that an applicant for household goods in use authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need. Further, the Commission will not consider the effect that a new carrier in the household goods industry might have on existing carriers.

As a corollary to the proposed elimination of public demand or need in the application process, we have modified our tariff regulations governing household goods carriers. 52 Pa. Code § 23.67. Additionally, we will no longer restrict a carrier to a jurisdictional operating territory, unless that carrier would indicate it desired such a limitation. Existing household goods carriers are deemed to have statewide authority, unless they advise the Commission otherwise.

Household goods applicants are still required to establish that they have the technical and financial ability to provide the proposed service safely and legally.

Our insurance requirements provided for \$300,000 minimum liability coverage for property and household goods carriers. 52 Pa. Code § 32.12. We find this minimum is insufficient and therefore raise the minimum to \$750,000 for carriers operating commercial motor vehicles (vehicles weighing over 10,000 pounds). This coverage is consistent with federal requirements as well as numerous other states.

Finally, we have delineated more clearly the minimum insurance coverage for loss and damage to consumers' goods. This information is provided to prospective consumers in the required "Information for Shippers" form prescribed by our regulations. 52 Pa. Code § 31.121.

Public Meeting held
June 19, 2014

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

Final Rulemaking Amending 52 Pa. Code Chapters 3, 5, 23, 31, 32, and 41; Household Goods in Use Carriers and Property Carriers; Doc. No. L-2013-2376902

Final Rulemaking Order

By the Commission:

On September 12, 2013, we initiated a Proposed Rulemaking Order seeking to amend various regulations and a policy statement governing household goods carriers and property carriers. The proposal included changing the evidentiary criteria governing applications for household goods in use authority, eliminating the requirement that an applicant establish that approval of the application will serve a useful public purpose, responsive to a public demand or need. Given the elimination of public need requirement, we proposed eliminating territorial operating restrictions for household goods carriers. We also proposed eliminating the requirement that large household goods carriers, with qualifying operating ratios, file

supporting financial justification for rate changes. Finally, we proposed increasing minimum insurance requirements for property and household goods carriers and enhancing various fitness criteria for applicants for household goods authority.

The Proposed Rulemaking Order was published in the *Pennsylvania Bulletin* on November 23, 2013. 43 Pa.B. 6894. Comments to the Proposed Rulemaking were filed by Parks Moving & Storage, Inc., Representative Erin C. Molchany, Tristate Household Goods Tariff Conference, Inc., Weleski Transfer, Inc., J.H. Bennett Moving & Storage, Inc., Lytle's Transfer & Storage, Inc., Forest Hills Transfer & Storage, Inc., B.F. Fields, Inc., t/d/b/a B.F. Fields Moving and Storage, Canterbury International, Inc., d/b/a Two Men and a Truck, Advance Transportation Co., Inc., Reads Moving Systems, Inc., Connolly Options, LLC d/b/a Two Men and a Truck, International Franchise Association, Two Men and a Truck International, Inc., Lausch's Moving & Storage, Inc., Hughes Relocation Services, Inc., O'Brien's Moving & Storage-Glose Moving & Storage, Inc., Clemmer Moving & Storage, Inc., Pennsylvania Moving & Storage Associates, Williamsport Moving Company, Inc., Hoy Transfer, Inc., McNaughton Bros. Inc., M.F. Rockey Moving Co., and the Independent Regulatory Review Commission (IRRC).

Background

Pursuant to Section 1101 of the Public Utility Code (Code), 66 Pa.C.S. § 1101, a public utility must obtain a certificate of public convenience from the Commission in order to offer, render, furnish, or supply public utility service in Pennsylvania. Section 1103 of the Code, 66 Pa.C.S. § 1103, establishes the procedure to obtain a certificate of public convenience. That provision provides, inter alia, that "[A] certificate of public convenience shall be granted by order of the commission, only if the commission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public."

Pursuant to Section 102 of the Code, 66 Pa.C.S. § 102, common carriers by motor vehicle are public utilities. The Commission recognizes distinct types of common carriers in its regulations. 52 Pa. Code Chapters 21, 29, and 31. One of these common carrier types is the household goods in use carrier, which is defined as a "motor common carrier or contract carrier that transports household goods in use." 52 Pa. Code § 21.1.¹

Historically, the Commission has required applicants for household goods in use authority to establish that they are technically and financially fit, can operate safely and legally, and that there is a public demand or need for the services. 52 Pa. Code §§ 3.381, 41.14.

In light of the increased competition in the industry, we proposed eliminating the requirement that an applicant for household goods in use authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need. We opined that rather than determining public need by means of an administrative process, competition among carriers with regard to price, quality, and reliability as

¹ "Household goods in use" is defined at 52 Pa. Code § 21.1, as:
(i) As used in connection with transportation, the term means personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of the dwelling, and similar property if the transportation of the effects or property is arranged and paid for by either the householder or by another party.
(ii) The term does not include:
(A) A motor carrier when the motor carrier provides transportation of household goods in containers or trailers that are entirely packed, loaded, unloaded or unpacked by an individual other than an employee or agent of the motor carrier.
(B) Transportation of property from a factory or store when the property is purchased by the householder with the intent to use it in the householder's dwelling.

well as the experienced demand for their services by consumers who may freely choose among those competing carriers, will determine whether a given carrier's service is needed by the public. In a competitive market with low barriers to entry, the Commission reasoned that there was no reason to continue to protect, by an administrative process, carriers whose services are no longer demanded by consumers who prefer and, therefore, have chosen other carriers. We believed the proposed changes are reflective of and consistent with the competitive environment that characterizes the household goods industry. Indeed, we stated that lowering these outdated barriers to entry will further promote competition in this industry, which will, in turn, provide consumers with more choices and more competition among carriers as to price, quality and reliability.

We noted that our authority to eliminate the public need requirement was considered and affirmed by the Pennsylvania Supreme Court. *Elite Industries, Inc. v. Pa. P.U.C.*, 832 A.2d 428 (Pa. 2003). In *Elite*, the Court posited:

Allowing the applicant to meet a less stringent evidentiary burden makes expansion of the market possible. This situation falls squarely within the PUC's area of expertise and is best left to the commission's discretion. (432)

The Court found that an agency may revise its policies and amend its regulations in interpreting its statutory mandates. Citing *Seaboard Tank Lines v. Pa. P.U.C.*, 502 A.2d 762 (Pa. Cmwlth. 1985), the Court reiterated that an agency's past interpretation of a statute, though approved by the judiciary, does not bind that agency to that particular interpretation. Moreover, the Court in *Elite* cited, with approval, the *Seaboard* description of the Commission's scope of authority, as follows:

The PUC's mandate with respect to the granting of certificates of public convenience is a broad one: "a certificate of public convenience shall be granted by order of the commission, only if the commission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public." The legislature, however, provided no definition of specifically what the criteria were to be in determining the propriety of granting a certificate, leaving the formulation of such criteria to the PUC. . . .

Id. at 432. Accordingly, the *Elite* and *Seaboard* cases hold that the various and specific factors to be considered in determining whether to grant a certificate of public convenience to an applicant for motor carrier authority, beyond those expressly stated in the statute, are matters left to the administrative expertise, sound discretion, and good judgment of the Commission.

We noted that other jurisdictions, such as New York (New York Transportation Law Article 9), New Jersey (N.J. Statutes 45:14D-1 et seq.), Maryland, and Ohio (O.R.C. Chapter 4921), as well as the Federal Motor Safety Administration, do not require household goods applicants to establish a public demand or need as a prerequisite to certification.

We envisioned an industry that will grow even more competitive, driving market pricing and obviating the need to engage in traditional ratemaking processes geared toward monopoly markets. Chapter 23 of our regulations, 52 Pa. Code Chapter 23, governs tariffs and ratemaking procedures for common carriers. Specifically, 52 Pa. Code § 23.67 provides that household goods carriers,

with gross intrastate operating revenues of less than \$200,000, and with operating ratios of no less than 93%, need not file substantiating data to support changes in rates. By order entered October 14, 2011, we waived the \$200,000 threshold, on a case by case basis as appropriate, and increased it to \$500,000.² Petition of Tristate Household Goods Tariff Conference, Inc., Docket No. P-2011-2257808. In our proposed rulemaking order, we proposed eliminating the threshold amount completely, permitting all household goods carriers, with qualifying operating ratios, to change rates without filing supporting financial justification.

Additionally, we proposed eliminating the current territorial restrictions that accompany a household goods carrier's certificate. We proposed no longer restricting a carrier to a jurisdictional operating territory, unless that carrier would indicate it desired such a limitation.³ Also, existing household goods carriers would be deemed to have statewide authority, unless they would advise the Commission otherwise. We note that there are no regulatory provisions governing territorial restrictions. Rather, the territorial restrictions were found in the application for authority in response to the public demand or need requirement.

Given the elimination of the public need requirement for applicants as well as the statewide authorization for all household goods carriers, we proposed that the regulatory provisions providing for Emergency Temporary Authority (ETA) and Temporary Authority (TA) are no longer required for household goods carriers. 52 Pa. Code §§ 3.383—3.385. The regulations governing ETA and TA are designed to meet emergency situations when there is an immediate need for service that cannot be met by existing carriers. These provisions would not be relevant in a competitive market served by carriers that are not constrained by artificial territorial restrictions. To the extent an emergency would arise requiring service, we believed that our regulations governing Emergency Relief in general, would suffice. 52 Pa. Code §§ 3.1—3.12.

We stressed that household goods applicants will still be required to establish that they have the technical and financial ability to provide the proposed service safely and legally.⁴ We proposed that applicants should have at least two (2) years of experience with a household goods carrier, or the equivalent. Additionally, we proposed that all applicants who do not have a satisfactory safety rating by the United States Department of Transportation be required to successfully complete a Safety Fitness Review conducted by Commission staff. This requirement is currently in place for property carriers. 52 Pa. Code § 3.381(f). In addition to the Safety Fitness Review, we also proposed that, after 18 months of operation, new carriers must successfully complete a Household Goods Audit conducted by Commission staff. The Audit ensures ongoing compliance and identifies any deficiencies of a carrier.

We noted that in our review of regulations governing household goods carriers, our insurance requirements provide for \$300,000 minimum liability coverage. 52 Pa. Code § 32.12. We proposed raising the minimum to \$750,000 for carriers operating commercial motor vehicles (vehicles weighing over 10,000 pounds), consistent with

² Of the 278 currently certificated household goods carriers, only 38 have revenues above the \$500,000 threshold.

³ A carrier may wish to limit its operating territory due to operational concerns, insurance costs, etc.

⁴ Protests to household goods applications would be limited to these criteria. 52 Pa. Code § 3.381(c). Given the limited scope of any protests, the provisions providing for restrictive amendments to applications for motor carrier authority would be no longer applicable to applications for household goods authority. See 52 Pa. Code § 5.235.

federal requirements as well as numerous other states. The proposed increase would apply to both property carriers and household goods carriers.

Finally, we proposed delineating more clearly the minimum insurance coverage for loss and damage to consumers' goods. This information is provided to prospective consumers in the required "Information for Shippers" form prescribed by our regulations. 52 Pa. Code § 31.121. The minimum base coverage, provided as default coverage, is 60 cents per pound, per article. This is consistent with federal requirements. Additional coverage may be secured by the consumer for a fee, if requested. We believed that given the potential inadequacy of the default rate, the "Information for Shippers" form should be modified to better alert consumers of this issue.

Discussion

1. Elimination of Public Demand or Need

The proposal to eliminate proof of public demand or need from the application process generated numerous comments, both in support and in opposition. Commentators opposing the elimination of this requirement cited various reasons, including: encouraging unscrupulous operators to provide service; inviting out-of-state operators to take business from existing in-state, local movers; creating a more difficult marketplace in which to operate due to increased competition; increasing off-season competition for scarce business; increasing competition for large, more profitable moves; eliminating the value of existing carriers' certificates of public convenience; and hurting small businesses in favor of larger carriers. Commentators supporting the elimination of the need requirement cited increased competition, consumer choice, and job creation as reasons to eliminate need. We note that industry commentators both supported and opposed this proposal.

As noted in our proposal, we believed that the public demand or need requirement in the application process is an unnecessary barrier to entry, limiting competition in the marketplace. From the comments, it appears that it is uncontested that removing the need requirement will promote competition. The issue raised by those opposing the proposal is that increased competition may not be desirable. While we are cognizant that increased competition, and the concomitant increased number of carriers, may present challenges not associated with a protected marketplace, we are not persuaded that those challenges warrant continuation of entry barriers. The various allegations of harm to the industry and the public cited by commentators due to, for example, unscrupulous operators, inviting out-of-state operators to take business from existing in-state movers, creating a more difficult marketplace in which to operate, increasing off-season competition for scarce business, etc., are speculative and, in the Commission's judgment, insufficient to justify the maintenance of outdated barriers to entry in the household goods market. To the extent that the industry will be a more competitive environment in which to operate, we do not believe this dictates maintaining a protected market so long as the Commission maintains appropriate standards as to fitness and insurance, which is the case here.

Some commentators argue that we should not lower barriers to entry because this may diminish the market value of a current carrier's certificate of public convenience. However, this in itself is not sufficient justification to abandon the movement toward a competitive marketplace. We note that a certificate of public convenience is a privilege and not a property interest under

which a holder acquires vested rights. *Western Pennsylvania Water Co., v. Public Utility Commission*, 311 A.2d 370 (Pa. Cmwlth. 1973).

Other commentators suggest that the proposal will favor large carriers at the expense of small carriers. On the contrary, we believe that by lowering barriers to entry, the proposal will encourage small businesses to enter the marketplace, businesses that would have otherwise been reluctant to do so due to the costs in time and litigation expenses associated with entering a protected market.

We note that commentators suggested that we establish a domiciliary requirement for all household goods carriers operating within Pennsylvania. At this point, we decline to implement this requirement. Currently, no such domiciliary requirement exists in Pennsylvania. While we recognize that some neighboring states have such a requirement, we did not include such a requirement in our proposal and are not inclined to establish this requirement in the final rulemaking order. We note that we will address this issue at an appropriate time if circumstances warrant.

We further note that our proposal to eliminate geographic operating restrictions dovetails with the elimination of need. Geographic operating restrictions make no sense in a competitive environment, where carriers can readily augment their operating authority. While we recognize this territorial expansion will create increased competition, this is consistent with the purpose of eliminating entry barriers.

Finally, we note that IRRRC commented on the elimination of need requirement vis-à-vis our policy statement at 52 Pa. Code § 41.14. IRRRC Comments at 1. To be clear, we included the policy statement in this Rulemaking Order in order to provide clarity to the regulated community. However, as noted by IRRRC, the policy statement also included some provisions that are regulatory in nature. Therefore, we will delete the proposed changes to the policy statement from this rulemaking order, instead addressing the policy statement changes in a separate, companion order.⁵ Those mandatory provisions previously proposed in the policy statement will now be contained in the regulation itself, as suggested by IRRRC. The two-year experience requirement is now found at 52 Pa. Code § 3.381(c)(1)(iii)(A)(II)(-1). The provisions for the Safety Fitness Review are at 52 Pa. Code § 3.381(e)(1)-(3). We are not incorporating the Household Goods Audit reference from the policy statement since the audit is a matter of agency discretion in terms of how it conducts its business and enforces its regulations. The audit itself does not create any substantive requirements, but rather is simply a device to ensure that certificated carriers are compliant with existing Commission regulations.

2. Fitness Requirement

Commentators generally supported our proposal regarding increasing standards for technical and financial fitness for applicants. We note that we have historically examined each application for authority on the merits of the individual application.

However, IRRRC questioned the criteria that the Commission will use to determine if an applicant lacks the propensity to operate safely and legally. 52 Pa. Code § 3.381(c)(1)(i)(A)(VII). IRRRC Comments at 2. In this regard, Commission staff will examine a carrier's financial records and supporting documentation to ensure that

⁵ We will issue the policy statement order after the regulatory changes effected by this rulemaking become final.

the applicant has the requisite qualifications to provide service. To the extent that a determination cannot be made on the basis of the supporting documentation, the application will be referred to the Office of Administrative Law Judge for hearing and decision, which decision will be subject to Commission review. We note that it is not possible to delineate exacting, quantifiable standards of what constitutes safely and legally. Each case stands on its own merits, left to the evidence presented and the Commission's sound discretion. However, in *Rosemont Taxicab Co., Inc., v. Philadelphia Parking Authority*, 68 A.3d 29, 36 (Pa. Cmwlth, 2013), the Court reiterated that the "phrase 'lacks a propensity to operate safely and legally' means that the applicant has shown a persistent disregard for, flouting or defiant attitude, i.e., a natural inclination or innate or inherent tendency, to operate outside of safety and the law."

IRRC also commented on the Safety Fitness Review (SFR) proposal at 52 Pa. Code § 3.381(e)(1), inquiring who will determine if the safety regulations of another state are comparable to the Commission's. IRRC Comments at 2. In performing the SFR, the Commission's staff will make an initial determination if an applicant is compliant with the safety regulations of another state that would be comparable to the Commission's, subject to Commission final review.⁶ Again, this determination is ultimately made by the Commission since each and every application for household goods authority will be formally approved by the Commission via order adopted at public meeting. The SFR proposal will be implemented similar to the SFR requirement already existing at 52 Pa. Code § 3.381(f)(3) for motor common carrier property authority.

IRRC also questions why the SFR is not conducted prior to issuance of the certificate of public convenience. IRRC Comments at 2. Since the application is for a new carrier, there is no in-state record to examine. Rather, the information to be gathered in the course of an SFR is a track record of subsequent operations to ensure compliance. To conduct the SFR prior to a carrier's compilation of that information would serve little purpose. Therefore, the SFR is conducted after a carrier has initiated operations. It is only upon receipt of a carrier's operating history that the Commission can make a valid judgment, through its separate prosecutory arm, the Bureau of Investigation and Enforcement, whether that particular carrier is operating in compliance with Commission regulations. If there are any lapses in compliance, the prosecutory staff has authority to seek fines and other remedies to secure compliance and protect the public.

3. Other Comments

Commentators generally supported our proposal to increase the minimum insurance to \$750,000 for carriers operating commercial motor vehicles (vehicles weighing over 10,000 pounds.). Some commentators proposed that we increase those limits beyond the proposal. We decline to do this at this juncture. However, we will continue to monitor appropriate insurance levels for the industry.

Commentators also suggested that we implement background checks for all employees. We note that 52 Pa. Code § 31.134 requires carriers to obtain criminal history records for all persons providing moving services in a shipper's dwelling.

One commentator suggested we eliminate the operating ratio requirement of 93% established at 52 Pa. Code

§ 23.67, since it is antiquated. In a protected marketplace, the inclusion of the base operating ratio serves as a guard against a carrier changing rates with no supporting financial data, where that carrier may enjoy a monopolistic market position and the proposed rates may be unjust or unreasonable. In light of our action today, it would appear that maintaining the operating ratio requirement may be unnecessary. However, we are not inclined to delete this provision at this juncture. Rather, we can revisit this issue after the industry has adjusted to the elimination of entry barriers.

Finally, commentators indicated that they would encourage the Commission to increase fines and penalties for movers operating without the proper operating authority. Citing the required level of trust and responsibility between a shipper and carrier, commentators indicate that there is no room for rogue movers and they should be dealt with severely. While not technically a part of this rulemaking, we agree with this comment. A marketplace protected by artificial barriers to entry will encourage a certain level of clandestine activity by its very nature. On a macro-economic level, the disruption of supply and demand by artificial restrictions to the supply component has historically given rise to black market activity.

In light of our easing entry requirements by eliminating the protectionist component of public demand or need, we believe that the household goods industry will benefit from fewer incidents of improperly licensed movers. We stress that we will be vigilant in this regard as well as in the area of consumer protection.

Moreover, as we stated in the proposed rulemaking, we will not hesitate to bring enforcement actions against carriers that fail to maintain proper levels of insurance, fail to operate safely and lawfully, fail to be transparent in their prices and contract terms with consumers, fail to adequately protect consumers' household goods in transit, or otherwise fail to meet their fundamental duty to provide safe, reasonable, and adequate service to the public. 66 Pa.C.S. § 1501. The Commission has statutory authority to fine carriers up to \$1,000 per violation and, for carriers in a competitive industry, the Commission has ample authority and practical ability to revoke a carrier's certificate of public convenience to operate in Pennsylvania.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 7, 2013, the Commission submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 6894 (November 23, 2013), to IRRC and the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Commission has considered all comments from IRRC, the House and Senate Committees and the public.

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

⁶ The Commission does not maintain a list of states with comparable safety regulations. That determination is made by staff based on the application under consideration. We note that other states may change their standards and regulations and therefore each case needs to be examined on its own merits.

Order

Annex A, final regulations, is permitted by sections 501, 1102, 1103, and 1501 of the Public Utility Code. Accordingly, under section 501 of the Public Utility Code, 66 Pa.C.S. § 501, and the Commonwealth Documents Law, 45 P.S. §§ 1201 et seq., and regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5, we amend our regulations as set forth in Annex A; *Therefore,*

It Is Ordered That:

1. The regulations of the Commission, 52 Pa. Code Chapters 3, 5, 23, 31 and 32, are amended by amending §§ 3.381—3.384, 5.235, 23.67, 31.121, 32.12 and 32.13 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(*Editor's Note:* The proposed amendments to § 41.14 have been withdrawn by the Commission.)

2. The Secretary shall submit this order and Annex A to the Office of Attorney General for review as to form and legality.

3. The Secretary shall submit this order and Annex A, to the Governor's Budget Office for review of fiscal impact.

4. The Secretary shall submit this order and Annex A for review and approval by the designated standing committees of both Houses of the General Assembly, and for review and approval by IRRC.

5. The Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

6. A copy of this order shall be served on commentators to the proposed rulemaking order.

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

8. The contact person is John Herzog, Assistant Counsel, Law Bureau, (717) 783-3714. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, regulatory coordinator, (717) 772-4597.

ROSEMARY CHIAVETTA,
Secretary

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

Fiscal Note: Fiscal Note 57-298 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 3. SPECIAL PROVISIONS

Subchapter E. MOTOR TRANSPORTATION PROCEEDINGS

§ 3.381. Applications for transportation of property, household goods in use and persons.

* * * * *

(c) *Protests.*

(1) *Applications for passenger or household goods in use authority.*

(i) *Content and effect.*

(A) A person objecting to the approval of an application shall file with the Secretary and serve upon the applicant and the applicant's attorney, if any, a written protest which shall contain the following:

(I) The applicant's name and the docket number of the application.

(II) The name, business address and telephone number of the protestant.

(III) The name, business address and telephone number of the protestant's attorney or other representative.

(IV) A statement of the protestant's interest in the application, including a statement of any adverse impact which approval of the application can be expected to have on the protestant.

(V) A list of all Commission docket numbers under which the protestant operates, accompanied by a copy of any portion of the protestant's authority upon which its protest is predicated.

(VI) A statement of any restrictions to the application which would protect the protestant's interest, including a concise statement of any amendment which would result in a withdrawal of the protest. This provision is not applicable to applications for household goods in use authority.

(VII) A protest to a household goods in use application is limited to challenging the fitness of the applicant, including whether the applicant possesses the technical and financial ability to provide the proposed service and whether the applicant lacks a propensity to operate safely and legally.

(B) Upon the filing of a timely protest, the protestant will be allowed to participate in the proceeding as a party intervenor.

(C) A protest shall be treated as a pleading and the applicant may, within 20 days after the closing date for the filing of protests, file motions to strike, to dismiss, or for amplification as provided in § 5.101 (relating to preliminary objections).

(ii) *Time of filing.* A protest shall be filed within the time specified in the notice appearing in the *Pennsylvania Bulletin*, which shall be no less than 15 days from the date of publication. Failure to file a protest in accordance with this subsection shall bar subsequent participation in the proceeding, except when permitted by the Commission for good cause shown.

(iii) *Failure to file protests.* If no protest is filed with the Commission on or before the date specified in the *Pennsylvania Bulletin* or if all protests have been withdrawn at or prior to the hearing, the Commission may take either of the following actions:

(A) Consider the application without holding an oral hearing if it deems the facts are sufficient as in the application or as determined from additional information as the Commission may require of the applicant. An application processed under this section, without oral hearing, will be determined on the basis of verified statements submitted by the applicant and other interested parties.

(I) Verified statements will be filed with the Secretary within 30 days of the Commission's request therefor. Failure to file additional information as requested by the Commission may result in dismissal of the application for lack of prosecution.

(II) The applicant's verified statement shall be in paragraph form and shall contain the following information, as applicable:

- (-a-) The legal name and domicile of the applicant.
- (-b-) The identity and qualifications of the person making the statement for applicant.
- (-c-) Whether or not the applicant is affiliated with any other carriers, with a description of the affiliation.
- (-d-) The authority sought.
- (-e-) The general scope of currently authorized operations—attach copies of pertinent operating rights.
- (-f-) Duplicating authority which will result from grant of authority.
- (-g-) Dual operations resulting from grant of authority.
- (-h-) Pertinent terminal facilities and communications network.
- (-i-) Pertinent equipment—make, model, year, owned or leased, and lessor; safety program; service currently provided to supporting witnesses.
- (-j-) The type of service offered.
- (-k-) Financial data—current balance sheet and income statement for corporations and partnerships and assets and liabilities for individuals.
- (-l-) A statement that the applicant has a minimum of 2 years of experience with a licensed household goods carrier or the equivalent. This requirement shall be applicable to all applications for household goods, whether protested or not.
- (-m-) Other information deemed pertinent.

(III) Verified statements of the supporting party or firm shall be in paragraph form and shall contain the following information, as applicable:

- (-a-) The legal name and domicile of the supporting party or firm.
- (-b-) The identity and qualifications of the person making the statement for supporting party or firm.
- (-c-) A general description of the supporting party, organization or operations.
- (-d-) The volume and frequency of intended use.
- (-e-) Specific or representative origins and destinations, or both.
- (-f-) The type of service required—persons, group movements, tours, call or demand, scheduled, and the like.
- (-g-) Similar applications supported—pertinent docket numbers.
- (-h-) Other information deemed pertinent.

(IV) There will be the following extensions of time to file verified statements. When extenuating circumstances exist, the Commission will grant up to 45 days to file verified statements. Requests for extensions of time may be granted by the Commission based upon a written request giving reasons for the extension.

(V) Verified statements of supporting parties are not required for applications for household goods in use authority.

(B) Schedule the unprotested application for oral hearing at a time, date and place to be set, thereafter notifying the applicant by letter of the scheduling.

(2) *Applications for motor common carrier of property authority.* No protests to applications for motor common carrier property authority may be filed.

(d) *Hearings on protested applications and applications for motor carrier of property authority when safety issues are raised.*

(1) *Applications for passenger or household goods in use authority.*

(i) *Scheduling hearings.*

(A) *Applications for passenger authority.* The applications to which timely protests were filed will not be acted on by the Commission for 20 days after the closing date for filing of protests to permit the applicant to make restrictive amendments leading to the withdrawal of protests. If all protests are withdrawn upon amendment, the Commission may dispose of the application in accordance with subsection (c). If the application is still subject to protest, then after the expiration of the 20-day waiting period, the Commission will set the application for hearing and will notify all parties thereof. Absent good cause shown, no further amendments to the application will be considered after expiration of the 20-day period or the commencement of hearings.

(B) *Applications for household goods in use authority.* Applications for household goods in use authority to which timely protests were filed will be set for hearing with notice to the parties.

(ii) *Requests for postponements.* If any scheduled hearing is postponed for any reason prior to the date thereof, notice of postponement and the date, time and place of the continued hearing will be given by the presiding officer of the Commission to all parties. Requests for hearing postponements shall be submitted in writing to the Secretary of the Commission and the presiding officer with copies to parties of record, no later than 5 days prior to hearing. Hearings will not be postponed absent good cause.

(iii) *Prehearing conferences.* The presiding officer may, in his discretion or at the written request of any party of record, set any protested application for prehearing conference, to simplify the issues prior to hearing.

(2) *Applications for motor common carrier of property authority.*

(i) *Scheduling hearings.* If the Bureau of Transportation and Safety prosecutory staff determine that conditional or unsatisfactory safety ratings from other jurisdictions or adverse decisions in safety related proceedings before other tribunals exist, the Bureau of Transportation and Safety shall enter its appearance and refer the matter to the Office of Administrative Law Judge for hearing on the applicant's safety fitness. A determination by the Commission, after hearing, that the applicant possesses the necessary safety fitness will result in the application being processed as though the applicant possessed a satisfactory safety rating.

(ii) *Requests for postponement.* Requests for postponement shall be made and disposed of in accordance with paragraph (1)(ii).

(iii) *Prehearing conferences.* Prehearing conferences shall be conducted in accordance with paragraph (1)(iii).

(e) *Compliance: conditions for approval for passenger and household goods in use authority.* When the Commission approves operation by a motor common carrier of passengers or household goods in use, forwarder, broker, or motor contract carrier of passengers or household

goods in use, the applicant will be notified of the approval by registered or certified mail. The applicant shall file with the Commission within 60 days of receipt of the notice, a certificate of insurance or other security required by this title, relating to insurance and security for the protection of the public. In addition, motor common carriers of passengers or household goods in use shall file tariffs of their applicable rates and charges, and contract carriers of passengers or household goods in use shall file schedules of actual charges. When all of these requirements have been met, the Commission will issue the certificate, permit or license as the case may be. Failure by an applicant to comply with this section within the 60-day period may result in the dismissal of the application and rescission of prior approval, unless the Commission has, upon written request demonstrating good cause, extended the time for compliance.

(1) An applicant for household goods in use authority that does not possess a current satisfactory safety rating issued by the United States Department of Transportation or by a state with safety regulations comparable to the Commonwealth shall complete a safety fitness review conducted by Commission staff. The safety fitness review must be scheduled and completed within 180 days of the date of approval of the application. If the applicant fails to attain a satisfactory safety evaluation within the 180-day period, the applicant will be given an additional 90 days to correct the deficiencies. Failure to achieve a satisfactory evaluation within the 90-day period will result in immediate suspension of the certificate of public convenience and in proceedings to revoke the certificate.

(2) Safety fitness reviews shall take place at the applicant's primary place of business in this Commonwealth. Out-of-State carriers without facilities in this Commonwealth shall have reviews conducted at the nearest Commission office. Out-of-State carriers shall provide Commission enforcement officers with sufficient records to enable meaningful examination of the applicant's safety related programs.

(3) In the course of a safety fitness review, Commission enforcement staff will examine an applicant's management policies, records and equipment to ensure that the applicant understands and will comply with Chapter 37 (relating to safety code for transportation of property and passengers).

(f) *Compliance: conditions for approval for motor common carrier property authority.* If the Bureau of Transportation and Safety determines that a hearing is not required, as provided in subsection (d)(2), the Commission will act on applications as follows:

(1) A compliance letter will be issued directing that the applicant file a Form E Uniform Motor Carrier Bodily Injury and Property Liability Certificate of Insurance and a Form H Uniform Cargo Insurance Certificate. Temporary evidence of insurance may be filed in the form of an insurance identification card for vehicles registered in this Commonwealth, a copy of the declaration page of the insurance policy, a copy of a valid binder of insurance or a copy of a valid application for insurance to the Pennsylvania Automobile Insurance Plan. The temporary evidence of insurance shall be replaced by the required certificates within 60 days. A carrier may begin operations upon filing acceptable evidence of insurance.

(2) Once acceptable Form E and Form H certificates of insurance have been filed, a certificate of public convenience will be issued authorizing the transportation of property, not including household goods in use, between points in this Commonwealth.

(3) Applicants which do not possess a current satisfactory safety rating issued by the United States Department of Transportation or a state with safety regulations comparable to the Commonwealth shall complete a safety fitness review conducted by Commission staff. The safety fitness review shall be scheduled and completed within 180 days of the date of the compliance letter. If the applicant fails to attain a satisfactory safety evaluation within the 180-day period, it will be given an additional 90 days to correct the deficiencies. Failure to achieve a satisfactory evaluation within the 90-day period will result in immediate suspension of the certificate of public convenience and in proceedings to revoke the certificate.

(4) Safety fitness reviews will take place at the applicant's primary place of business in this Commonwealth. Out-of-State carriers without facilities in this Commonwealth will have reviews conducted at the nearest Commission office. Out-of-State carriers shall provide Commission endorsement officers with sufficient records to enable meaningful examination of the applicant's safety related programs.

(5) In the course of a safety fitness review, Commission enforcement staff will examine an applicant's management policies, records and equipment to ensure that the applicant understands and will comply with Chapter 37.

(g) *New applications: conditions for reconsideration.* Applications filed within 6 months of the date of an order refusing or dismissing, on the merits, an application for the same rights filed by the same party shall set forth any new facts or changed conditions not previously presented to the Commission for consideration. The Commission may, in its administrative discretion, either accept or refuse the filing of the application.

§ 3.382. Evidentiary guidelines for applications for passenger and household goods in use authority.

(a) *Service request evidence.* Evidence of requests received by an applicant for passenger service may be offered by the applicant in a transportation application proceeding relevant to the existence of public necessity for the proposed service. The credibility and demeanor of a witness offering evidence will be considered in evaluating the evidence. The weight which will be attributed to the evidence will depend upon the extent to which the alleged requests are substantiated by evidence such as the following:

- (1) The date of each request.
- (2) The name, address and phone number of the person or company requesting service.
- (3) The nature of the service requested on each occasion, including the commodities or persons to be transported, and the origin and destination of the requested transportation.
- (4) The disposition of the request, that is, whether the applicant provided the service or, if not, whether the requesting shipper was referred to another carrier and, if there was a referral, to which carrier was the shipper referred.

(b) *Prospective rate evidence.* An applicant for a motor carrier certificate or permit for the transportation of passengers or household goods in use, though not required to offer testimony as to the rates proposed to be charged, may do so if it is otherwise competent. The weight to be attributed to the evidence will depend upon the extent to which it is accompanied by cost evidence demonstrating that the prospective rates would be compensatory, that is, that the prospective rates would be

adequate to enable the applicant to recover its costs and realize a reasonable return either on investment or under operating ratio standards. The demeanor and credibility of a witness offering the evidence will also be considered in evaluating the weight to be attributed to the evidence.

§ 3.383. Applications for temporary authority and emergency temporary authority.

* * * * *

(b) *Definitions and applicability.*

(1) The following words and terms, when used in relation to applications for temporary authority and emergency temporary authority, have the following meanings:

Carrier—Includes motor common carriers of passengers and motor contract carriers of passengers, brokers and forwarders.

ETA—Emergency temporary authority—Limited duration operating authority issued under 66 Pa.C.S. §§ 1103(d) and 2509 to authorize the transportation of passengers to meet an emergency situation and when time or circumstances do not reasonably permit the filing and processing of an application for TA.

TA—Temporary authority—Limited duration operating authority issued under 66 Pa.C.S. §§ 1103(d) and 2509 to authorize the transportation of passengers to meet an emergency situation.

(2) ETA and TA are not available to motor common carriers of property and household goods in use.

* * * * *

§ 3.384. Disposition of applications for ETA and TA.

(a) *General.* Initial determination of ETA and TA applications will be made by the Bureau of Technical Utility Services with the approval of the Commission.

(b) *Standards for determination of need.*

(1) *General.* Grants of TA or ETA shall be made upon the establishment of an immediate need for the transportation of passengers. Requests involving service to cities, counties, townships or other defined areas warrant approval when supported by evidence that there is a need for service to or from a representative number of points in each city, county, township or areas and that there is a reasonable certainty that the service will be used.

(2) *Immediate need.* A grant of TA or ETA will be made when it is established that there is or soon will be an immediate transportation need. A showing of immediate need may involve passenger service to a new or relocated plant, an origin or destination not presently served by carriers, a discontinuance of existing service, failure of existing carriers to provide service or comparable situations which require new carrier service before an application for permanent authority can be filed and processed. An immediate need will not normally be found to exist when there are other carriers capable of rendering the service unless it is determined that there is a substantial benefit to be derived from the initiation of a competitive service.

(3) *Failure to provide equipment.* TA or ETA may be granted when existing authorized carriers are unable or refuse to furnish equipment necessary to move passengers to meet an immediate transportation need.

(4) *General bases for disapproval.* Applications for TA or ETA may be denied for the following reasons:

- (i) Failure to meet statutory standards and this title.
- (ii) Unfitness of the applicant.

(c) *Determination of fitness issues in motor carrier applications.* The following standards shall be used in the initial or appellate determination of fitness issues in applications by motor carriers for TA or ETA:

(1) Unless there is a particularly urgent transportation need, an application will normally be denied when the applicant has been found unfit or in substantial noncompliance with Chapter 37 (relating to safety code for transportation of property and passengers) or 67 Pa. Code Part I (relating to Department of Transportation). An application may, however, be approved if the carrier has reestablished compliance or if the application contains sufficient evidence to establish that the carrier has taken significant steps to remedy its deficiencies and is now in substantial compliance.

(2) Alleged violations of statute or regulations or a pending fitness investigation when no formal proceeding has been instituted may not be used as grounds for denial unless the Commission has evidence that the carrier applicant has a history of willful or flagrant violation of the statute or regulations. If authority is denied for lack of fitness on this basis, the decision will state the basis for denial.

(3) The granting of ETA or TA will not give rise to a presumption regarding the applicant's fitness.

(4) A grant of authority may be later revoked by the Commission if it determines that the applicant is unfit under this subsection. The Commission may revoke a carrier's ETA or ETA extension. The denial of a TA application will have the effect of automatically revoking the corresponding ETA or ETA extension.

(5) Allegations of unfitness in these proceedings will be considered in light of the urgency of the shipper's needs.

CHAPTER 5. FORMAL PROCEEDINGS

Subchapter B. HEARINGS

SETTLEMENT AND STIPULATIONS

§ 5.235. Restrictive amendments to applications for motor carrier of passenger authority.

(a) Parties to motor carrier applications for passenger authority may stipulate as to restrictions or modifications to proposed motor carrier rights. Stipulations in the form of restrictive amendments or modifications must:

- (1) Be in writing.
- (2) Explain why the stipulation is in the public interest.
- (3) Be signed by each party to the stipulation.
- (4) Be submitted to the Secretary for insertion into the document folder.

(b) Restrictive amendments shall be binding on the parties but not on the Commission if it is determined they are not in the public interest. If a restrictive amendment is not accepted by the Commission, it may remand the matter for appropriate proceedings.

Subpart B. CARRIERS OF PASSENGERS OR PROPERTY

CHAPTER 23. TARIFFS FOR COMMON CARRIERS

NOTICE OF CHANGES IN FARES

§ 23.67. Financial data.

(a) The Commission will not permit a tariff filing increasing rates by a common carrier of household goods in use or making a general increase in rates published by a rate bureau, conference or similar organization of

carriers, which will increase gross annual revenues by more than 1%, unless financial justification in support of the proposed increase is filed with the tariff.

(b) Household goods in use carriers shall be governed by the following procedures in the filing of tariffs or tariff supplements:

(1) A tariff increasing rates shall be published to become effective on no less than 30 days' notice.

(2) At the time an increase in rates is filed with the Commission, the carrier or rate bureau, conference or similar organization requesting the increase shall submit sufficient evidence under certification by its chief executive, or other responsible officer which will enable the Commission to determine:

(i) The former or existing rate, the new or proposed rate and the percentage increase.

(ii) The dollar amount of the increased revenue which the increase is expected to provide.

(iii) The expected change resulting from the increase in the carrier's operating revenues together with known changes in operating expenses, and a calculating of operating ratio before income taxes, after the aforesaid changes.

(c) Common carriers of household goods in use with operating ratios of no less than 93%, before income taxes,* need not file substantiating data required by subsection (b)(2), but shall submit a statement with the tariff, or tariff supplement, stating that its operating ratio before income taxes for the same period is no less than 93%. The tariffs, or tariff supplements, shall be published to become effective on no less than 30 days' notice. Nothing in this subsection precludes the Commission from requiring supporting financial data in instances when increases in rates appear to be excessive.

* Operating ratio is operating expenses, excluding income taxes, divided by operating revenue.

CHAPTER 31. MOTOR CARRIER PROPERTY AND HOUSEHOLD GOODS TRANSPORTATION

TRANSPORTATION OF HOUSEHOLD GOODS IN USE

§ 31.121. Information for shippers.

(a) When a prospective shipper requests moving service and before an order for service is prepared, the household goods carrier shall furnish the prospective shipper with the following Commission supplied form entitled "Information for Shippers":

INFORMATION FOR SHIPPERS

* * * * *

LOSS AND DAMAGE COVERAGE

If you sustain a loss or damage to your goods, you are protected only up to but not exceeding 60 cents per pound, per article. This minimum coverage may not be adequate protection. If you desire protection greater than 60 cents per pound, per article, you may secure increased coverage by paying a higher tariff rate applicable to the coverage you desire. You may also protect yourself to the full valuation of your goods by taking out a policy of transit insurance with an insurance agent.

* * * * *

CHAPTER 32. MOTOR CARRIER INSURANCE

Subchapter B. INSURANCE REQUIREMENTS

§ 32.12. Property carrier and household goods in use carrier insurance.

(a) No common carrier or contract carrier of property or household goods in use may engage in intrastate commerce and no certificate will be issued, or remain in force, except as provided in § 32.15 (relating to applications to self-insure), until there has been filed with and approved by the Commission, a certificate of insurance by an insurer authorized to do business in this Commonwealth, to provide for the payment of valid accident claims against the insured for bodily injury to or the death of persons, or the loss or damage to property of others resulting from the operation, maintenance or use of a motor vehicle in the insured authorized service. The liability of the insurance company on each motor vehicle operated in common or contract carrier service shall be in amounts not less than \$300,000 per accident for a vehicle with a manufacturer's gross vehicle weight rating of 10,000 pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of 10,000 pounds or less, in the case of an articulated vehicle. The liability of the insurance company on each motor vehicle operated in common or contract carrier service shall be in amounts not less than \$750,000 per accident for a vehicle with a manufacturer's gross vehicle weight rating over 10,000 pounds, in the case of a single vehicle, or a manufacturer's gross combination weight rating over 10,000 pounds, in the case of an articulated vehicle.

(b) The limitations in subsection (a) do not include insurance to cover damage to cargo.

(c) Insurance coverage of motor carriers of property and household goods in use shall meet the requirements of 75 Pa.C.S. §§ 1701—1799.7 (relating to Motor Vehicle Financial Responsibility Law).

§ 32.13. Cargo liability insurance.

(a) A common carrier of property or household goods in use by motor vehicle shall file with the Commission, in addition to the public liability and property damage certificate of insurance required under § 32.12 (relating to property carrier and household goods in use carrier insurance), certificates of insurance in an amount satisfactory to the Commission, but not less than \$5,000, to provide payment for loss or damage to cargo carried on a motor vehicle. No motor vehicle may be operated unless the insurance policy or other approved method of protection is in effect at the time of operation. This section may not be modified or abrogated by tariff filings. The Commission may approve another method of cargo protection in specific cases.

(b) Requirements for cargo insurance do not apply to dump trucks or vehicles limited to the transportation of coal, earth, crushed stone, amesite and similar construction materials, or vehicles which are used for the transportation of property, the value of one load being not more than \$500. This subsection applies only if an affidavit stating that the vehicle is limited to the type of transportation described in this subsection is first filed with the Commission.

[Pa.B. Doc. No. 15-950. Filed for public inspection May 22, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 13] Discount Pricing Practices

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), proposes to amend § 13.102 (relating to discount pricing practices).

Summary

Section 13.102 currently limits a licensee to a “happy hour” period of no more than 2 consecutive hours per business day. The proposed amendments are necessary so that the regulations pertaining to happy hour limitations are consistent with the Liquor Code (47 P. S. §§ 1-101—10-1001). In particular, the act of June 28, 2011 (P. L. 55, No. 11) (Act 11) and the act of December 22, 2011 (P. L. 530, No. 113) (Act 113) amended the Liquor Code to allow a licensee to have up to 4 hours of discounted drinks in 1 day, but no more than 14 hours per week. In addition, these amendments to the Liquor Code place a burden on the licensees to post a notice of happy hours at least 7 days prior to the happy hour.

To improve the clarity of § 13.102 and for the convenience of the regulated community, examples of permissible “daily drink specials” are copied from Board Advisory Notice No. 16 into proposed subsection (b)(2)(i)—(iii). The Board plans to withdraw Advisory Notice No. 16 upon the final-form adoption of this proposed rulemaking.

Affected Parties

There are currently almost 11,400 actively licensed retail licensees who are affected by Acts 11 and 113.

Paperwork Requirements

This proposed rulemaking is not expected to affect legal, accounting or consulting procedures and should not require additional reporting, recordkeeping or other paperwork. Act 11 requires the posting of a notice of the licensee’s happy hours. This proposed rulemaking does not place additional reporting or paperwork requirements on licensees.

Fiscal Impact

This proposed rulemaking is not expected to have fiscal impact on the regulated community, the Commonwealth or local governments.

Effective Date

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

Public Comments

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

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 21, 2015, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and the Senate Committee on Law and Justice. A copy of this material is available to the public upon request.

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

TIM HOLDEN,
Chairperson

Fiscal Note: 54-69. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 13. PROMOTION

Subchapter C. SOLICITATION FOR THE PURCHASE OF ALCOHOLIC BEVERAGES

§ 13.102. Discount pricing practices.

(a) *General.* Retail licensees may discount the price of alcoholic beverages for [**a consecutive period of time not to exceed 2 hours in a business day, but**] **not more than 4 hours in a day and not more than 14 hours in a week.** Retail licensees may not engage in discount pricing practices between 12 midnight and the legal closing hour. **Retail licensees shall post on the licensed premises notice of happy hours. The notice shall be posted so that it is readily visible to the public. The notice shall be posted no less than 7 days prior to the happy hour.** Retail licensees may not engage in the following discount pricing practices unless specifically excepted in subsection (b):

(1) The sale or serving, or both, of more than one drink of liquor, wine, or malt or brewed beverages at any one time to any one person, for the price of one drink.

(2) The sale or serving, or both, of an increased volume of one drink of liquor, wine, or malt or brewed beverages without a corresponding and proportionate increase in the price for the drink.

(3) The sale or serving, or both, of an unlimited or indefinite amount of liquor, wine, or malt or brewed beverages for a set price.

(4) The pricing of alcoholic beverages in a manner which permits the price to change within [**the 2-hour**] **a happy hour** period.

(b) *Exceptions.* Nothing in subsection (a) prohibits:

(1) The sale or serving, or both, of an unlimited or indefinite amount of liquor, wine, or malt or brewed

beverages for a fixed price for catered events which have been arranged at least 24 hours in advance.

(2) The offering for sale of one specific type of alcoholic beverage or drink per day or a portion thereof at a reduced price, if the offering does not violate subsection (a) **and if the price of the drink does not change during the day.** For purposes of this section, a specific type of alcoholic beverage means either a specific registered brand of malt or brewed beverages, a type of wine, a type of distilled spirits or a mixed drink. Examples of permissible drink discounts are [**found in Board Advisory Notice 16.**] as follows:

(i) **A specific brand of beer such as “Blue Hound Pilsner,” “Brendan’s Cream Stout” or “Oil City Light,” but not “all draft,” “all bottled beer” or “all Blue Hound products.”**

(ii) **Daily wine specials could be “Chardonnay” or “Merlot,” but not “all white wine,” “all red wine” or “all Kendall’s wines.”**

(iii) **Permissible spirits specials would be “Rum and Cola” or “all brandy drinks,” but not “all well drinks” or “all Jackson’s products.”**

[Pa.B. Doc. No. 15-951. Filed for public inspection May 22, 2015, 9:00 a.m.]

[40 PA. CODE CH. 7]

Posting Requirements for Extension

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), proposes to amend § 7.22 (relating to application).

Summary

Section 7.22 currently requires that applicants for an extension of the licensed premises post a notice that the application has been filed for a period of 15 days. The reference to a posting period of 15 days is consistent with the former language of section 403(g) of the Liquor Code (47 P. S. § 4-403(g)).

The act of December 9, 2002 (P. L. 1653, No. 212) amended section 403(g) of the Liquor Code by increasing the time period for the posting of a notice from 15 days to 30 days. Therefore, section 403(g) of the Liquor Code requires a longer posting period than § 7.22 requires. The disparity between the statute and the regulation sometimes results in frustration and confusion for applicants.

This proposed amendment would address this issue by requiring that a notice of an extension of the licensed premises must be posted for at least 30 days.

Affected Parties

There are currently almost 16,340 licensees who could potentially be affected by this proposed rulemaking. Since the proposed rulemaking simply aligns the posting period with that which is required by statute, licensees will not be adversely affected.

Paperwork Requirements

This proposed rulemaking is not expected to affect legal, accounting or consulting procedures and should not require additional reporting, recordkeeping or other paperwork. Posting of the application until the Board renders a decision is already required under § 3.14(c) (relating to applicant responsibility).

Fiscal Impact

This proposed rulemaking is not expected to have fiscal impact on the regulated community, the Commonwealth or local governments.

Effective Date

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

Public Comments

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

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 21, 2015, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and the Senate Committee on Law and Justice. A copy of this material is available to the public upon request.

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

TIM HOLDEN,
Chairperson

Fiscal Note: 54-83. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

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

Subchapter B. EXTENSION OF LICENSES

§ 7.22. Application.

* * * * *

(c) An applicant for extension of premises shall post, for a period of at least [15] 30 days beginning with the day the application is filed with the Board, in a conspicuous place on the outside of the licensed premises, a notice of application in a form, and size and containing provisions the Board requires concerning the requested extension. Proof of the posting of the notice shall be filed with the Board.

[Pa.B. Doc. No. 15-952. Filed for public inspection May 22, 2015, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Tuesday, June 9, 2015. A business meeting will be held the following day on Wednesday, June 10, 2015. The hearing and business meeting are open to the public and will take place at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

Public hearing. The public hearing on June 9, 2015, will begin at 1:30 p.m. Hearing items will include: draft dockets for the withdrawals, discharges and other water-related projects listed as follows; a resolution apportioning among the signatory parties the amounts required for support of the current expense and capital budgets for the fiscal year ending June 30, 2016; a resolution approving the annual current expense and capital budgets for the fiscal year ending June 30, 2016; and a proposed rule amending the Commission's *Administrative Manual Part III—Rules of Practice and Procedure* to provide for the One Process/One Permit Program. Additional information on the latter item can be found in separate notices of proposed rulemaking in the *Federal Register*, the register publications of each of the Commission's member states and on the Commission's web site.

Written comments on matters scheduled for hearing on June 9, 2015, will be accepted through the close of the hearing that day. As time allows, after the hearing on all scheduled matters has been completed the meeting will include an opportunity for public dialogue.

Draft dockets and resolutions scheduled for hearing are posted on the Commission's web site at www.drbc.net 10 days prior to the hearing date. The notice of proposed rulemaking to provide for the One Process/One Permit Program, along with supporting materials, was published on the Commission's web site on May 7, 2015. Additional public records relating to the hearing items may be examined at the Commission's offices. Contact Project Review Section assistant Victoria Lawson at (609) 883-9500, Ext. 216, with any questions concerning draft dockets.

The public is advised to check the Commission's web site periodically prior to the hearing date as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review. In reviewing docket descriptions, the public is also asked to be aware that project details commonly change in the course of the Commission's review, which is ongoing and the descriptions do not always capture these modifications.

Be advised that during the public hearing on June 9, 2015, the staff will continue the practice of offering a shorter presentation than in the past for the subset of draft dockets that consist of renewals where a project has undergone no substantive changes. Interested parties will have the same opportunity to comment on or ask questions concerning these dockets as they have historically

had. If any member of the public requests additional information about a project during the hearing, staff will be prepared to offer more detail. A detailed description of each project is included in the draft docket, which can be accessed on the Commission's web site by means of a hyperlink listed in this hearing notice.

1. *Village of Liberty, D-1965-039 CP-3.* An application to renew the approval of the applicant's existing 2 million gallons per day (mgd) wastewater treatment plant (WWTP) and its discharge. Treated effluent will continue to be discharged to an unnamed tributary (UNT) of the East Branch Mongaup River, above Swinging Bridge Reservoir, at River Mile 261.1—23.56—8.12—0.86 (Delaware River—Mongaup River—East Branch Mongaup River—UNT) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Village of Liberty, Sullivan County, NY.

2. *Freeland Borough Municipal Authority, D-1965-052 CP-4.* An application to renew the approval of the existing 1.2 mgd Freeland Borough WWTP and its discharge. The WWTP will continue to discharge to Pond Creek, a tributary of Sandy Run, which is a tributary of the Lehigh River, at River Mile 183.7—67.3—2.0—8.5 (Delaware River—Lehigh River—Sandy Run—Pond Creek) and is located within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Freeland Borough, Luzerne County, PA.

3. *Village of Monticello, D-1981-038 CP-3.* An application to renew the approval of the applicant's existing 3.1 mgd WWTP and its discharge, as well as modifications proposed to the WWTP. Treated effluent will continue to be discharged to Tannery Brook at River Mile 253.64—27.3—1.91—3.24—1.54 (Delaware River—Neversink River—Sheldrake Stream—Kiamesha Creek—Tannery Brook) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in the Village of Monticello, Sullivan County, NY.

4. *Hatfield Township Municipal Authority, D-1985-036 CP-3.* An application to renew the approval of the applicant's existing 8.37 mgd WWTP and its discharge. The applicant has also requested approval to rerate the WWTP to 10.68 mgd with no proposed construction to stay in compliance with the Department of Environmental Protection's (Department) hydraulic overloading condition. Treated effluent will continue to be discharged to West Branch Neshaminy Creek at River Mile 115.63—40.01—4.0 (Delaware River—Neshaminy Creek—West Branch Neshaminy Creek) by means of Outfall No. 001, in Hatfield Township, Montgomery County, PA.

5. *Dublin Borough, D-1986-070 CP-2.* An application to renew the approval of the applicant's existing 1.2 mgd WWTP and its discharge. The Commission and the Department have based effluent limitations on an effluent discharge flow of 0.5 mgd. Treated effluent will continue to be discharged to Deep Run Creek at River Mile 157.0—6.2—5.4 (Delaware River—Tohickon Creek—Deep

Run Creek) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Bedminster Township, Bucks County, PA.

6. *Pennsylvania American Water Company, D-1987-031 CP-4*. An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 14.73 million gallons per month (mgm) from existing Wells Nos. 2, 3, 4 and 5 completed in the Towamensing Member of the Catskill Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Hornbecks Creek Watershed in Delaware Township, Pike County, PA within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

7. *Northampton Borough, D-1987-046 CP-2*. An application to renew the approval of the existing 1.5 mgd Northampton Borough WWTP and its discharge. The WWTP will continue to discharge to Hokendauqua Creek, which is a tributary of the Lehigh River, at River Mile 183.7—22.1—0.3 (Delaware River—Lehigh River—Hokendauqua Creek) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Northampton Borough, Northampton County, PA.

8. *Roamingwood Sewer and Water Association, D-1988-014-2*. An application to renew the approval of the existing 1.755 mgd Roamingwood WWTP and its discharge. The WWTP will continue to discharge treated effluent to Ariel Creek, which is a tributary of Wallenpaupack Creek upstream of Lake Wallenpaupack, which is a tributary of the Lackawaxen River, at River Mile 277.7—15.8—14.2—3.5 (Delaware River—Lackawaxen River—Wallenpaupack Creek—Ariel Creek) and is located within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Salem Township, Wayne County, PA.

9. *Manwalamink Sewer Company, D-1988-034-2*. An application to renew the approval of the existing 0.7 mgd Manwalamink WWTP and its discharge. The WWTP will continue to discharge to Brodhead Creek at River Mile 213.0—0.6 (Delaware River—Brodhead Creek), within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Smithfield Township, Monroe County, PA.

10. *Spring Township, D-1988-077 CP-3*. An application to renew the approval of the existing 2.28 mgd Spring Township WWTP and its discharge and to temporarily approve a total dissolved solids variance and effluent limit of 1,500 milligrams per liter for the WWTP. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Cacoosing Creek, a tributary of Tulpehocken Creek, which is a tributary of the Schuylkill River, at River Mile 92.47—76.8—4.0—2.0 (Delaware River—Schuylkill River—Tulpehocken Creek—Cacoosing Creek), in the Township of Spring, Berks County, PA.

11. *Wyomissing Valley Joint Municipal Authority, D-1991-009 CP-5*. An application to renew the approval of the existing 4.0 mgd Joint Municipal Authority Wyomiss-

ing Valley WWTP and its discharge. The WWTP will continue to discharge to Wyomissing Creek, a tributary of the Schuylkill River, at River Mile 92.47—75.3—0.2 (Delaware River—Schuylkill River—Wyomissing Creek) in the City of Reading, Berks County, PA.

12. *Longwood Gardens, D-1992-052-3*. An application to renew the approval of an existing GWD of up to 8.68 mgm to supply the applicant's public water supply system and irrigation for ornamental horticultural display gardens from existing Wells Nos. B170, B172, B94, B31, B169A, B169B, B161WG, B65, B46, T48, T49A, T49B and B106 completed in Granitic Gneiss. The requested allocation is not an increase from the previous allocation. The wells are located in the West Branch Red Clay Creek Watershed, in East Marlborough Township, Chester County, PA.

13. *Hamburg Municipal Authority, D-1992-073 CP-4*. An application to renew the approval of the existing 1.5 mgd Hamburg WWTP and its discharge. The WWTP will continue to discharge to the Schuylkill River, at River Mile 92.47—98.7 (Delaware River—Schuylkill River) in the Borough of Hamburg, Berks County, PA.

14. *Blue Mountain Water Cooperative, D-1993-027-3*. An application to renew the approval of a GWD project to continue to supply up to 5.17 mgm of groundwater to the docket holder's nontransient, noncommunity public water system from existing Wells Nos. 1, 2 and 5 with no increase in allocation. The docket also approves a previous expansion of the docket holder's service area to an additional commercial development located adjacent to the previously approved Tilden Industrial Park service area. The wells are completed in the Hamburg Sequence in the Pigeon Creek-Schuylkill River Watershed in Tilden Township, Berks County, PA.

15. *Filomina, Inc., D-1993-047-3*. An application to renew the approval of a GWD of up to 9.4 mgm to irrigate the applicant's Hideaway Hills Golf Course from existing Wells Nos. 1, 6 and 8. Wells Nos. 6 and 8 are completed in the Catskills Formation and Well No. 1 is completed in the Trimmers Rock Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Pohopoco Creek Watershed in Polk Township, Monroe County, PA within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

16. *Shoemakersville Municipal Authority, D-1993-074 CP-4*. An application to renew the approval of the applicant's existing 0.75 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Schuylkill River at River Mile 92.47—92.3 (Delaware River—Schuylkill River) by means of Outfall No. 001, in the Borough of Shoemakersville, Berks County, PA.

17. *Jericho National Golf Club, Inc., D-1995-002-3*. An application to renew the approval of an existing GWD of up to 9.3 mgm to irrigate the applicant's golf course from existing Wells Nos. B-100 and B-C. Wells Nos. B-100 and B-C are completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Jericho Creek Watershed in Upper Makefield Township, Bucks County, PA within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

18. *Allied Utility Services, Inc., D-1996-025 CP-2.* An application to renew the approval of the applicant's existing 0.075 mgd Schnecksville North WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Coplay Creek at River Mile 183.66—21.05—10.6—0.7 (Delaware River—Lehigh River—Coplay Creek—UNT) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, PA.

19. *Pennsylvania American Water Company, D-1998-043 CP-3.* An application to renew the approval of a GWD up to 165.33 mgm from existing Wells Nos. 12, 13, 16, 18A, 19, 20, 21, 23 and 28 for public water supply. Wells Nos. 12, 13 and 18A are completed in the Richland Formation, Well No. 16 is completed in the Millbach Formation, Wells Nos. 19 and 20 are completed in the Ontelaunee Formation, Well No. 21 is completed in the Allentown Formation, Well No. 23 is completed in the Hammer Creek Formation and Well No. 28 is completed in the Epler/Ontelaunee Formations. The requested allocation is not an increase from the previous allocation. The project wells are located in the Little Cacoosing Creek Watershed in Spring and Lower Heidelberg Townships and Sinking Spring and Wyomissing Boroughs, all in Berks County, PA.

20. *Greater Pottsville Area Sewer Authority, D-2002-041 CP-2.* An application to renew the approval of the existing 8.2 mgd Greater Pottsville Area Sewer Authority WWTP and its discharge. The WWTP will continue to discharge to the Schuylkill River, at River Mile 92.47—119.0 (Delaware River—Schuylkill River) on the border of Pottsville City, North Manheim Township, and Palo Alto Borough, in Schuylkill County, PA.

21. *East Vincent Township, D-2005-007 CP-2.* An application to renew the approval of the applicant's existing 0.053 mgd Bartons Meadows WWTP and its discharge. Treated effluent will continue to be discharged to subsurface seepage beds in the drainage area of French Creek near River Mile 92.47—35.65—9.56—0.78 (Delaware River—Schuylkill River—French Creek—UNT) in East Vincent Township, Chester County, PA.

22. *Town of Kortright, Hamlet of Bloomville, D-2007-011 CP-2.* An application to renew the approval of the existing 0.03 mgd Bloomville WWTP and its discharge to groundwater. The WWTP will continue to discharge to leach beds adjacent to Wright Brook, upstream of Cannonsville Reservoir in the West Branch Delaware River Watershed. The WWTP and leach fields are located within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Kortright, Delaware County, NY.

23. *PSC Environmental Services, LLC, D-2011-009-2.* An application to renew the approval of the applicant's 0.1 mgd industrial wastewater treatment plant (IWTP) that receives non-hazardous and hazardous wastes from offsite generators within the continental United States, primarily from Pennsylvania, New York and New Jersey (both within and outside the basin) at their facility located in Hatfield Township, Montgomery County, PA. Approximately 20% of the industrial wastewater collected at the facility is pretreated and conveyed to the Hatfield Township Municipal Authority WWTP for ultimate

discharge to the West Branch Neshaminy Creek. The remainder is trucked to other centralized waste treatment facilities, landfills or cement kilns throughout the United States (most of which is sent to DuPont Chambers Works, GROWS Landfill or Keystone Cement; all of which are located within the basin).

24. *The Chemours Company, FC, LLC, D-1969-059-2.* An application to renew the approval to continue to withdraw up to 1,314 mgm of surface water from an existing intake on the Delaware River for noncontact cooling and industrial processes at the Chambers Works chemical manufacturing facility. The docket also approves a transfer of ownership from DuPont to Chemours, which will become an independent company on or about July 1, 2015. DuPont operated its withdrawals under Commission Docket No. D-69-59 and Commission Certificate of Entitlement No. 177. The Certificate of Entitlement will terminate upon the anticipated transfer of ownership. The docket holder's groundwater and surface water withdrawals from the Salem Canal were previously approved by Commission Docket No. D-93-19-2. The Delaware River intake is located in Water Quality Zone 5 in Pennsville Township, Salem County, NJ.

25. *New Castle County Department of Special Services, D-1972-210 CP-2.* An application to renew the approval of and to approve an upgrade to the existing 0.57 mgd Delaware City WWTP (also referred to as the Governor Bacon Health Center WWTP). The upgrade consists of replacing existing sand filters with cloth media filters and replacing the existing chlorine contact disinfection system with UV disinfection. The WWTP will remain at 0.57 mgd and continue to discharge to the Delaware River Water Quality Zone 5 at River Mile 60.6, in Delaware City, New Castle County, DE.

26. *Occidental Chemical Corporation, D-1983-009-3.* An application to renew the approval of and to approve a modification to the existing 0.3 mgd Occidental Chemical Corporation Delaware City IWTP. The modification consists of replacing the existing outfall for the IWTP with a new outfall. The IWTP treatment facilities will not be modified, and will continue to treat contaminated stormwater and groundwater from the applicant's former chemical manufacturing plant site. The IWTP will continue to discharge to Delaware River Water Quality Zone 5 at River Mile 62.7, in Delaware City, New Castle County, DE.

27. *Town of Rockland, D-1985-028 CP-3.* An application to renew the approval of the applicant's existing 0.8 mgd Livingston Manor WWTP and its discharge, as well as to approve phased modifications to the WWTP that meet the Commission's definition of substantial alterations or additions. Treated effluent will continue to be discharged to Willowemoc Creek at River Mile 330.7—15.5—15.5—6.94 (Delaware River—East Branch Delaware River—Beaver Kill—Willowemoc Creek) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Rockland, Sullivan County, NY.

28. *Delaware Valley College, D-1994-050 CP-3.* An application to renew the approval of an existing GWD and to increase the allocation from 6.34 mgm to 7.192 mgm to supply potable water to the Delaware Valley University campus and to irrigate the docket holder's athletic fields. Existing Wells Nos. 1, 3, 4, 5, 6 and 7 are completed in

the Stockton Formation. The wells are located in the Commission's designated groundwater protected area in the Neshaminy Creek Watershed in Doylestown Township, Bucks County, PA.

29. *Artesian Water Company, D-2002-034 CP-4.* An application to renew the approval of an existing import project of up to 3.0 mgd from the Chesapeake Bay Basin from the Old County Road, Chesapeake City Road and Eastern States well fields, and up to 3.0 mgd from the Susquehanna River Basin from an interconnection with Chester Water Authority to augment water supply to the applicant's public water supply system. The applicant also seeks approval of new Well Broad Run protected area for inclusion in the Artisan Water Company public water supply system and renewal of the approval to withdraw up to 612.83 mgm of groundwater for the docket holder's public water supply distribution system. Artisan Water Company is not requesting an increase in groundwater withdrawal allocation. The water supply system and wellfields are located in New Castle County, DE and New Garden Township, Chester County, PA.

30. *East Penn Manufacturing Company, D-2003-023-3.* An application to approve new Well No. 11 for inclusion in the applicant's manufacturing water supply system and to approve an increase in the total system GWD allocation from 20.67 mgm to 31 mgm. Wells Nos. 2, 4, 5, 6, 7, 9, 10 and 11 are completed in the Leithsville Formation and Well No. 8 is completed in Granitic Gneiss. The wells are located in the Moselem Creek Watershed in Richmond Township, Berks County, PA.

31. *Tennessee Gas Pipeline Company, LLC, D-2013-021-1.* An application to approve an existing natural gas pipeline project referred to as the Tennessee 300 Line Project, which involved the installation of two separate loops (Loops 321 and 323) and modifications to Compressor Station 323. Loop 321 is located in Mount Pleasant, Clinton, Dyberry and Berlin Townships and Bethany and Honesdale Boroughs, Wayne County, PA. Loop 323 is located in Lackawaxen, Shohola and Milford Townships, Pike County, PA. Compressor Station No. 323 is located in Lackawaxen Township, Pike County, PA. Approximately 1.5 miles of the eastern-most portion of Loop 323, located in Milford Township, Pike County, PA traverses the Delaware State Forest, a recreation area that is incorporated into the Commission's Comprehensive Plan. Both pipeline loops cross numerous waterbodies in the basin and are subject to review under the Commission's Floodplain Regulations. Additionally, the project involves surface water withdrawals from Dyberry Creek and Shohola Creek for the purpose of hydrostatic testing of the pipeline loops. After testing was completed, the hydrostatic test water was discharged at five upland locations along the pipeline route. The project is located within the drainage area of the sections of the main stem Delaware River known as the Middle and Upper Delaware, which the Commission has classified as Special Protection Waters.

32. *Tinicum Township, D-2014-014 CP-1.* An application to approve the applicant's existing 2.8 mgd WWTP and its discharge. The Department and the Commission have based effluent limits at Outfall No. 001 on an average annual discharge flow of 1.4 mgd. Treated effluent will continue to be discharged to the tidal portion of Darby Creek at River Mile 85.28—1.0 (Delaware River—Darby Creek) by means of Outfall No. 001, within Water Quality Zone 4, in Tinicum Township, Delaware County, PA.

33. *Girl Scouts of Freedom Valley, D-2014-018 CP-1.* An application to approve the applicant's existing 0.045 mgd Camp Tohikanee WWTP and its discharge. The Commission and the Department have based effluent limitations upon an effluent discharge flow of 0.015 mgd. Treated effluent will continue to be discharged to a 0.2 mile long drainage swale of Tohickon Creek, above Lake Nockamixon, at River Mile 157.0—20.23 (Delaware River—Tohickon Creek) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Haycock and East Rockhill Townships, Bucks County, PA.

34. *Villa Roma Country Club, D-2014-020-1.* An application to approve the applicant's existing GWD and surface water withdrawal (SWWD) of up to 12.276 mgm to supply domestic, irrigation, and/or snow-making water from Wells Nos. 2, 4, 6, 7, 8, 9, 10 and 12 and Pond Intakes Nos. 11 and 15. The eight wells are completed in the Honesdale Formation. The two pond intakes are located in the Jones Brook Watershed. All ten withdrawal sources are located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in the Town of Delaware, Sullivan County, NY.

35. *Richard C. Becker, Walnutport Mobile Home Park, D-2014-021 CP-1.* An application to approve the applicant's existing 0.05 mgd Walnutport Mobile Home Park WWTP and its discharge. Treated effluent will continue to be discharged to Bertsch Creek at River Mile 183.66—30.68—0.16 (Delaware River—Lehigh River—Bertsch Creek) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, in Lehigh Township, Northampton County, PA.

36. *PPL Utilities Corporation, D-2014-023-1.* An application to approve a new electric transmission line project referred to as the Northeast Pocono Reliability Project (NEPOC Project). The project alters greater than 25 acres of wetlands and portions of the project pass through the Lackawanna State Forest (LSF), which is designated in the Commission's Comprehensive Plan as a recreation project area. In the Delaware River Basin, the project consists of the construction of approximately 44.5 miles of 230 kV transmission line, including a portion of the line (2.9 miles) that passes through the LSF and approximately 10 miles of 138/69 kV transmission circuit connector line, including a portion of this line (0.1 miles) that passes through the LSF and one new electric substation. The transmission line project requires the clearing of a new right-of-way along the transmission and conductor line corridors, construction of access roads and temporary work pads for monopole construction and conductor pulling equipment, installation of monopoles and stringing and tensioning conductor. The project is located in the Lehigh River and Lackawaxen River watersheds in Bear Creek and Buck Townships in Luzerne County, Tobyhanna Township in Monroe County, Thornhurst, Clifton and Covington Townships in Lackawanna County, and Lehigh, Sterling, Dreher, Salem and Paupack Townships in Wayne County, all in PA, within the drainage area of the section of the main stem Delaware River known as the Lower and Upper Delaware, which the Commission has classified as Special Protection Waters.

37. *Aqua America, Inc., D-2015-001 CP-1.* An application to approve an existing SWWD and to approve an allocation of up to 16.5 mgd (511.5 mgm) to supply the applicant's public water supply from an existing surface water intake on the Perkiomen Creek at Wetherill Dam. This surface water intake is part of Aqua Pennsylvania's Main Division public water supply system. The project intake is located in the Perkiomen Creek Watershed in Lower Providence Township, Montgomery County, PA.

38. *Plumsted Township Municipal Authority, D-2015-002 CP-1.* An application to approve the new 0.6 mgd New Egypt WWTP and its discharge and to incorporate the WWTP and its discharge into the Comprehensive Plan. The WWTP will consist of an MBR treatment system with equalization, screening, UV light disinfection and reaeration. The WWTP will discharge to the nontidal portion of Crosswicks Creek at River Mile 128.5—21.3 (Delaware River—Crosswicks Creek) in New Egypt Township, Ocean County, NJ.

39. *The Chemours Company, FC, LLC, D-2015-003-1.* An application to approve a withdrawal up to 345 mgm of surface water from existing Intake No. 89-0019 for industrial processes and cooling purposes at the existing Edge Moor facility. The docket also approves a transfer of ownership from DuPont to Chemours, which will become an independent company on or about July 1, 2015. The docket holder operates its surface water withdrawal under Commission Certificate of Entitlement No. 179. The Certificate of Entitlement will be terminated upon the anticipated change in ownership. The project intake is located in Water Quality Zone 5 of the Delaware River in New Castle County, DE.

Public meeting. The public meeting on June 10, 2015, will begin at 1:30 p.m. and will include: adoption of the minutes of the Commission's March 11, 2015, business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required. The latter are expected to include resolutions for the minutes: (1) providing for election of Commission officers; and (2) amending the Commission employee salary schedule.

There will be no opportunity for additional public comment at the June 10, 2015, business meeting on items for which a hearing was completed on June 9, 2015, or a previous date. Commission consideration of items for which the public hearing is closed may result in either approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance sign-up for oral comment. Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting on June 9, 2015, are asked to sign up in advance by contacting Paula Schmitt of the Commission staff, (609) 883-9500, Ext. 224, paula.schmitt@drbc.state.nj.us.

Addresses for written comment. Written comment on items scheduled for hearing may be delivered by hand at the public hearing or submitted in advance of the hearing date to the Commission Secretary, P. O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522, paula.schmitt@drbc.state.nj.us. If submitted by e-mail in advance of the hearing date, written comments on a docket should be sent to William J. Muszynski, PE, Branch Manager, Water Resources Management, william.muszynski@drbc.state.nj.us.

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

Updates. Items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Other meeting items also are subject to change. Check the Commission's web site at www.drbc.net closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH, Esq.,
Secretary

[Pa.B. Doc. No. 15-953. Filed for public inspection May 22, 2015, 9:00 a.m.]

(*Editor's Note:* Pa.B. Doc. No. 15-954 intentionally not used.)

DEPARTMENT OF AGRICULTURE

Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6710 (relating to commercial value), establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	\$0.54 per pound
Available phosphate	\$0.49 per pound
Soluble potash	\$0.43 per pound

Further Information

Further information is available by contacting David Dressler, Agronomic Program Specialist, Bureau of Plant Industry, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5215.

Effective Date

These commercial values are effective beginning July 1, 2015, and shall remain effective until further notice.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 15-955. Filed for public inspection May 22, 2015, 9:00 a.m.]

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DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 12, 2015.

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

BANKING INSTITUTIONS Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-8-2015	S&T Bank Indiana Indiana County Merger of Integrity Bank, Camp Hill, with and into S&T Bank, Indiana. All branch offices of Integrity Bank will become branch offices of S&T Bank including the former main office of Integrity Bank located at: 3345 Market Street Camp Hill Cumberland County	Effective

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-1-2015	ACNB Bank Gettysburg Adams County	915 Wayne Avenue Chambersburg Franklin County	Opened
5-5-2014	The Scottdale Bank & Trust Company Scottdale Westmoreland County	632 West Main Street Mount Pleasant Westmoreland County	Opened
5-6-2015	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	20 Montchanin Road Greenville New Castle County, DE	Approved
5-6-2015	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	One West Chocolate Avenue Hershey Dauphin County	Approved
5-6-2015	Somerset Trust Company Somerset Somerset County	450 Schoolhouse Road Johnstown Cambria County	Approved

CREDIT UNIONS

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
5-12-2015	Community Regional Credit Union Kingston Luzerne County Amendment to Article 1 of the institution's Articles of Incorporation provides for the credit union to be located in Luzerne County.	Filed

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

ROBIN L. WIESSMANN,
Acting Secretary

[Pa.B. Doc. No. 15-956. Filed for public inspection May 22, 2015, 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, May 27, 2015, 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) 787-9293. 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 Danna Koren 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,
Acting Secretary

[Pa.B. Doc. No. 15-957. Filed for public inspection May 22, 2015, 9:00 a.m.]

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Pennsylvania Advisory Council on Drug and Alcohol Abuse Meeting

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on June 15, 2015, from 1 p.m. to 3:30 p.m. The meeting will be held at the Child Welfare Resource Center, 403 East Winding Hill Way, Mechanicsburg, PA 17055, (717) 795-9048. The meeting is open to the public. For additional information, visit the Department of Drug and Alcohol Programs' (Department) web site at www.ddap.pa.gov.

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and alcohol issues and challenges facing this Commonwealth and to serve in an advisory capacity to the Department on these issues.

For additional information visit the Department's previously listed web site or contact Ann Catalano, (717) 214-1937.

Persons with disabilities who wish to attend the meeting and requiring an auxiliary aid, service or other accommodation should contact Ann Catalano at (717) 214-1937.

This meeting is subject to cancellation without notice.

GAROLD E. TENNIS, Esq.,
Secretary

[Pa.B. Doc. No. 15-958. Filed for public inspection May 22, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0058297 (Sewage)	Wolanin SRSTP 331 Echo Valley Lane Newtown Square, PA 19073	Delaware County Newtown Township	Unnamed Tributary to Lewis Run (3-G)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0064271 (Sewage)	Matthew and Christie Wieder SRSTP 4926 Main Road West Emmaus, PA 18049	Lehigh County Upper Milford Township	UNT to Leibert Creek (02C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0247804 (IW)	PMP Investments LLC 44 Denver Road PO Box 300 Denver, PA 17517-9334	Lancaster County/ East Cocalico Township	Stony Run/7-J	Y
PA0070050 (IW)	Reading Alloys, Inc. PO Box 53 Robesonia, PA 19551	Berks County/ South Heidelberg Township	UNT to Spring Creek/3-C	Y
PAS803505 (SW)	HPT-PSC Properties Trust Petro Stopping Center—Carlisle 24601 Center Ridge Road West Lake, OH 44145	Cumberland County/ Middlesex Township	Letort Spring Run/7-B	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0025755 (Sewage)	Freeport Borough STP Freeport Borough 414 Market Street Freeport, PA 16229	Armstrong County Freeport Borough	Buffalo Creek (18-F)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0035556 (Sewage)	PA Dot—Rest Area 16 I-79 South Grove City, PA 16127	Lawrence County Plain Grove Township	Un-named tributary of Jamison Run (20-C)	Y

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

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

PA0025844, , SIC Code 9651, **U.S. Department of Health and Human Services**, Centers for Disease Control and Prevention, National Institute of Occupational Safety and Health, P. O. Box 18070, Pittsburgh, PA 15236. Facility Name: Bruceton Research Center. This existing facility is located in South Park Township, **Allegheny County**.

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

The receiving stream(s), Lick Run and McElheny run are located in State Water Plan watershed 19-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 0.000037 MGD.

Parameters	Mass (lb/day)			Concentration (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
Total Suspended Solids	XXX	XXX	XXX	35	70	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	3.5	7.0	XXX
Total Manganese	XXX	XXX	XXX	2.0	4.0	XXX

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese	XXX	XXX	XXX	XXX	Report	XXX
Total Mercury	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.000505 MGD.

Parameters	Mass (lb/day)			Concentration (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	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	XXX	XXX	XXX	0.75	0.75	XXX
Total Antimony	XXX	XXX	XXX	0.011	0.018	XXX
Total Arsenic	XXX	XXX	XXX	0.02	0.032	XXX
Total Cadmium	XXX	XXX	XXX	0.00055	0.00086	XXX
Hexavalent Chromium	XXX	XXX	XXX	0.021	0.033	XXX
Total Cobalt	XXX	XXX	XXX	0.04	0.06	XXX
Total Copper	XXX	XXX	XXX	0.018	0.029	XXX
Total Iron	XXX	XXX	XXX	1.5	3.0	XXX
Total Lead	XXX	XXX	XXX	0.0065	0.01	XXX
Total Manganese	XXX	XXX	XXX	2.0	3.2	XXX
Total Mercury	XXX	XXX	XXX	0.0001	0.00016	XXX
Total Nickel	XXX	XXX	XXX	0.1065	0.166	XXX
Total Selenium	XXX	XXX	XXX	0.01	0.016	XXX
Total Silver	XXX	XXX	XXX	0.005	0.008	XXX
Total Thallium	XXX	XXX	XXX	0.0005	0.0008	XXX
Total Zinc	XXX	XXX	XXX	0.157	0.245	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX

The permittee is authorized to discharge non-polluting stormwater from its site through Outfalls 003, 004, SW-2, SW-4, SW-5 & SW-6.

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 not in effect.

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

PA0024121 A-2, Sewage, SIC Code 4941, 4952, **Aqua Pennsylvania Wastewater Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. Facility Name: Aqua PA Media STP. This existing facility is located in Upper Providence Township, **Delaware County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Instant. Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.3	XXX	1.0
CBOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	225	375	XXX	15	25	30
Nov 1 - Apr 30	375	600	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	450	675	XXX	30	45	60
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000*
				Geo Mean		

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	30	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	90	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Copper						
(Interim)	XXX	XXX	XXX	Report	XXX	Report
(Final)	1.59	XXX	XXX	0.106	XXX	0.212

*Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfalls 002 and 003 are based on an average flow of stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Minimization
- E. Operator Notification
- F. WETT at Renewal
- G. TMDL/WLA Analysis
- H. Fecal Coliform Reporting
- I. Stormwater Condition

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.

PA0244759, SEW, SIC Code 8811, **Woodman Therese H**, 2564 Crum Creek Road, Berwyn, PA 19312. Facility Name: Woodman SRSTP. This proposed facility is located in Easttown Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Crum Creek, is located in State Water Plan watershed 3-G and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
BOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	Avg Mo 200	XXX	XXX
UV Transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average</i>	<i>Daily Maximum</i>	
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- A. AMR Submittal
- B. DMR Submittal
- C. Depth of Septage and Scum Measurements
- D. Solids Removal
- E. No Storm Water
- F. Property Rights
- G. Sludge Removal
- H. ACT 537

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

The EPA Waiver is in effect.

PA0244732, SEW, SIC Code 8811, **Huber Mark**, 1305 Yellow Springs Road, Chester Springs, PA 19425. Facility Name: Huber Residence. This proposed facility is located in East Pikeland Township, **Chester County**.

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

The receiving stream(s), Pine Creek, is located in State Water Plan watershed 3-D and is classified for High Quality Waters—Trout Stocking and Mi, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
BOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	6.0	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX

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

- A. AMR Submittal
- B. DMR Submittal
- C. Depth of Septage and Scum Measurements
- D. Solids Removal
- E. No Storm Water
- F. Property Rights
- G. Sludge Removal
- H. ACT 537

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

The EPA Waiver is in effect.

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

PA0020826, Sewage, SIC Code 4952, **Dover Township**, 2480 West Canal Road, Dover, PA 17315. Facility Name: Dover Township STP. This existing facility is located in Dover Township, **York County**.

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

The receiving stream(s), Little Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 8.0 MGDs.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	667	1,000	XXX	10	15	20
Nov 1 - Apr 30	1,334	Wkly Avg 2,000	XXX	20	30	40
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	2,000	3,000	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	100	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	300	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	133	XXX	XXX	2.0	XXX	4.0
Bis(2-Ethylhexyl)Phthalate						
(Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	0.127	0.193	XXX	0.0019	Daily Max 0.0029	XXX
					DailyMax	

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	146,117	XXX	XXX	XXX
Net Total Phosphorus	Report	19,482	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:

- Pretreatment Program Implementation
- Toxics Reduction Evaluation (TRE) Requirements
- Whole Effluent Toxicity Requirements

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

The EPA Waiver is not in effect.

PA0081876, Sewage, SIC Code 4952, 6515, **Audubon Park Inc.**, 322 S Hanover Street, Carlisle, PA 17013. Facility Name: Audubon Park MHP. This existing facility is located in Monaghan Township, **York County**.

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

The receiving stream(s), Unnamed Tributary to Yellow Breeches Creek, is located in State Water Plan watershed 7-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
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
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
		Total Annual				
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
		Total Annual				

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

The EPA Waiver is in effect.

PA0260118, Sewage, SIC Code 6515, **Chesapeake Estates of New Oxford LLLP**, 585 Martin Road, Gettysburg, PA 17325. Facility Name: Chesapeake Estates of New Oxford MHP STP. This existing facility is located in Mount Pleasant Township, **Adams County**.

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

The receiving stream, South Branch Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Total Residual Chlorine	XXX	XXX	XXX	Geo Mean 0.50	XXX	1.63
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

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

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

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

The EPA Waiver is not in effect.

PA0086304, Sewage, SIC Code 4952, **Earl Township Sewer Authority**, 517 North Railroad Avenue, New Holland, PA 17557. Facility Name: Earl Township Sewer Authority WWTP. This existing facility is located in Earl Township, **Lancaster 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, Mill Creek, is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.280 (for interim limits) and 0.650 MGD (for final limits).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV Transmittance (%) (Final)	XXX	XXX	Report	Report	XXX	XXX
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
CBOD ₅						
(Interim)	58	93	XXX	25	40	50
(Final)	136	Wkly Avg 217	XXX	25	40	50
Total Suspended Solids						
(Interim)	70	105	XXX	30	45	60
(Final)	163	Wkly Avg 244	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31 (Interim)	8.2	XXX	XXX	3.5	XXX	7.0
Nov 1 - Apr 30 (Interim)	25	XXX	XXX	10.5	XXX	21
May 1 - Oct 31 (Final)	19	XXX	XXX	3.5	XXX	7.0
Nov 1 - Apr 30 (Final)	57	XXX	XXX	10.5	XXX	21
Total Phosphorus						
(Interim)	4.7	XXX	XXX	2.0	XXX	4.0
(Final)	11	XXX	XXX	2.0	XXX	4.0

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

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

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

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

The EPA waiver is not in effect.

PA0046680, Industrial Waste, SIC Code 4953, 562212, **Republic Services of PA, LLC**, 4400 Mt. Pisgah Road, York, PA 17406. Facility Name: Modern Landfill. This existing facility is located in Windsor Township and Lower Windsor Township, **York 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, Kreutz Creek and Unnamed Tributary to Kreutz Creek, is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	0.25	Report	XXX	0.81
			Avg Mo	Daily Max		
CBOD ₅	41.7	83.4	XXX	10	20	25
Total Suspended Solids	41.7	83.4	XXX	10	20	25
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	129	183	322
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				Geo Mean		
May 1 - Oct 31	4.17	8.34	XXX	1.0	2.0	2.5
Nov 1 - Apr 30	12.5	25.0	XXX	3.0	6.0	7.5
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
Total Boron	17.2	23.0	XXX	4.12	5.52	10.3
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	0.344	0.416	XXX	0.0825	0.0998	0.206
Phenol	0.0289	0.0377	XXX	0.00692	0.00903	0.0173
a-Terpineol	0.0128	0.0264	XXX	0.00307	0.00634	0.00767
Benzoic Acid	0.0567	0.0959	XXX	0.0136	0.0230	0.0340
Bis(2-Ethylhexyl)Phthalate	0.062	0.106	XXX	0.0149	0.0253	0.0372
p-Cresol	0.0112	0.0200	XXX	0.00269	0.00480	0.00672
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Phenol	XXX	XXX	XXX	XXX	Report	XXX
a-Terpineol	XXX	XXX	XXX	XXX	Report	XXX
Benzoic Acid	XXX	XXX	XXX	XXX	Report	XXX
p-Cresol	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Phenol	XXX	XXX	XXX	XXX	Report	XXX
a-Terpineol	XXX	XXX	XXX	XXX	Report	XXX
Benzoic Acid	XXX	XXX	XXX	XXX	Report	XXX
p-Cresol	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	
Kjeldahl—N	Report	XXX	XXX	Report	XXX	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	
Total Nitrogen	Report	Report	XXX	Report	XXX	
Total Phosphorus	Report	Report	XXX	Report	XXX	
Net Total Nitrogen	Report	48,803	XXX	XXX	XXX	
Net Total Phosphorus	Report	131	XXX	XXX	XXX	

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

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

The EPA Waiver is not in effect.

PA0022209, Sewage, SIC Code 4952, **Bedford Borough Municipal Authority**, 244 W Penn Street, Bedford, PA 15522-1226. Facility Name: Bedford Borough STP. This existing facility is located in Bedford Borough, **Bedford 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), Raystown Branch Juniata River is located in State Water Plan watershed 11-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	250	400	XXX	20	32	40
		Wkly Avg				
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	375	563	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	94	XXX	XXX	7.5	XXX	15
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	Report
Total Phosphorus	25	XXX	XXX	2.0	XXX	4.0
Total Copper	Report	XXX	XXX	Report	XXX	Report
UV Dosage (mjoules/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

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

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

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

Parameters	Mass (lbs)			Concentration (mg/l)		
	Monthly	Annual	Minimum	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	
Kjeldahl—N	Report	XXX	XXX	Report	XXX	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	
Total Nitrogen	Report	Report	XXX	Report	XXX	
Total Phosphorus	Report	Report	XXX	Report	XXX	
Net Total Nitrogen	Report	27,397	XXX	XXX	XXX	
Net Total Phosphorus	Report	3,653	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:

- The permittee is granted 8000lbs/year Total Nitrogen offsets to meet the Net Total Nitrogen cap load.
- Stormwater Requirements
- CSO Compliance Requirements
- WETT Requirements

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

The EPA Waiver is not in effect.

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

PA0023248, Sewage, SIC Code 4952, **Berwick Area Joint Sewer Authority**, 1108 Freas Avenue, Berwick, PA 18603-1710. Facility Name: Berwick Municipal Authority WWTP. This existing facility is located in Berwick Borough, **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 2.2 MGDs.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	459	734	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	550	826	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	Report

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	66,848			
Net Total Phosphorus	Report	8,913			

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.

PA0026557, Sewage, SIC Code 4952, **Municipal Authority of the City of Sunbury**, 462 South 4th Street, Sunbury, PA 17801-3134. Facility Name: Sunbury Municipal Authority Wastewater Treatment Facility. This existing facility is located in Sunbury City, **Northumberland 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), Shamokin Creek, is located in State Water Plan watershed 6-B and is classified for Cold Water 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 4.2 MGDs.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.3	XXX	1.0

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
CBOD ₅	875	1,400	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,050	1,575	XXX	30	45	60
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	585	875	XXX	16	25	33
Nov 1 - Apr 30	Report	Report	XXX	Report	Report	Report

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	76,711		Report	
Net Total Phosphorus	Report	10,228			

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.

PA0232602 A-1, Industrial, SIC Code 4911, **Hummel Station LLC**, 4100 Spring Valley, Dallas, TX 75244. Facility Name: Hummel Station LLC. This existing facility is located in Shamokin Dam Borough, **Snyder County**.

Description of Existing Activity: The application is to amend an existing NPDES permit for a proposed discharge of cooling tower blowdown.

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

The proposed effluent limits for Outfall 002 are based on a design flow of 1.553 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Arsenic	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Cadmium	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Chromium	1.65	1.65	XXX	0.2	0.2	0.2
Total Copper	0.25	0.51	XXX	0.02	0.04	0.05
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total Thallium	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	0.25

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.

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

PA0273058, Sewage, SIC Code 8800, **George F. Reeher**, 4370 US Highway 322, Jamestown, PA 16134. Facility Name: George F. Reeher SRSTP. This proposed facility is located in West Salem Township, **Mercer County**.

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

The receiving stream, an Unnamed Tributary to the Big Run, is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass (lbs/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Report	Minimum	Average Monthly	Geo Mean	
Flow (MGD)	XXX	XXX	XXX	XXX	XXX	XXX
BOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX

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. 1515401, Sewage, **Therese Woodman**, 120 Calista Lane, Phoenixville, PA 19460.

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

Description of Action/Activity: Single residence small flow sewage treatment plant.

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

WQM Permit No. WQG01501501, Sewerage, **Jeffrey Simmons, Jr.**, 1858 New Valley Road, Marysville, PA 17053.

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

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

WQM Permit No. WQG02381501, Sewerage, **South Lebanon Township**, 1800 South 5th Avenue, Lebanon, PA 17042-7909.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Oxford Drive and Monticello Drive Sanitary Sewer Extension and Pump Station.

WQM Permit No. 0190401, Amendment #1, Sewerage, **ARM 2, LLC**, Pine Run Mobile Home Park, 1880 Pine Run Road, Abbottstown, PA 17301.

This proposed facility is located in Hamilton Township, **Adams County**.

Description of Proposed Action/Activity: Seeking permit approval for the replacement of chlorination/dechlorination with ultraviolet disinfection.

WQM Permit No. 0615402, Sewerage, **Amity Township**, 2004 Weavertown Road, PO Box 215, Douglassville, PA 19548-8971.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of improvements to Pump Stations 2 and 4. Pump Stations 2 and 4 are hydraulically overloaded, both pump stations are to be expanded to triplex pump stations so that two pumps can run at any given time.

WQM Permit No. 0115402, Sewerage, **Lake Meade Municipal Authority**, 59 Curtis Drive, East Berlin, PA 17316.

This proposed facility is located in Latimore Township, **Adams County**.

Description of Proposed Action/Activity: Seeking permit approval for replacement of a submersible pumping station (PS #3) with a suction life pumping station with greater capacity.

WQM Permit No. 6715403, Sewerage, **Spring Grove Borough**, 1 Campus Avenue, Spring Grove, PA 17362-1412.

This proposed facility is located in Spring Grove Borough, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade/expansion of existing secondary treatment facility to BNR treatment, with the addition of a stream discharge.

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

WQM Permit No. 0379404 A-3, Sewage, **West Hills Water Pollution Control Authority**, 257 Linde Road, Kittanning, PA 16201.

This existing facility is located in North Buffalo Township, **Armstrong County**.

Description of Proposed Action/Activity: The construction of facilities to handle excessive wet weather flows in the collection system, at the wastewater treatment plant, at the Glade Run pump station and the Maple Lane pump station.

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

IV. NPDES Applications for Stormwater Discharges from MS4

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

PAI132235, MS4, **Harvey’s Lake Borough Municipal Authority Luzerne County**, PO Box 60, Harvey’s Lake, PA 18640. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Harvey’s Lake Borough, **Luzerne County**. The receiving stream, Harvey’s Creek, is located in State Water Plan watershed 5-B and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914033	Tom Gough KRE South Whitehall LP 520 US Highway 22 PO Box 6872 Bridgewater, NJ 08807	Lehigh	South Whitehall Township Upper Macungie Township	UNT to Cedar Crest (HQ-CWF,MF)

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

PAG-12	CAFOs
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CAFO Notices of Intent Received

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

PAG128301, CAFO **Sperry Farms**, 11420 Sperry Road, Atlantic, PA 16111.

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

Description of Size and Scope of Proposed Operation/Activity: 4,705.97 AEUs chicken operation.

The receiving stream, UNT to Adsit Run is in watershed Conneaut Outlet—16D, and classified for WWF and STF.

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Hershey Ag Shadewood Farms 23 Acker Road Newport, PA 17074	Perry	133.5	967.5	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**

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

Permit No. 4815503 , Public Water Supply.
Applicant PA American Water Berry Hollow Water System 800 W. Hershey Park Drive Hershey, PA 17033
[Township or Borough] Lower Mt. Bethel Township Northampton County
Responsible Official Mr. David Kaufman Vice President-Engineering
Type of Facility PWS
Consulting Engineer Mr. Jeremy A. Nelson, PE PA American Water Scranton, PA 18505
Application Received Date April 4, 2015
Description of Action This project is for modification and addition to the existing water system: replace discharge and blow off piping for Well 1 & Well 2, construction of new treatment building, iron and manganese treatment, disinfection system.

Application No. 4015508 , Public Water Supply.
Applicant Aqua Pennsylvania, Inc. 762 W. Lancaster Avenue Bryn Mawr, PA 19010-3402
[Township or Borough] Kingston Township Luzerne County

Responsible Official Patrick R. Burke, P.E.
Director of Operations
Aqua Pennsylvania, Inc.,
White Haven Division
1 Aqua Way
White Haven, PA 18661

Type of Facility PWS

Consulting Engineer W. Jeffery Nagorny, P.E.
Advantage Engineers, LLC
435 Independence Avenue,
Suite C
Mechanicsburg, PA 17055

Application Received Date May 11, 2015

Description of Action This application proposes revisions to the permitted withdrawal rates for three wells in the Midway PWS System: Dug Road Well and Midway Manor Wells 1 and 2.

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

Application No. 4115505—Construction—Public Water Supply.

Applicant **Montgomery Water and Sewer Authority**

[Township or Borough] Clinton Township

County **Lycoming**

Responsible Official Mr. John N. Lynch, Sr.
Executive Director
35 South Main Street
Montgomery, PA 17752

Type of Facility Public Water Supply

Consulting Engineer Paul Krizan, P.E.
Larson Design Group
1000 Commerce Park Drive,
Suite 201
Williamsport, PA 17701

Application Received May 6, 2015

Description of Action Construction of a new well (Well #4) to supply water to Clinton Township and miscellaneous upgrades to provide for a fully functional SCADA system.

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

Permit No. 1615502, Public Water Supply

Applicant **Clarion Vista Lofts, LLC**

Township or Borough Paint Township

County **Clarion**

Responsible Official Jerome Oliver

Type of Facility Public Water Supply

Consulting Engineer Kenneth Orie, P.E.
Gibson-Thomas Engineering Company
P. O. Box 853
1004 Ligonier Street
Latrobe, PA 15650

Application Received Date April 27, 2015

Description of Action Obtain PWS permit for existing water system.

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 appro-

priate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Hamlin Work Center, 37 Uban Road, Sterling Township, **Wayne County**. Leidos, Inc., 180 Gordon Drive, Suite 109, Exton, PA 19341, on behalf of Verizon PA Inc. 966 South Matlack Street, West Chester, PA 19382, submitted a Notice of Intent to Remediate. Soil beneath a telephone pole storage area was impacted with wood preservatives, specifically pentachlorophenol. The Notice of Intent to Remediate was published in *The Scranton Times* on March 25, 2015.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Farnsworth Fish Hatchery, 6200 Farnsworth Road, Forest Service Road 154, Cherry Grove Township, **Warren County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of USDA Forest Service, Allegheny National Forest, 4 Farm Colony Drive, Warren, PA 16365 submitted a Notice of Intent to Remediate. During removal of an unregulated 500-gallon heating oil underground storage tank, contamination was discovered in site soil. The remediation standard selected for the site is Statewide Health. Future use of the property will be nonresidential. Notice of Intent to Remediate was published in *The Times Observer* on April 23, 2015.

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

Young Residence, 33 Schoolhouse Road, Bristol Township, **Bucks County**. Jeremy Bolyn Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Randy Young, 33 Schoolhouse Road, Levittown, PA 19055 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 heating oil. The future use of the property will remain residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on February 5, 2015. PF781842.

HMHE LLC, 115 East Lancaster Avenue, Tredyffrin Township, **Chester County**. Craig Herr, RT Environmental Services, Inc. 215 West Church Road, King of Prussia, PA 19406, John Lydzinski, P.G., RT Environmental Services, Inc. 215 West Church Road, King of Prussia, PA 19406 on behalf of Hendy Sik Choe, HMHE, LLC, 1779 East Lancaster Avenue, Paoli, PA 19301 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the property will continue to be commercial. The Notice of Intent to Remediate was published in *The Daily Local News* on April 10, 2015. PF785458.

Madison @ French Creek, 45 North Main Street, Phoenixville Borough, **Chester County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Charles Elliott, French Creek Acquisitions, LP, 250 Gibraltar Road, 3W, Horsham, PA 19044 has submitted a Notice of Intent to

Remediate. Soil at the site has been impacted with the release of metals and pahs. The intended future use of the property is residential (apartments). The Notice of Intent to Remediate was published in the *Mercury* on January 27, 2015. PF760601.

Deagler Residence, 907 Germantown Pike, Plymouth Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 old Plains Road, Pennsburg, PA 18073, Ty Gawlik, State Farm Insurance, PA Fir Claims, P. O. Box 106110, Atlanta, GA 30348-610 on behalf of Drew Deagler, 907 Germantown Pike, Plymouth Meeting, PA 19462 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in the *Ambler Gazette* on April 21, 2015. PF765618.

Providence Village Plaza, 519 North Oak Avenue, Aldan Borough, **Delaware County**. Thomas Petrecz, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Michael D. Latanze, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Gordon Saul, Providence Village Associates, LP, c/o Saul Associates, 115 Old York Road, Jenkintown, PA 19046 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of vocs. The site was historically occupied by an Industrial facility belonging to International Paper and is currently operated as a retail shopping center including a Giant Foods supermarket, Village Cleaners dry cleaners and other retail stores. The Notice of Intent to Remediate was published in the *Delaware County Daily Times* on March 12, 2015. PF784565.

King Residence, 28 Harding Avenue, Morton Borough, **Delaware County**. Peter Kuyk, Peak Environmental, Inc., 74 Main Street, 2nd Floor, Woodbridge, NJ 07095, Tiffanie L. Doerr, PG, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382, Chris Boyce, Meenan Oil, 113 Main Street, Kellytown, PA 19007 on behalf of Connie King, 28 Harding Avenue, Morton, PA 19070 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the property will remain residential. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on April 1, 2015. PF773396.

Fite Residence, 37 Linden Avenue, Rutledge Borough, **Delaware County**. Michael Kern, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of David Fite, 37 Linden Avenue, Rutledge, PA 19070 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The property is anticipated to be used for residential purposes into the future. The Notice of Intent to Remediate was published in the *Delaware County Daily Times* on November 19, 2015. PF784740.

Lackey Residence, 1813 Grange Avenue, City of Philadelphia, **Philadelphia County**. Ednell Elimanco, Insurance Restoration Specialists, 30 Abeel Road, Monroe, NJ 08831 on behalf of Lewis Lackey, 1813 West Grange Avenue, Philadelphia, PA 19141 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the property is residential. The Notice of Intent to Remediate was published in the *Philadelphia City Paper* on March 3, 2015. PF785060.

Lincoln Point Shopping Center, 830 West Trenton Avenue, Falls Township, **Bucks County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Blvd, Suite 110 King of Prussia, PA 19406 on behalf of Jon Lubert, JLM Ventures, 2929 Arch Street, Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of vocs. The proposed future use of the property will continue to be commercial. The Notice of Intent to Remediate was published in *The Advance of Bucks County* on April 12, 2015. PF785061.

Kinder Morgan Liquids Terminals, 3300 North Delaware Avenue, City of Philadelphia, **Philadelphia County**. Greg Rosenzweig, GES, 440 Creamery Way, Suite 500, Exton, PA 19341, Greg Connell, GEs, 440 Creamery Way, Suite 500, Exton, PA 19341, R.J. Sherman, Kinder Morgan, One Terminal Road, Carteret, NJ 07008 on behalf of Jay Costello, Kinder Morton, 330 North Delaware Avenue, Philadelphia, PA 19134 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of cyclohexanone. The future use of the site will remain a bulk liquids storage terminal. The Notice of Intent to Remediate was published in the *Philadelphia Inquirer* on December 17, 2015. PF633859.

MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGM054. WeCare Organics Northeast, LLC., 9293 Bonta Bridge Road, Jordan, NY 13080.

The Department of Environmental Protection, Bureau of Waste Management has received an application for General Permit Number WMGM054. The application is for the distribution, sale, giving away of Biosolids-Derived Manufactured Product (BDMP), a.k.a. WeCare Ag-Advantage, for beneficial use as a (1) soil additive or soil substitute, (2) liming material, (3) low grade fertilizer, (4) horticultural amendment, and/or (5) manufactured soil ingredient. The Department determined the application to be administratively complete on May 11, 2015.

Comments concerning the application should be directed to C.D. Vu, Chief, Permits Section, Division of Municipal and Residual waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) received for Renewal of 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. WMGR017SW001. Somerset County General Authority, 300 North Center Avenue, Suite 500, Somerset, PA 15501. The General Permit allows for the beneficial use of drinking water plant treatment sludge for use as a soil additive on agricultural lands in Jenner Township, **Somerset County**. The application for determination of applicability was administratively complete by the Southwest Regional Office on May 7, 2015.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 100277. Sanitary Landfill, Tervita, LLC, 10623 W. Sam Houston Parkway N., Houston, TX, 77064. An application for permit reissuance for the operation of a municipal waste landfill in Rostraver Township, **Westmoreland County** was received in the Regional Office on February 13, 2015 and accepted for technical review on March 3, 2015.

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

Permit Application No. 100020. IESI Bethlehem Landfill, IESI Bethlehem Landfill, 2335 Applebutter Road, Bethlehem, PA 18015. An application for a major permit modification for the Southeastern Realignment expansion of this municipal waste landfill located in Lower Saucon Township, **Northampton County** was received. The application was accepted as administratively complete in the Regional Office on March 31, 2014.

Comments concerning the application should be directed to Roger Bellas, Program Manager, PADEP Waste Management Program, 2 Public Square, Wilkes-Barre, PA 18701-1915. Public comments should be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

Permit Application No. 101625. Tamaqua Transfer & Recycling Facility, Environmental Awareness Corp., Inc., 244 East Broad Street, Tamaqua, PA 18252. A Permit Renewal application for the continued operation of this municipal waste transfer facility located in Walker

Township, **Schuylkill County**. The application was received in the Regional Office on May 4, 2015, and it was deemed administratively complete as of May 5, 2015.

Comments concerning the application should be directed to Roger Bellas, Program Manager, PADEP Waste Management Program, 2 Public Square, Wilkes-Barre, PA 18701-1915. Public comments should be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection

Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 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.

OPERATING PERMITS

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

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

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

07-05003D: Norfolk Southern Railway Co. (200 North 4th Avenue, Altoona PA, 16601) for the construction of one (1) natural gas-fired 1.56 megawatt (MW) reciprocating internal combustion engine and the installation of a catalytic oxidation unit to control CO, VOC and HAP emissions generated from the operation of the engine. The plan approval also authorizes the construction of approximately 61 natural gas-fired space heaters ranging in heat input from 30,000—4,700,000 Btus per hour to provide additional heating in areas where it is not economical to provide heat through the operation of the new engine. As part of the project, three (3) existing 80 MMBtus per hour coal fired boilers will be decommissioned. The Juniata Locomotive Shops are located in the City of Altoona, **Blair County**. The expected change in facility emissions as a result of the changes proposed are approximately: +10.3 tpy carbon monoxide, -42.9 tpy NO_x, -18.6 tpy PM₁₀, -346.84 tpy SO₂ and +2.9 tpy VOC. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed 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 JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. 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.

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

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

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

05-05005: Bedford Materials Company, Inc. (7676 Allegheny Road, Manns Choice, PA 15550) to issue a Title V Permit renewal for their specialty materials coating plant in Napier Township, **Bedford County**. Reported plant emissions for 2014 included 39.4 tons of volatile organic compounds (VOC). The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the permit renewal will include provisions derived from 40 CFR Part 63, Subpart JJJJ—National Emission Standards for Hazardous Air Pollutants: Paper and other Web Coating and Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

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

09-00018: RR Donnelley (100 American Drive Quakertown, PA 18592) for operation of a printing facility in Richland Township, **Bucks County**. The permit is for a non-Title V (State only) facility. The major sources of air emissions are thirteen printing presses and two natural gas-fired boilers. The renewal will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

35-00061: Polarized Meat Company, Inc. (107 Keystone Industrial Park, P. O. Box 172, Dunmore, PA 18512-0172) The Department intends to issue a State Only operating permit for a meat products manufacturing facility in Dunmore Borough, **Lackawanna County**. The proposed State Only Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

40-00036: SAPA Extruder, Inc. (330 Elmwood Avenue, Crestwood Industrial Park, Mountain Top, PA 18707) for the operation of a aluminum extruding facility in Wright Township, **Luzerne County**. The sources consist of natural gas fired boilers, anodizing tanks, and deburring machines. The sources are controlled by wet scrubbers, a cyclone, and a baghouse. This is a renewal of a State-Only operating permit. The State-Only operating permit

includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

40-00067A: Wyoming Valley Sanitary Authority (P. O. Box 33A, Wilkes-Barre, PA 18703) for addition of an active carbon mercury adsorption system to comply with 40 CFR 60 Subpart Mmmm at their facility in Hanover Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Wyoming Valley Sanitary Authority (P. O. Box 33A, Wilkes-Barre, PA 18703) for addition of an active carbon mercury adsorption system to remove 95–99% of mercury from the stack final exhaust. There will be no change to the incinerator operating capacity. This change is being made to comply with 40 CFR 60 Subpart Mmmm at their facility in Hanover Township, Luzerne County. The facility currently operates under Title V Operating Permit No. 40-00067. Plan approval 40-00067A will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Plan Approval No. 40-00067A will also contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00067A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

07-03033: James Zandt VA Medical Center Altoona (2907 Pleasant Valley Blvd., Altoona, PA 16602) to issue a State Only Operating Permit for three boilers, four emergency generators, and two parts washers at their Medical Center in Logan Township, **Blair County**. The potential emissions of the facility are 23 tons of CO per

year, 59 tons of NO_x per year, 4 tons of PM per year, 3 tons of SO_x per year, 4 tons of VOC per year, and 0.4 ton of Total HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60 Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engine.

36-05101: Highway Materials Inc. (859 Woodcrest Avenue, Lititz, PA 17543) to issue a State Only Operating Permit for the asphalt plant located in Warwick Township, **Lancaster County**. The actual emissions from the facility from December 2013 thru November 2014 are estimated at 38.75 tons of CO, 3.75 tons of NO_x, 1.62 ton of SO₂, 2.62 tons of PM₁₀ and 0.79 ton of VOCs. 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 I—Standards of Performance for Hot Mix Asphalt Plants.

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

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

20-00040: Advanced Cast Products, Incorporated (18700 Mill Street, Meadville, PA 16335) on May 7, 2015 for a renewal of the Title V Operating Permit. The facility is located in the City of Meadville, **Crawford County**. Advanced cast manufactures gray and ductile iron foundries casting products. The facility's emitting sources include, 1) Charge & Preheating, 2) Melting-Transfer-Magnesium Treatment, 3) Pouring-Cooling-Shakeout (103 & 103A), 4) Disa Match Casting Line (Pouring/Cooling/Shakeout), 5) New Grinding and Goff, 6) Grinding and Cleaning, 7) Shell Core and Core Drying, 8) Sand Handling, 9) Heat Treating-Austemper Operation, 10) Air make Up units (3), 11) Miscellaneous Natural Gas Usage, 12) Two Degreaser Units, and 13) Bond Silo. The facility is a major facility due to its potential to emit of particulate matter less than 10 microns in diameter. Therefore, the facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is also subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 C.F.R. Part 64. Appropriate permit conditions to address the applicable CAM requirements have been included in the permit. The facility submitted the following emission inventory for 2013: Carbon Monoxide: 48.40 Tons per year (TPY), Nitrogen Oxides: 1.63 TPY, Particulate Matter less than 10 Microns: 54.43 TPY, Particulate Matter less than 2.5 Microns: 38.93 TPY, Sulfur Oxides: 0.28 TPY, Volatile Organic Compounds: 1.58 TPY, Methane: 0.032 TPY, Carbon Dioxide: 1, 731.60, Nitrogen Oxides: 0.0032 TPY.

25-01038: LORD Corporation/Erie Facility, (2455 Robison Road, Erie, PA 16509-4675) for a Synthetic Minor Permit to operate a fabricated metal/rubber parts manufacturing facility located in Summit Township, **Erie County**. This plant has taken restrictions on VOC and HAP emissions to qualify for a Synthetic Minor Operating Permit. The operations at this facility were formerly conducted at the West 12th Street manufacturing plant and the Grandview Avenue corporate offices before being relocated to the Robison Road location. Plan Approval Number 25-1038A was issued on June 20th, 2013, and

authorized the installation and initial operation of the equipment at the new location. All applicable requirements from that plan approval have been incorporated into the proposed operating permit.

The primary sources at this facility include the adhesive and surface coating Spray Booths (Source ID: 1001), the Metal Preparation Tanks (Source ID: 1002), and the Research & Development facilities (Source ID: 1004). There are also two natural gas fired boilers (Source ID: 0030) that supply steam and three (3) Emergency Power Generators (Source ID: 1010) that supply emergency electric power to the facility.

Source ID: 1010—Emergency Power Generators (3) must meet the requirements of 40 CFR Part 60, Subpart III, for compression ignition engines. The requirements of that subpart have been attached to the source.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM₁₀ = 1.0., PM_{2.5} = 1.0, SO_x = 0.087, NO_x = 13.46, CO = 9.29, VOC = 24.5, Total HAPs = 24, Individual HAPs = 9.9.

43-00286: RW Sidley Incorporated (3401 New Castle Road, West Middlesex, PA 16159) for a renewal of the Natural Minor Permit to operate a concrete products manufacturing facility located in Shenango Township, **Mercer County**. The facility sources include a portable concrete batch plant and two Silo-Vents as emitting sources. Actual Emissions based on the permit application are: Particulate Matter less than 10 micron (PM₁₀): 9.26 TPY. The facility is natural minor because; the emission of pollutants is less than Title V threshold limits.

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

17041301 and NPDES No. PA0235628. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-1504). To revise the permit for the Penfield Mine in Huston Township, **Clearfield County** and related NPDES permit to install a sludge disposal borehole into existing workings of Penfield Mine. Surface Acres Proposed 5.7. No additional discharges. The application was considered administratively complete on May 5, 2015. Application received January 29, 2015.

30841317 and NPDES No. PA0213517. Consol Pennsylvania Coal Company LLC, (1525 Pleasant Grove Road, PO Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in Morris Township, **Greene County** to add surface acres for construction of a waterline from the E1 Bleedershaft to the C2 Borehole site. Surface Acres Proposed 21.3. No additional discharges. The application was considered administratively complete on May 6, 2015. Application received February 17, 2015.

17831601 and NPDES No. PA0215317. River Hill Coal Company, Inc., (PO Box 141, Kylertown, PA 16847). To revise the permit for the Belford Siding in Karthaus Township, **Clearfield County** and related NPDES permit to relocate the permitted NPDES outfall from Salt Lick Run to West Branch of Susquehanna River. No additional discharges. The application was considered administratively complete on May 6, 2015. Application received September 10, 2014.

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

Permit No. 32950202 and NPDES No. PA0213039. Cambria Reclamation Corporation, 2929 Allen Parkway, Suite 2200, Houston, TX 77019, permit renewal for the continued operation and restoration of a bituminous surface refuse reprocessing mine in Center Township,

Indiana County affecting 287.3 acres. Receiving streams: unnamed tributary to/and Yellow Creek classified for the following uses: cold water fishery and trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 6, 2015.

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

33-14-20 and NPDES Permit No. PA0259608. P. and N. Coal Company, Inc. (P. O. Box 332, Punxsutawney, PA 15767) Proposal to enter into a Government Financed Construction Contract on a 35.0-acre site to reclaim approximately 19.7 acres of abandoned mine lands that include deep mine subsidence areas on the lands of Dennis C. and Susan A. Day. This project includes the incidental and necessary removal of coal. Receiving streams: Fehley Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 24, 2015.

33130102 and NPDES Permit No. PA0259411. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Transfer of an existing bituminous surface mine and associated NPDES permit from Bedrock Mines, LP in Porter Township, **Jefferson County**, affecting 85.0 acres. Receiving streams: One unnamed tributary to Nye Branch and four unnamed tributaries to Pine Run, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 1, 2015.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

65140101 and NPDES Permit No. PA0278122. Ligonier Stone & Lime Co., Inc. (117 Marcia Street, Latrobe, PA 15650). Application for commencement, operation and restoration of bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 77.8 acres. Receiving streams: Stony Run, Conemaugh River and unnamed tributaries to Stony Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: April 20, 2015.

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

Permit No. 54-305-034GP12. Reading Anthracite Company, (PO Box 1200, Pottsville, PA 17901), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54960107 in Cass Township, **Schuylkill County**. Application received: May 1, 2015.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 5975SM3A1C5 and NPDES Permit No. PA0223344. Eureka Stone Quarry, Inc., (800 Lower State Road, Chalfont, PA 18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Covington Township, **Lackawanna County** affecting 118.8 acres, receiving stream: Spring Brook, classified for the following uses: HQ—cold water and migratory fishes. Application received: April 28, 2015.

Permit No. 7775SM12C7 and NPDES Permit No. PA0223573. Highway Materials, Inc., (1750 Walton Road, Blue Bell, PA 19422), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Alsace Township, **Berks County** affecting 137.4 acres, receiving stream: unnamed tributary to Laurel Run, classified for the following use: cold water fishes. Application received: April 29, 2015.

Permit No. 52980301C5 and NPDES Permit No. PA0223905. ER Linde Construction Corp., (9 Collan Park, Honesdale, PA 18431), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lackawaxen Township, **Pike County** affecting 14.83 acres, receiving stream: Little Blooming Grove Creek to Lackawaxen River, classified for the following uses: HQ—cold water and migratory fishes. Application received: May 1, 2015.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0013511 (Mining Permit No. 30831303), Cumberland Coal Resources, LP, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). A renewal to the NPDES and mining activity permit for the Cumberland Mine in Center, Greene, Franklin, Whiteley, Wayne and Perry Townships, **Greene County**. Receiving stream: Whiteley Creek, classified for the following use: TSF. Monongahela River. Receiving stream: Unnamed Tributary to Whiteley Creek, classified for the following use: TSF. Monongahela River. Receiving stream: Unnamed Tributary to Patterson Run, classified for the following use: TSF. Monongahela River. Receiving stream: Unnamed Tributary to Dyers Fork, classified for the following use: TSF. Monongahela River. Receiving stream: Unnamed Tributary to Turkey Hollow, classified for the following use: HQ-WWF. Monongahela River. Receiving stream: Maple Run, classified for the following use: HQ-WWF. Monongahela River. Receiving stream: Unnamed Tributary 41639 to Roberts Run, classified for the following use: WWF. Dunkard Creek TMDL/Monongahela River. The application was considered administratively complete on February 4, 2013. Application received October 9, 2012.

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 following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 006** discharges to: Whiteley Creek

The proposed effluent limits for *Outfall 006** (Lat: 39° 47' 43" Long: 80° 09' 31") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	Report
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 006*** discharges to: Whiteley Creek

The proposed effluent limits for *Outfall 006*** (Lat: 39° 47' 43" Long: 80° 09' 31") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 015** discharges to: Whiteley Creek

The proposed effluent limits for *Outfall 015** (Lat: 39° 47' 47" Long: 80° 09' 13") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		3.0	6.0	7.0
Manganese	(mg/l)		2.0	4.0	5.0
Aluminum	(mg/l)		-	-	Report
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 015*** discharges to: Whiteley Creek

The proposed effluent limits for *Outfall 015*** (Lat: 39° 47' 47" Long: 80° 09' 13") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		-	-	7.0
Settleable Solids	(ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 021** discharges to: Unnamed Tributary to Patterson Run

The proposed effluent limits for *Outfall 021** (Lat: 39° 48' 39" Long: 80° 10' 12") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		3.0	6.0	7.0
Manganese	(mg/l)		2.0	4.0	5.0
Aluminum	(mg/l)		-	-	Report
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 021*** discharges to: Unnamed Tributary to Patterson Run

The proposed effluent limits for *Outfall 021*** (Lat: 39° 48' 39" Long: 80° 10' 12") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		-	-	7.0
Settleable Solids	(ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 025** discharges to: Unnamed Tributary to Dyers Fork

The proposed effluent limits for *Outfall 024** (Lat: 39° 49' 45" Long: 80° 10' 02") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		3.0	6.0	7.0
Manganese	(mg/l)		2.0	4.0	5.0
Aluminum	(mg/l)		-	-	Report
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 025*** discharges to: Unnamed Tributary to Dyers Fork

The proposed effluent limits for *Outfall 024*** (Lat: 39° 49' 45" Long: 80° 10' 02") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		-	-	7.0
Settleable Solids	(ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 026** discharges to: Unnamed Tributary to Whiteley Creek

The proposed effluent limits for *Outfall 026** (Lat: 39° 48' 45" Long: 80° 06' 53") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		3.0	6.0	7.0
Manganese	(mg/l)		2.0	4.0	5.0
Aluminum	(mg/l)		-	-	Report
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 026*** discharges to: Unnamed Tributary to Whiteley Creek

The proposed effluent limits for *Outfall 026*** (Lat: 39° 48' 45" Long: 80° 06' 53") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		-	-	7.0
Settleable Solids	(ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 027** discharges to: Unnamed Tributary to Dyers Fork

The proposed effluent limits for *Outfall 027** (Lat: 39° 49' 20" Long: 80° 08' 05") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	Report
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 027*** discharges to: Unnamed Tributary to Dyers Fork

The proposed effluent limits for *Outfall 027*** (Lat: 39° 49' 20" Long: 80° 08' 05") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 028** discharges to: Unnamed Tributary to Dyers Fork

The proposed effluent limits for *Outfall 028** (Lat: 39° 50' 05" Long: 80° 08' 00") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	Report
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 028*** discharges to: Unnamed Tributary to Dyers Fork

The proposed effluent limits for *Outfall 028*** (Lat: 39° 50' 05" Long: 80° 08' 00") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 030** discharges to: Unnamed Tributary to Whiteley Creek

The proposed effluent limits for *Outfall 030** (Lat: 39° 49' 35" Long: 80° 04' 40") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	Report
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 030*** discharges to: Unnamed Tributary to Whiteley Creek

The proposed effluent limits for *Outfall 030*** (Lat: 39° 49' 35" Long: 80° 04' 40") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 031** discharges to: Maple Run

The proposed effluent limits for *Outfall 031** (Lat: 39° 49' 40.9" Long: 80° 14' 16.8") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	Report
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 031*** discharges to: Maple Run

The proposed effluent limits for *Outfall 031*** (Lat: 39° 49' 40.9" Long: 80° 14' 16.8") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 032** discharges to: Unnamed Tributary to Turkey Hollow

The proposed effluent limits for *Outfall 032** (Lat: ° ' " Long: ° ' ") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		3.0	6.0	7.0
Manganese	(mg/l)		2.0	4.0	5.0
Aluminum	(mg/l)		-	-	Report
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 032*** discharges to: Unnamed Tributary to Turkey Hollow

The proposed effluent limits for *Outfall 032*** (Lat: ° ' " Long: ° ' ") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		-	-	7.0
Settleable Solids	(ml/l)		-	-	0.5

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 033** discharges to: Unnamed Tributary 41639 to Roberts Run

The proposed effluent limits for *Outfall 033** (Lat: 39° 47' 37.22" Long: 80° 14' 43.06") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		3.0	6.0	7.0
Manganese	(mg/l)		2.0	4.0	5.0
Aluminum	(mg/l)		-	-	Report
Total Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 033*** discharges to: Unnamed Tributary 41639 to Roberts Run

The proposed effluent limits for *Outfall 033*** (Lat: 39° 47' 37.22" Long: 80° 14' 43.06") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	-
Iron	(mg/l)		-	-	7.0
Settleable Solids	(ml/l)		-	-	0.5

NPDES No. PA0013511 (Mining Permit No. 30831303), Cumberland Coal resources, LP, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). A revision to the NPDES and mining activity permit for the Cumberland Mine in Whiteley Township, **Greene County** for the Slope No 3 expansion of 84.05. Receiving stream: Unnamed Tributary to Patterson Creek, classified for the following use: TSF. Whiteley Creek TMDL. The application was considered administratively complete on June 12, 2014. Application received April 15, 2014.

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

* The following limits apply to dry weather discharges from the stormwater facility.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 038** discharges to: UNT to Patterson Creek (41301)

The proposed effluent limits for *Outfall 038** (Lat: 39° 48' 46.2" Long: 80° 10' 55.6") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		-	-	Report
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

** The following limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10-year/24 hour precipitation event.

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall:

*Outfall 038*** discharges to: UNT to Patterson Creek (41301)

The proposed effluent limits for *Outfall 038*** (Lat: 39° 48' 46.2" Long: 80° 10' 55.6") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

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

NPDES No. PA0120944 (Mining Permit No. 56663069), Rosebud Mining Company, 301 Market Street, revision of an NPDES permit for discharge of water related to surface coal mining and post-mining water treatment in Elk Lick & Summit Townships, **Somerset County**, affecting 3.040 acres. Receiving streams: unnamed tributaries to Casselman River AND unnamed tributaries to Elk Lick Creek, classified for the following use: Cold Water Fishes and Warm Water Fishes. This receiving stream is included in the Casselman River TMDL. Application received: November 9, 2012.

The outfalls listed below discharge to unnamed tributaries to Casselman River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005 (TF19)	N
008 (TF21)	N

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

<i>During All Weather Conditions Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfalls listed below discharge to unnamed tributaries to Casselman River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
007 (TF03)	N
009 (TF22)	N
023 (TF23)	N

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
025 (TF24)	N
026 (TF25)	N
027 (TF26)	

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

<i>During All Weather Conditions Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfalls listed below discharge to unnamed tributaries to Elk Lick Creek

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
035 (TF27)	Y
036 (TF28)	Y

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

<i>During All Weather Conditions Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfalls listed below discharge to unnamed tributaries to/and Elk Lick Creek and unnamed tributaries to/and Casselman River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
011 (SP14)	N
015 (SP16)	N
016 (SP17)	N
017 (SP18)	N
018 (SP19)	N
019 (SP20)	N
020 (SP21)	N
021 (SP22)	N
022 (SP23)	N
024 (SP24)	N
028 (SP25)	N
029 (SP25)	N
030 (SP27)	N
031 (SP28)	N
032 (SP29)	N
033 (SP30)	N
034 (SP31)	N
035 (SP32)	N

<i>During Dry Weather Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfalls listed below discharge to unnamed tributaries to Elk Lick Creek and unnamed tributaries to Casselman River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
038 (SP33)	Y
039 (SP34)	Y
040 (SP35)	Y
041 (SP36)	Y
042 (SP37)	Y

<i>During Dry Weather Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times
Alkalinity must exceed acidity at all times

Outfalls: All Sediment Ponds

<i>Resulting from ≤10-yr/24-hr Precip. Event Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times
Alkalinity must exceed acidity at all times

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

NPDES No. PA0241776 (Permit No. 10000103). Seneca Landfill, Inc. (P. O. Box 1080, Mars, PA 16046) Renewal of an existing NPDES permit for a bituminous surface mine in Jackson & Lancaster Townships, **Butler County**, affecting 82.1 acres. Receiving streams: Unnamed tributary to Connoquenessing Creek, classified for the following uses: WWF. TMDL: None. Application received: April 3, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities. The outfall(s) listed below discharge to unnamed tributary to Connoquenessing Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF2	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)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90

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

E46-1116. PA Turnpike Commission, 700 S. Eisenhower Blvd, Franconia Township, Montgomery County, ACOE Philadelphia District.

To construct the below listed water obstruction and encroachments associated with the northeast extension of the Pennsylvania Turnpike and the replacement of the Harleysville's Pike Bridge (S.R. 0113) over an unnamed tributary of Skippack Creek (TSF). Specific Water Obstruction and Encroachment activities associated with this project are:

1) To replace and maintain the existing three-span continuous multi beam bridge with a proposed two-span composite concrete spread box beam bridge which carries Harleysville's Pike Bridge (S.R. 0113) over an unnamed tributary of Skippack Creek.

2) To fill approximately 0.002 acre of palustrine wetlands (Wetland W9) to facilitate the construction of the proposed bridge wingwalls (Wing A) at the Southwest approach of the bridge.

3) To impact approximately 18 linear feet (279 square feet) of stream by extending an existing 36-inch diameter pipe to facilitate the proposed roadway widening. (Waterway S13).

4) To replace and extend a 36-inch ACCMP diameter pipe with accompanied construction of a rock apron at the discharge point impacting approximately 64 linear feet of stream (471 square feet). (Waterway S15).

5) To relocate approximately 150 feet section of the stream to provide for the construction of a proposed 150 feet retaining wall (2,171 square feet). (Waterway S15).

The project is located approximately 150 feet northeast of the intersection where SR 0113 Passes over the PA Turnpike northeast extension in Franconia Township, Montgomery County (Telford, PA Quadrangle Latitude 40° 18' 01", Longitude 75° 22' 12").

E23-517. Eddystone Rail Company, LLC, 5 Industrial Highway, Eddystone, PA 19022-1524, Eddystone Borough, Delaware County, ACOE Philadelphia District.

To replace the existing temporary fire water intake and to construct and maintain new fire water intake to supply the Eddystone Rail Company with an adequate fire suppression system.

The system will include a concrete platform designed to support two pump houses and fire pumps suspended over the Delaware River to eliminate any impact.

The site is located near the confluence of Crum Creek and the Delaware River (Bridgeport, PA, USGS map, Lat. 39.8585; Long; -75.3278).

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

E45-593. Brodhead Creek Regional Authority, 410 Mill Creek Road, East Stroudsburg, PA 18301, in Stroud Township, Monroe County, U.S. Army Corps of Engineers, Philadelphia District.

To rehabilitate and maintain a 385-foot long stream enclosure of an Unnamed Tributary to Brodhead Creek (HQ-CWF, MF) comprising of twin corrugated metal pipes which measure 38-inches by 57-inches for the first 40-feet and then 39-inches by 63-inches for the remaining length with work consisting of lining the pipes with 1-inch of concrete. This project also includes the re-grading of an Unnamed Tributary to Brodhead Creek for approximately 120-feet. The project is located at 410 Mill Creek Road. (East Stroudsburg, PA Quadrangle, Latitude: 41° 0' 56"; Longitude: -75° 11' 58").

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

E17-493. Pennsylvania Department of Transportation, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 0219, Section A09 Bridge Replacement over Laurel Run in Bell Township, Clearfield County, ACOE Baltimore District (Mahaffey, PA Quadrangle; Latitude: 40° 53' 40"; Longitude -78° 43' 02").

PA DOT Engineering District 2-0 proposes to replace a single span concrete T-beam bridge with a single cell concrete box culvert, which will be located approximately 15 Ft. East (left) of the existing structure. The existing bridge has a span of 19.8 Ft., a skew of 90 degrees, an underclearance of 8.0 Ft., and a low chord of 1,251.48 Ft. and a hydraulic opening of 167 Ft². The proposed box culvert has a span of 20 Ft., a skew of 90 degrees, an underclearance of 8.5 Ft., and a low chord of 1,250.75 Ft. and a hydraulic opening of 170 Ft². The project will include 30 Ft. of channel approach realignment and 85 Ft. of channel fill to realign a total of 115 Ft. to correct an existing scour problem. The project will not impact any jurisdictional wetlands. Laurel Run is classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards.

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

E56-377. PennDOT District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648; Somerset Township, Somerset County; ACOE Pittsburgh District

The applicant is proposing to remove the existing SR 31, 52.7 ft. long, 6.25 ft. span, steel arch culvert; and to construct and maintain a 6 ft. by 4.5 ft., 64.25 ft. long RC box culvert replacement depressed 1 ft. on a UNT to West Branch Coxes Creek (WWF) with a drainage area of 0.7 square mile; fill and maintain 0.066 acre of PEM/PSS wetland; and construct and maintain 0.08 acre of mitigation PEM/PSS wetland onsite. In addition install and maintain road associated stormwater outfalls; and temporarily impact 125 feet of stream for the purpose of constructing the encroachments. This project is associated with the SR 31 improvement project with these encroachments beginning approximately 0.75 mile west of the center of the town of Somerset PA in Somerset Township, Somerset County (Somerset Quadrangle, N: 1.75 inches; W: 15 inches; Latitude: 40° 0' 37"; Longitude: -79° 6' 27").

E63-670. Borough of California, 225 Third Street, California, PA 15419; California Borough, **Washington County**; ACOE Pittsburgh District

The applicant is proposing the following:

1. Construct and maintain a 28.68' x 30.23', L-shaped, floating, wooden, public boater's deck (Mark Twain's) and pier, with three (3) pilings, in the Monongahela River (WWF), and

2. Rehabilitate and maintain an existing boat launch by repaving it, and extending it with a 22' x 24.5' concrete mattress, within the river, for the purpose of providing adequate river access for the Borough's recreational and economic aspirations. The project will permanently impact 54 LF of the Monongahela River, and is located at the terminus of Union Street (California, PA USGS Topographic Quadrangle; Latitude: 40° 4' 9"; Longitude: -79° 53' 32"; Sub-basin: 19C; Chapter 93 Type: WWF), in California Borough, Washington County.

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

E25-773, Greg Ganzer, 2102 Chapline Street, Wheeling, WV 26003. Personal Watercraft Lift in City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 42°, 7', 46.1"; W: 80°, 6', 42.5").

To construct and maintain a private pile watercraft lift measuring approximately 14' x 28', a permanent dock measuring 10' 8" x 14' and a permanent dock measuring 6' x 10' at the northeastern corner of Niagara Pier within Lake Erie's Presque Isle Bay (WWF). This project is located directly adjacent to a private pile watercraft lift previously permitted DEP Permit No. E25-744.

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

E5829-102: Middletown Township, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Middletown Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a natural gas compressor station fill permanently impacting 271 lineal feet of an unnamed tributary to North Branch Wyalusing Creek (CWF-MF) (Lawton, PA Quadrangle; Latitude: 41° 51' 33", Longitude: -76° 04' 54"),

2) a natural gas compressor station activities temporarily impacting 296 lineal feet of an unnamed tributary to North Branch Wyalusing Creek (CWF-MF) (Lawton, PA Quadrangle; Latitude: 41° 51' 33", Longitude: -76° 05' 00"),

3) a rip rap aggregate fill permanently impacting 103 lineal feet of an unnamed tributary to North Branch Wyalusing Creek (CWF-MF) (Lawton, PA Quadrangle; Latitude: 41° 51' 32", Longitude: -76° 05' 00"),

4) a rip rap aggregate fill temporarily impacting 70 lineal feet of an unnamed tributary to North Branch Wyalusing Creek (CWF-MF) (Lawton, PA Quadrangle; Latitude: 41° 51' 32", Longitude: -76° 05' 00"),

5) site grading and associated activities impacting 1,282 square feet (0.03 acre) of a PEM wetland (Lawton, PA Quadrangle; Latitude: 41° 51' 33", Longitude: -76° 04' 56").

Williams Field Services Company, LLC has constructed a natural gas compressor station located in Middletown Township, Susquehanna County. The project resulted in 374 lineal feet of permanent stream impacts, 366 lineal feet of temporary stream impacts, and 1,282 square feet (0.03 acre) of temporary wetland impacts all for the purpose of providing safe reliable distribution of Marcellus Shale natural gas to market.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0061727 (Sewage)	St. Gabriels Retreat House STP 631 Griffon Pond Road Clarks Summit, PA 18411-8828	Lackawanna County South Abington Township	Unnamed Tributary of Leggetts Creek (5-A)	Y
PA0060356 (Sewage)	Camp Wayne For Boys 15 Camp Wayne Road Preston Park, PA 18455-1028	Wayne County Buckingham Township	Kinneyville Creek (1-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0033502 (Sewage)	Bradford County Manor 15900 US Route 6 Troy, PA 16947	Bradford County West Burlington Township	Sugar Creek (4-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0222721 (Sewage)	Squaw Valley Woodlands STP 221 Byron Center Road Emlenton, PA 16373	Butler County Allegheny Township	Unnamed Tributary to Carrs Run (16-G)	Y
PA0000736 (Industrial Waste)	Keystone Powdered Metal 251 State Street St Marys, PA 15857	Elk County Saint Marys City	Elk Creek and Iron Run (17-A)	Y
PA0032042 (Sewage)	Elk Lick Scout Reserve 2420 Bordell Road Smethport, PA 16749	McKean County Keating Township	Unnamed Tributary to South Branch Cole Creek (16-C)	Y
PA0210161 (Industrial Waste)	PA American Water Butler Seven Hills Road Butler, PA 16001	Butler County Oakland Township	Unnamed Tributary to Connoquenessing Creek and Thorn Creek (20-C)	Y

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

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

NPDES Permit No. PA0058858, Sewage, Renewal, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940.

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

Description of Action/Activity: To discharge from known as Reeve Tract WWTP to unnamed Tributary to Jericho Creek in Watershed(s) 2-E.

NPDES Permit No. PA0244007, Sewage, **Edward and Jane Bacon**, 1900 Fairview Road, Glenmoore, PA 19343. This proposed facility is located in East Nantmeal Township, **Chester County**.

Description of Action/Activity: To discharge from a facility known as Bacon SRSTP to a UNT Beaver Run in Watershed(s) 3-D.

NPDES Permit No. Pa0056561, Industrial, **Armstrong Engineering Associates, Inc.**, P. O. Box 566, West Chester, PA 19381-0566.

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

Description of Action/Activity: To discharge from a facility known as Romansville Shop to Broad Run (Outfall 001) and Unnamed Tributary to West Branch Brandywine Creek (Outfall 002) in Watershed(s) 3-H.

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

NPDES Permit No. PA0254932, Sewage, **Consol PA Coal Co. LLC**, 1525 Pleasant Grove Road, Claysville, PA 15323.

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

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

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

NPDES Permit No. PA0272710, SIC Code 9500, **PA DEP NWRO**, 230 Chestnut Street, Meadville, PA 16335.

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

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

NPDES Permit No. PA0273007, SIC Code 8800, **Wilcox Frank C.**, 1347 Valentine Road, Russell, PA 16345.

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

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

NPDES Permit No. PA0272914, SIC Code 4952, 8800, **Donna & William Despain**, 106 Wasser Road, Greenville, PA 16125.

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

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

NPDES Permit No. PA0273031, SIC Code 8800, **Denise L & Michael R Fraser**, 25401 State Street, Saegertown, PA 16433.

This proposed facility is located in Blooming Valley Borough, Crawford County. Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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

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

WQM Permit No. 6572410-A4, SIC Code 4952, **Western Westmoreland Municipal Authority**, 12441 Route 993, N Huntingdon, PA 15642-0366.

This proposed facility is located in North Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of a new WWTP pump station, wet weather storage tank and sewer interceptor capacity upgrades.

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

WQM Permit No. 6215401, SIC Code 8800, **Wilcox Frank C.**, 1347 Valentine Road, Russell, PA 16345.

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

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

WQM Permit No. WQG02421501, SIC Code 4952, **Liberty Township Mckean County**, 45 W Maple Street, Port Allegany, PA 16743-1318.

This proposed facility is located in Port Allegany Borough, **Mckean County**.

Description of Proposed Action/Activity: New WQG-02 General Permit to construct sewer extensions and two pump stations.

WQM Permit No. WQG01201501, SIC Code 8800, **Denise L & Michael R Fraser**, 25401 State Street, Saegertown, PA 16433.

This proposed facility is located in Blooming Valley Borough, **Crawford County**.

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

PAI138304, MS4, Buffalo Township Butler County, 109 Bear Creek Road, Sarver, PA 16055. Renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Buffalo Township, **Butler County**. The receiving stream(s), Little Buffalo Creek, unnamed tributaries to Little Buffalo Creek, Buffalo Creek, unnamed tributaries to Little Bull Creek, Sarver Run, and unnamed tributaries to Sarver Run, are located in State Water Plan watershed 18-F and is classified for High Quality Waters—Trout Stocking and Trout Stocking (Buffalo Creek and unnamed tributaries to Little Bull Creek), aquatic life, water supply and recreation.

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>
PAI023914025(1)	Liberty Property, LP c/o Robert L. Kiel 74 West Broad Street Bethlehem, PA 18018	Lehigh	Lower Macungie Township	UNT to Little Lehigh Creek (HQ-CWF, MF)
PAI024814012	Bethlehem Township c/o Mr. Richard L. Kanaskie 4225 Easton Road Bethlehem, PA 18020	Northampton	Bethlehem Township	Monocacy Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI034414001(1) Issued	Valley View Haven 4702 East Main Street Belleville, PA 17004	Mifflin	Union Township	Frog Hollow (HQ-CWF, MF) Kishacoquillas Creek (CWF, MF)
PAI032115001	Lexington Land Developers, Inc. 337 West King Street Lancaster, PA 17603	Cumberland	South Middleton Township	Letort Spring Run (EV)

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>
Dickson City Borough Lackawanna County	PAG02003515004	Texas Roadhouse Holdings, LLC 6040 Dutchmans Lane Louisville, KY 40205	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Upper Saucon Township Lehigh County	PAG02003914019	J Thomas Maloney Signature Homes by JT Maloney Inc PO Box 9 Center Valley, PA 18034-0009	Saucon Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
City of Bethlehem Northampton County	PAG02004815001	Redevelopment Authority of the City of Bethlehem c/o Mr. Tony Hanna Polk Street & 3rd Street Bethlehem, PA 18018	Lehigh River (WWF, MF)	Northampton County Conservation District 610-746-1971

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 13, PO Box 69205, Harrisburg, PA 17106-9205

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>
Plum Borough Allegheny County	PAG02-1002-15-002	BAMR P. O. Box 69205 Harrisburg, PA 17106-9205	Little Plum Creek (WWF) to Plum Creek (WWF), UNT (WWF) to Little Plum Creek (WWF)	BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 717-787-7669

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

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>
Mount Joy Township Adams County	PAG02000115003 Issued	Horizon Group Properties, LLC 5000 Hakes Road Suite 500 Norton Shores, MI 49441	UNT to Rock Creek/ WWF, MF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717.334.0636
Muhlenberg Township Berks County	PAG02000615020 Issued	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	UNT to Bernhart Creek, Bernhart Creek, Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Perry Township Berks County	PAG02000615008 Issued	Michael Marshall 619 Ridge Road Shoemakersville, PA 19555	UNT to Pigeon Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657

<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>
Tilden Township Berks County	PAG02000615010 Issued	Sunoco Pipeline 525 Fritztown Road Sinking Spring, PA 19608	UNT to Schuylkill River/WWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Middlesex Township Cumberland County	PAG02002115003 Issued	DGK Real Estates 3425 Market Street Camp Hill, PA 17050	UNT to Spring Creek/WWWF, MF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.5359
Silver Spring Township Cumberland County	PAG02002115011 Issued	Paul Tiday Builders 5004 Chloe Lane Mechanicsburg, PA 17050	Simmons Creek/ WWF, MF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.5359
Hamilton Township Franklin County	PAG02002815011 Issued	Whiskey Run 826 Tallow Hill road Chambersburg, PA 17202	Dennis Creek/TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County	PAG02002814041 Issued	DL George Storage Lot 20 East Sixth Street Waynesboro, PA 17268	Miney Branch/ CWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County	PAG02002812022R(1) Issued	Keystone Ford Expansion 301 Walker Road Chambersburg, PA 17201	UNT to Falling Springs/TSF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
East Lampeter Township Lancaster County	PAG02003615016 Issued	Wonderland Manage 2249 Lincoln Highway East Lancaster, PA 17602	Mill Creek/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, Ext. 121
Union Township Lebanon County	PAG02003815009 Issued	Darin Russell 100 MSC Drive Jonestown, PA 17038	UNT to Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.277.5275
Lebanon City Lebanon County	PAG02003815005 Issued	Clair Zimmerman 85 Furnace Hills Road Denver, PA 17517	Quittapahilla Creek/ TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.277.5275

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>
Findlay Township Allegheny County	PAG0200012015R-1	Imperial Land Corporation 1009 Beaver Grade Road, Suite 210 Mood Township, PA 15108	Potato Garden Run (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645

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<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>
Marshall Township Allegheny County	PAG02000212097-1	Innovation Ridge Partners, L.P. 210 Sixth Avenue Suite 3620 Pittsburgh, PA 15222	UNT Brush Creek (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Findlay Township Allegheny County	PAG02000213038-9	PIA Landside Terminal Pittsburgh, PA 15231 and Oxford Development One Oxford Drive Pittsburgh, PA 15219	McClarens Run (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Pine Township Allegheny County	PAG02000213129-1	Village of Pine 11279 Perry Highway, Suite 509 Wexford, PA 15090	UNT North Fork of Pine Creek (CWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Monroeville Municipality Allegheny County	PAG0200014110	Group Six Sigma, LLC P. O. Box 321 Monroeville, PA 15146	Leak Run to Turtle Creek (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000214117	The First Company Three Gateway Center, Suite 200 401 Liberty Avenue Pittsburgh, PA 15222	Moon Run (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
West View Borough Allegheny County	PAG02000214123	Municipal Authority of West View 210 Perry Highway Pittsburgh, PA 15229	UNT East Branch of Big Sewickley Creek (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
McCandless Township Allegheny County	PAG02000214124	Frank Zokaites Properties, LP 375 Golfside Drive Wexford, PA 15090	UNT Pine Run (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Pine Township Allegheny County	PAG02000214126	Gigliotti Holdings, LP 11279 Perry Highway Suite 509 Wexford, PA 15090	UNT Breakneck Creek (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Upper St. Clair Township Allegheny County	PAG02000214129-1	John Bourlogianis 2338 Southhampton Drive Pittsburgh, PA 15241	UNT Brush Creek Run (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Upper St. Clair Township Allegheny County	PAG02000214132	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 125017	Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Harmar Township Allegheny County	PAG02000214136	McCrary W D, LP One Market Street Pittsburgh, PA 15222	Deer Creek (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Kennedy Township Allegheny County	PAG02000214137	McDowell Estates, LP PO Box 10360 Pittsburgh, PA 15234	UNT Ohio River (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645

<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 Park Township Allegheny County	PAG02000214152	PTV South Park, LLC 1563 Woodward Drive Ext Greensburg, PA 15601	Piney Fork (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Bethel Park Municipality Allegheny County	PAG02000214153	Bethel Park Retirement Living Properties, LP 654 Alpha Drive Pittsburgh, PA 15238	UNT Piney Fork (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
Ross Township Allegheny County	PAG02000215002	Ross Township 1000 Municipal Drive Pittsburgh, PA 15237	UNT Girtys Run (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
South Fayette Township Allegheny County	PAG02000215011	The Watson Institute 301 Camp Meeting Road Sewickley, PA 15143	UNT Millers Run (WWF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
McCandless Township Allegheny County	PAG02000215012	McCandless Township Sanitary Authority	UNT Pine Creek (TSF)	Allegheny County CD 33 Terminal Way 325B Pittsburgh, PA 15219 (412) 241-7645
North Buffalo Township Armstrong County	PAG02000315001	West Hills Area Water Pollution Control Authority 257 Line Road Kittanning, PA 16201	Allegheny River (WWF)	Armstrong County CD Armsdale Administration Bldg 124 Armsdale Rd Kittanning, PA 16201 (724) 548-3425
Center Township and Potter Township Beaver County	PAG02000414017	Shell Chemical Appalachia, LLC 910 Louisiana Street Houston, TX 77002	Rag Run (WWF) and UNTs to Rag Run (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Potter Township Beaver County	PAG02000414018	CSX Transportation 500 Water Street J275 Jacksonville, FL 32202	Poorhouse Run (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
North Sewickley Township Beaver County	PAG02000415002	Connoquenessing Country Club 1512 Mercer Road Ellwood City, PA 16117	Connoquenessing Creek (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Jackson Township Cambria County	PAG02001114024	Blacklick Valley Municipal Authority PO Box 272 Twin Rocks, PA 15960	South Branch Blacklick Creek (CWF)	Cambria County CD 401 Candlelight drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
City of Johnstown Cambria County	PAG02001115003	City of Johnstown 401 Main Street Johnstown, PA 15901	St. Clair Run (CWF), Strayer Run (CWF), and Elk Run (CWF)	Cambria County CD 401 Candlelight drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Dunbar Township Fayette County	PAG02002612029-1	Fay-Penn Economic Development Council 1040 Eberly Way Suite 200 Lemont Furnace, PA 15456	UNT to Gist Run (TSF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497

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<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>
Dunbar Township Fayette County	PAG02002614011	VAdA, LLC dba Rivers Edge Camping & Cabins/KOA 1101 Riveredge Road Connellsville, PA 15425	Youghiogheny River (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
City of Connellsville Fayette County	PAG02002614015	Sheetz Incorporated 5700 Sixth Avenue Altoona, PA 16602	Youghiogheny River (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Franklin Township Fayette County	PAG02002614019	JD&D Enterprises 100 Ross Street Pittsburgh, PA 15219	Redstone Creek (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Cumberland Township Greene County	PAG02003014009	PennDOT Dist. 12-0 825 N Gallatin Ave Ext Uniontown, PA 15401	Muddy Creek (WWF)	Greene County CD 19 South Washington St Waynesburg, PA 15370 (724) 852-5278
Dunkard Township Indiana County	PAG02003014012	AMD Reclamation, Inc. 308 Dents Run Rd Morgantown, WV 26501	UNT Dunkard Creek (WWF)	Greene County CD 19 South Washington St Waynesburg, PA 15370 (724) 852-5278
White Township Indiana County	PAG02003215002	Brad Schry 1749 Wilson Ave Indiana, PA 15701	UNT Cherry Run (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701
Milford Township Somerset County	PAG02005614014	American Tower Corporation 273 Tall Pines Drive Sewell, NJ 08080	Middle Creek (TSF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Windber Borough Somerset County	PAG02005614016	Windber Area School District 2301 Graham Avenue Windber, PA 15963	Seese Run (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Windber Borough Somerset County	PAG02005614020	Windber Area School District 2301 Graham Avenue Windber, PA 15963	Weaver Run (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Cecil Township Washington County	PAG02006314032	Matthew Bianco 105 Springfield Drive Canonsburg, PA 15317	UNT Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
South Strabane Township Washington County	PAG02006315005	Washington School District 311 Allison Avenue Washington, PA 15301	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Robinson Township Washington County	PAG02006315006	West Penn Power 76 S. Main Street Akron, OH 44308	UNT Raccoon Creek (WWF) and UNT Robinson Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
New Stanton Borough and Hempfield Township Westmoreland County	PAG02006514012	PennDOT Dist. 12-0 825 N Gallatin Ave Ext Uniontown, PA 15401	Sewickley Creek (WWF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
East Huntingdon Township Westmoreland County	PAG02006514029	Freightline of New Stanton 11611 Hopewell Road Hagerstown, MD 21740	UNT Buffalo Run (WWF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
East Huntingdon Township Westmoreland County	PAG02006514034	Penske Truck Leasing 217 E. View Drive Mt. Pleasant, PA 15666	Buffalo Run (WWF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
Rostraver Township Westmoreland County	PAG02006514039	Jay Bandaru 119 Mesa Drive Freeport, PA 16229	Monongahela River (WWF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township and Sewickley Township Westmoreland County	PAG02006514044	Columbia Gas of Pennsylvania, Inc. 4000 Energy Drive Bridgeville, PA 15017	UNT Andrews Run (TSF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
Hempfield Township Westmoreland County	PAG02006514045	Ridilla Family Partnership, Inc. PO Box 472 Latrobe, PA 15650	Jacks Run (WWF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township Westmoreland County	PAG02006515006	Irwin Hotel Associates, LP 95 West Beau Street Suite 600 Washington, PA 15301	Brush Creek (TSF)	Westmoreland County CD 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271

Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335

<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>
Cranberry Township Butler County	PAG02001015004	Smart Child Center, LLC Db/a/ Kiddie Academy of Cranberry 9331 Marshal Road Cranberry Township, PA 16066	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
Cranberry Township Butler County	PAG02001015016	Jason's Deli 2400 Broadway Avenue Beaumont, TX 77702	Brush Creek WWF	Butler County Conservation District 724-284-5270
Adams Township Butler County	PAG02001015017	525 Beaver Street Properties, LP c/o Mr Christopher J. Kachik 1272 Mars Evans City Road Evans City, PA 16033	UNT Breakneck Creek WWF	Butler County Conservation District 724-284-5270
Waterford Township Erie County	PAG02002514036	National Fuel Gas Distribution Corp 1100 State Street Erie, PA 16501	Federal Wetland LeBoeuf Creek; Wetland Stream	Erie County Conservation District 814-825-6403
Summit Township Erie County	PAG02002515009	PLP VI 2500 Palermo Drive Erie, PA 16506	UNT Walnut Creek CWF; MF	Erie County Conservation District 814-825-6403
City of Erie Erie County	PAG02002515003	Giant Eagle 261 Kappa Drive Pittsburgh, PA 15328	UNT West Branch Cascade Creek WWF; MF	Erie County Conservation District 814-825-6403
Summit Township Erie County	PAG02002515005	Interstate Mitsubishi 6969 Edinboro Road Erie, PA 16509	UNT Walnut Creek CWF; MF	Erie County Conservation District 814-825-6403

<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>
Neshannock Township Lawrence County	PAG02003714010	Universal Development Ronald Anderson 1607 Motor Inn Drive Girard, OH 44420	UNT Shenango River; Shenango River WWF	Lawrence County Conservation District 724-652-4512
Cornplanter Township Venango County	PAG02006114004	Cornplanter Township Volunteer Fire Department 1050 Grandview Road Oil City, PA 16301	UNT Oil Creek CWF	Venango County Conservation District 814-676-2832

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>
Harford Township Susquehanna County	PAR212240	Masters RMC, Inc. P. O. Box 25 9495 Main Street Kingsley, PA 18826-0025	Martins Creek—4-F CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Scranton City Lackawanna County	PAR232229	Quadrant EPP, USA, Inc. 900 North South Road Scranton, PA 18504	Roaring Brook—5-A CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Scranton City Lackawanna County	PAR232230	Quadrant EPP, USA, Inc. 900 North South Road Scranton, PA 18504	Keyser Creek—5-A CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
South Whitehall Township Lehigh County	PAR602245	South Whitehall Auto Salvage 2000 Minnich Road Allentown, PA 18104	UNT to Jordan Creek—02C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Franklin County Guilford Township	PAG033518	Franklin Storage LP 900 Kriner Road Chambersburg, PA 17202 <hr/> Leshar Reload 2633 WCN Drive Chambersburg, PA 17201	UNT of Conococheague Creek/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County York City	PAR403503	EQ Pennsylvania 730 Vogelsong Road York, PA 17404-1725 <hr/> Envirite of Pennsylvania, Inc. dba EQ Pennsylvania 730 Vogelsong Road York, PA 17404-1725	Codorus Creek/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<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>
Bedford County Bedford Township	PAR203612	Kennametal Inc. 442 Chalybeate Road Bedford, PA 15522-8637	UNT to Dunning Creek/WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Windsor Township	PAG033519	Red Lion Salvage LLC 350 Craley Road Red Lion, PA 17356	Fishing Creek/TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Allegheny Township	PAR803721	A. Duie Pyle Inc. 650 Westtown Road PO Box 564 West Chester, PA 19381-0564	UNT of Blair Gap Run/CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Cumberland County Silver Springs Township	PAR603576	Safety-Kleen Systems Inc. New Kingstown Branch 10 Eleanor Drive New Kingstown, PA 17072	Hogestown Run/ CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
North Towanda Township Bradford County (Industrial Stormwater)	PAR114811	E I Dupont De Nemours & Co. Inc. 192 Patterson Boulevard Towanda, PA 18848	Sugar Creek— Tributary of Susquehanna River—4-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Cresson Borough Cambria County	PAR606111	Cresson Steel Co. PO Box 187 Cresson, PA 16630	Unnamed Tributaries of Clearfield Creek— 8-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
New Castle City Lawrence County	PAR218325	BPI Inc. 612 S Trenton Avenue Pittsburgh, PA 15221	Shenango River—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-8

<i>Facility Location & County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Adams County/ Bonneauville Borough	PAG083547	Bonneauville Borough Municipal Authority 86 West Hanover Street Gettysburg, PA 17325	Bonneauville Borough Municipal Authority WWTP 86 West Hanover Street Gettysburg, PA 17325	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-9

Facility Location:
Municipality &
County

Permit No.
PAG094801

Applicant Name &
Address
Henry Wendt
Wendt Excavating
724 Brosius Hill Road
Mt. Pleasant Mills, PA
17853

Site Name &
Location
Wendt Farm
Perry Township,
Snyder County

Contact Office &
Phone No.
DEP Northcentral
Regional Office
Clean Water Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.0530

Terry Township
Bradford County

PAG094827

Clinton Crawford
Crawford Septic
Cleaning, LLC
139 Douglas Road
Sugar Run, PA 18846

Ralph Newton Farm
Terry Township
Bradford County

DEP Northcentral
Regional Office
Clean Water Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.0530

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
William Karol Wingert 5497 Shade Lane Alexandria, PA 16611	Huntingdon	1,659.1 total acres	1,839.63 AEU's	Dairy	Pike Run, Henry's Run, Shavers Creek, Fox Run; HQ-CWF	Approved
		1,502.1 acres for manure application	1.22 AEU's/ac			
Joel Frey 1170 Breneman Road Conestoga, PA 17516	Lancaster	74	400.73	Pullets	NA	A
Greg Herr 2040 Hossler Road Manheim, PA 17545	Lancaster	30.5	252	Broilers	NA	A

PUBLIC WATER SUPPLY PERMITS

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

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

Central Office: Bureau Director, Safe Drinking Water, PO Box 8467, Harrisburg, PA 17105-8467

Permit No. [9996546], Public Water Supply.

Applicant	[Nestle Waters Canada]
[Township or Borough]	[Guelph, Ontario, Canada]
Responsible Official	[Lynn G Burley, QA Resource]
Type of Facility	[Out of State Bottled System]
Effective Date	[May 8, 2015]
Description of Action	[Public Water Supply Permit to sell bottled water in Pennsylvania Rescinded. Company no longer selling bottled water in Pennsylvania. All bottled water products from Nestle Water Canada barred for sale in Pennsylvania.]

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

Permit No. 2315502, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Newtown

County	Delaware
Type of Facility	PWS
Consulting Engineer	GHD 321 Washington Street Huntingdon, PA 16652
Permit to Construct Issued	April 21, 2015

Permit No. 1515507, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	West Chester
County	Chester
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 1963 Harrisburg, PA 17105
Permit to Operate Issued	April 21, 2015

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

Permit No. 2450038, Operations Permit Public Water Supply.

Applicant	Pocono Boulevard, LLC P. O. Box 114 Davidson, NC 28036
[Borough or Township]	Coolbaugh Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Brick T. Linder, PE Linder Engineering, Inc. 2603 Rt 390 Canadensis, PA 18325
Permit to Operate Issued	4/27/2015

Permit No. 3915501 Major Amendment, Public Water Supply.

Applicant	KEN-MAN Company, Inc. 7963 Rextown Road, Slatington, PA 18080
[Township or Borough]	Washington Township, Lehigh County
Responsible Official	Edward Christman
Type of Facility	PWS
Consulting Engineer	Kerry D.Tyson, PE Nittany Engineering & Associations, Inc., Suite 1, 2836 Earlstown Road Center Hall, PA 16828 (814) 364-2262

Permit to Construct Issued Date	05/05/2015
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Permit No. 3914505, Public Water Supply.
 Applicant **Nestle Waters North America, Inc.**
 Attention: Mr. Weaver
 305 Nestle Way
 Breinigsville, PA 18031

[Borough or Township] Upper Macungie Township
 County **Lehigh County**
 Type of Facility PWS
 Consulting Engineer Mr. Edward E. Davis Sr., P.E.
 Miller Brothers Construction, Inc.
 P. O. Box 472
 Schuylkill Haven, PA 17972-0472
 (570) 385-1662

Permit to Construct 05/05/2015
 Issued

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

Permit No. 1114522, Public Water Supply.
 Applicant **Greater Johnstown Water Authority**
 640 Franklin Street
 PO Box 1407
 Johnstown, PA 15901

[Borough or Township] Conemaugh Township
 County **Cambria**
 Type of Facility Spring Hill Farm tank mixer
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Permit to Construct May 4, 2014
 Issued

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID #5300017) Washington Township, **Greene County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 3011501.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID #5300017) Washington Township, **Greene County** on May 8, 2015 for the operation of facilities approved under Construction Permit # 3014515MA.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID #5300017) Washington Township, **Greene County** on May 8, 2015 for the operation of facilities approved under Construction Permit # 3014513MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5650031) Ligonier Township, **Westmoreland County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 6512508MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5650031) Ligonier Township, **Westmoreland County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 6512507MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Union Township, **Washington County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 0213538MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) North Strabane Township, **Washington County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 0214539.

Operations Permit issued to: **Harrison Township Water Authority**, 1705 Rear Freeport Road, Natrona Heights, PA 15065, (PWSID #5020108) Harrison Township, **Allegheny County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 0213539.

Operations Permit issued to: **Harrison Township Water Authority**, 1705 Rear Freeport Road, Natrona Heights, PA 15065, (PWSID #5020108) Fawn Township, **Allegheny County** on May 7, 2015 for the operation of facilities approved under Construction Permit # 0213540.

Operations Permit issued to: **Glendale Valley Municipal Authority**, 1800 Beaver Valley Road, Flinton, PA 16640, (PWSID #4110060) Flinton, **Cambria County** on April 22, 2015 for the operation of facilities approved under Construction Permit # 1114503.

Permit No. 1114523MA, Minor Amendment. Public Water Supply.

Applicant **Greater Johnstown Water Authority**
 640 Franklin Street
 PO Box 1407
 Johnstown, PA 15901

[Borough or Township] Southmont Borough
 County **Cambria**
 Type of Facility Shady Lane tank painting
 Consulting Engineer
 Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Permit to Construct May 4, 2015
 Issued

Permit No. 1114524MA, Minor Amendment. Public Water Supply.

Applicant **Greater Johnstown Water Authority**
 640 Franklin Street
 PO Box 1407
 Johnstown, PA 15901

[Borough or Township] City of Johnstown

County **Cambria**
 Type of Facility Oakland tank painting
 Consulting Engineer
 Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct May 4, 2015
 Issued

Permit No. 1114525MA, Minor Amendment. Public
 Water Supply.

Applicant **Greater Johnstown Water
 Authority**
 640 Franklin Street
 PO Box 1407
 Johnstown, PA 15901

[Borough or Township] City of Johnstown

County **Cambria**
 Type of Facility Oakhurst tank painting
 Consulting Engineer
 Gibson-Thomas Engineering
 Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Permit to Construct May 4, 2015
 Issued

Permit No. 2614513MA, Minor Amendment. Public
 Water Supply.

Applicant **Municipal Authority of
 Westmoreland County**
 124 Park and Pool Road
 New Stanton, PA 15672

[Borough or Township] Mount Pleasant Township

County **Westmoreland**
 Type of Facility Waterline—Kecksburg Road
 Consulting Engineer Municipal Authority of
 Westmoreland County
 PO Box 730
 Greensburg, PA 15601

Permit to Construct May 7, 2015
 Issued

Permit No. 2614514MA, Minor Amendment. Public
 Water Supply.

Applicant **Municipal Authority of
 Westmoreland County**
 124 Park and Pool Road
 New Stanton, PA 15672

[Borough or Township] Rostraver Township

County **Westmoreland**
 Type of Facility Waterline—Indian Hill Road
 Consulting Engineer Municipal Authority of
 Westmoreland County
 PO Box 730
 Greensburg, PA 15601

Permit to Construct May 7, 2015
 Issued

Permit No. 2614515MA, Minor Amendment. Public
 Water Supply.

Applicant **Municipal Authority of
 Westmoreland County**
 124 Park and Pool Road
 New Stanton, PA 15672

[Borough or Township] Mount Pleasant Township

County **Westmoreland**
 Type of Facility Waterline—Hills Church Road
 Consulting Engineer Municipal Authority of
 Westmoreland County
 PO Box 730
 Greensburg, PA 15601

Permit to Construct May 7, 2015
 Issued

Permit No. 2614516MA, Minor Amendment. Public
 Water Supply.

Applicant **Municipal Authority of
 Westmoreland County**
 124 Park and Pool Road
 New Stanton, PA 15672

[Borough or Township] Mount Pleasant Township

County **Westmoreland**
 Type of Facility Waterline—Reservoir Road
 Consulting Engineer Municipal Authority of
 Westmoreland County
 PO Box 730
 Greensburg, PA 15601

Permit to Construct May 7, 2015
 Issued

Permit No. 2614517MA, Minor Amendment. Public
 Water Supply.

Applicant **Municipal Authority of
 Westmoreland County**
 124 Park and Pool Road
 New Stanton, PA 15672

[Borough or Township] Hempfield Township

County **Westmoreland**
 Type of Facility Waterline—Greensburg-Mount
 Pleasant Road
 Consulting Engineer Municipal Authority of
 Westmoreland County
 PO Box 730
 Greensburg, PA 15601

Permit to Construct May 7, 2015
 Issued

Permit No. 5615506MA, Minor Amendment. Public
 Water Supply.

Applicant **Borough of Somerset**
 PO Box 71
 347 West Union Street
 Somerset, PA 15501

[Borough or Township] Somerset Borough and
 Somerset Township

County **Somerset**
 Type of Facility Waterline relocation

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Permit to Construct May 4, 2015
Issued

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

Operation Permit issued to Meadville Area Water Authority, PWSID No. 6200036, City of Meadville, **Crawford County**. Permit Number 2088501-T1-MA7 issued May 6, 2015 for the operation of the two-2.5 million gallon Highland Avenue finished water storage tanks. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on April 28, 2015.

WATER ALLOCATIONS

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

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

WA30-587H, Water Allocations. Southwestern Pennsylvania Water Authority, P. O. Box 187, Greene & Washington Streets, Jefferson, PA 15344, Jefferson Borough and Jefferson Township, **Greene County**. The right to withdraw 9.22 million gallons of water, peak day, from the Monongahela River upon issuance of a Public Water Supply Operation Permit for the Phase I WTP Expansion; and after issuance of the Public Water Supply Operation Permit for the Phase II WTP Expansion, the right to withdraw 16.1 million gallons of water per day, peak day, from the Monongahela River.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lemon Township	2 Tague Road Tunkhannock, PA 18657	Wyoming
Tunkhannock Township	113 Tunkhannock Township Drive Tunkhannock, PA 18657	Wyoming

Plan Description: The approved plan provides for the construction of a grinder pump/low pressure sewage collection system and a Biologically Engineered Single Sludge Treatment (BESST) wastewater treatment facility with a permitted hydraulic capacity of 0.120 million gallon per day for Area 1. Area 1 is a delineated area of the Lake Carey drainage basin located in both Lemon and Tunkhannock Townships. The wastewater treatment facil-

ity will discharge to the South Branch of the Tunkhannock Creek. For Areas 3 (Clarendon Acres/Mountain View Terrace), 4 (a commercial area south of Tunkhannock Borough along Route 92), and 5 (SR 1001 and the Marcy Station area) all located in Tunkhannock Township, the Plan commits the Townships to develop a Sewage Management Program and to submit an Act 537 Update Revision to the Department in accordance with the Implementation Schedule. The Plan requires Area 1 to be included in a Sewage Management Program if an acknowledgement letter is not received by the Townships from the funding agency, Rural Utilities Service (RUS), within the time frame outlined in the Schedule of Implementation for the establishment of the Sewage Management Program for Areas 3, 4, and 5. Alternatives evaluated for Area 1 included a sewage management program, regional land application options, gravity and low pressure collection systems, several wastewater treatment processes including extended aeration and sequencing batch reactors, several wastewater treatment facility locations and discharge locations including a joint facility with Tunkhannock Borough. Any required NPDES Permits or WQM Permits must be obtained in the name of the joint municipal authority.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Brookville Borough	18 Western Avenue, Suite A Brookville, PA 15825	Jefferson

Plan Description: The approved plan provides for two wastewater phase projects. Phase 1B involves upgrading the Clement Run siphon and sewer line replacements in the areas of Water Plant Road, Sandy Lick Creek, Dark Hollow, South Pickering Street, Clement Run and Pennsylvania Avenue. Phase 2 involves replacing the existing sewage treatment plant employing a complete mix activated sludge system and an increased design flow of 1.5 MGD. Phases 1B and 2 will be constructed concurrently following implementation of a prior approved phase. Phases 1B and 2 are estimated to cost \$15.5 million and USDA Rural Utility Service has been selected as the primary funding source. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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>
Washington Township	120 Barto Road, Barto, PA 19504	Berks

Plan Description: Approval of a revision to the official plan of Washington Township, Berks County. The project is known as 1563 County Line Road. The plan provides for replacing a malfunctioning onlot septic system with a small flow treatment facility to serve an existing residence. The proposed discharge is a maximum of 400

gallons per day into an unnamed tributary of Middle Creek. The proposed development is located at 1563 County Line Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06971-137-3S and the APS Id is 864633. Any permits must be obtained in the name of the property owner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fayette Township	181 Bunkertown Rd McAlisterville, PA 17049	Juniata

Plan Description: The Component 3-Sewage Collection and Treatment Facilities module submission for the Chubb Subdivision, DEP Code No. B3-34903-218-3, APS Id 866424, which proposes one new single family residential lot to be served by the McAlisterville Area Joint Authority's Sewers and Wastewater Treatment Plant, is disapproved. The proposed subdivision is located northwest of the junction of McAlister Street and Dunn Valley Road. This plan is disapproved because the submission was incomplete. Missing items include: a "Transmittal Letter" and "Resolution of Adoption" from the municipality, a Component 4A-Municipal Planning Agency Review, and a Component 4B-County Planning Agency Review.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Armagh Township	224 College Ave, Milroy, PA 17063	Mifflin

Plan Description: The Request for Planning Exemption for Milroy Complex, DEP Code No. A3-44903-153-3E, APS Id 870222, consisting of 137 duplex units using Armagh Township Municipal Authority sewers, with treatment at the Brown Township Municipal Authority wastewater treatment plant, is disapproved. The proposed development is located on Hill Street in Armagh Township, Mifflin County. The plan is disapproved because the submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the connection to or an extension of public sewers where the existing collection, conveyance or treatment facilities have an existing or a 5-year projected hydraulic or organic overload under Chapter 94 and as per Chapter 71, Section 71.51(b)(2)(ii). The Department cannot approve exemptions tributary to Armagh Township Authority sewage collection and conveyance system until the provisions in the Corrective Action Plan from the 2011 Municipal Wasteload Management Report are completed.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Jones Property, 516 Keener Drive, Lewis Township, **Northumberland County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857 on behalf of Beck Fuels Inc., 4655 Susquehanna Trail, Turbotville, PA 17772 submitted a Final Report concerning remediation of site soils contaminated with #2 heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Dallas Morris Drilling, Inc., Horse Thief Run Road Diesel Fuel Release, Horse Thief Run Road, Delmar Township, **Tioga County**. Moody & Associates, Inc., 685 Broad Street Extension, Suite 1, Waverly, NY 14892 on behalf of Dallas-Morris Drilling, Inc., 29 Morris Lane, Bradford, PA 16701 submitted a Final Report concerning remediation of site soils contaminated with Diesel Fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Capital Business Center Diesel Fuel Release, 400 First Street, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. Reliance Environmental Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Horst Excavating, 320 Granite Run Road, Lancaster, PA 17604, and PVI WIP CBC LP, c/o Woodmont Industrial Partners, 100 Passaic Avenue, Suite 240, Fairfield, NJ 07004, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released from an overturned tanker truck. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Former American Color Graphics, 215 North Zarfoss Drive, York, PA 17404, West Manchester Township, **York County**. ENVIRON International Corporation, 214 Carnegie Center, Princetown, NJ 08540, on behalf of Gordon York, LP, 215 North Zarfoss Drive, York, PA 17404, and Alvarez & Marsal North America, LLC, 600 Madison Avenue, 8th Floor, New York, NY 10022, submitted Final Report concerning remediation of site soils and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

Danielle Hairston-Green Residence, 608 Muench Street, Harrisburg, PA 17102, City of Harrisburg, **Dauphin County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance PA Fire Claims, PO Box 106110, Atlanta, GA 30348-6110, and Danielle Hairston-Green, 12034 Kleinmeadow Drive, Houston, TX 77066-4723, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Vantage Energy-II Shumaker Well Pad, 220 Rush Run Road, Center Township, **Greene County**. SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Vantage Energy Appalachia, LLC., 480 Johnson Road, Suite 100 Washington, PA 15301 has submitted a Remedial Investigation/Final Report concerning the remediation of site soils contaminated with organics, metals, chlorides and strontium from two releases during frac operations. The RIR/FR is intended to document remediation of the site to meet a combination of Site Specific and Statewide Health standards. Notice of the RIR/FR was published in the Greene County Messenger on April 14, 2015.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Jones Property, 516 Keener Drive, Lewis Township, **Northumberland County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857 on behalf of Beck

Fuels Inc., 4655 Susquehanna Trail, Turbotville, PA 17772 submitted a Final Report concerning the remediation of site soils contaminated with #2 heating oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 16, 2015.

Dallas Morris Drilling Inc. Horse Thief Run Road Diesel Fuel Release, Horse Thief Run Road, Delmar Township, **Tioga County**. Moody & Associates, Inc., 685 Broad Street Extension, Suite 1, Waverly, NY 14892 on behalf of Dallas-Morris Drilling, Inc., 29 Morris Lane, Bradford, PA 16701 submitted a Final Report concerning the remediation of site soils contaminated with Diesel Fuel. The Final Report demonstrated attainment of the Statewide Health Standard on April 29, 2015.

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

Sheetz at Chestnut & 7th, Chestnut Avenue & 7th Street, Altoona, PA 16601, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Five Investments, LLC, 210 West Plank Road, Altoona, PA 16602, and BCDC IV, 3900 Industrial Park Drive, Altoona, PA 16602, submitted a Baseline Environmental Report to remediate site soil and groundwater contaminated with VOCs, Chlorinated Solvents, and Inorganics. The site has been remediated as a Special Industrial Area. The Baseline Environmental Report was approved by the Department on May 5, 2015.

Brian Ritchey Residence, formerly Olga Kohl Residence, 27 Fairview Road, McVeytown, PA 17051, Wayne Township, **Mifflin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Brian Ritchey, 130 Brightmore Circle, Rutherfordton, NC 28139, and State Farm Insurance, PO Box 106110, Atlanta, GA 30348-6110, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil released from an aboveground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on May 5, 2015.

Marstellar Oil Company/Ryan Glenn Property, 3510 North 3rd Street, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Ryan Glenn, 3510 North 3rd Street, Harrisburg, PA 17110; Marstellar Oil Company, 2011 State Road, Duncannon, PA 17020; and Rapid Response, 14 Brick Kiln Court, Northampton, PA 18067, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on May 6, 2015.

Former American Color Graphics, 215 North Zarfoss Drive, York, PA 17404, West Manchester Township, **York County**. ENVIRON International Corporation, 214 Carnegie Center, Princetown, NJ 08540, on behalf of Gordon York, LP, 215 North Zarfoss Drive, York, PA 17404, and Alvarez & Marsal North America, LLC, 600 Madison Avenue, 8th Floor, New York, NY 10022, submitted Final Report concerning remediation of site soils and groundwater contaminated with VOCs. The Final Report was administratively incomplete and was disapproved by the Department on May 8, 2015.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Franklin Bronze & Alloy, 655 Grant Street, City of Franklin, **Venango County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Franklin Bronze & Alloy, 655 Grant Street, Franklin, PA 16323, submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soils contaminated with Arsenic, Nickel and site groundwater contaminated with Arsenic. The Report was approved by the Department on May 6, 2015.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permit(s) issued, under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.

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

Permit No. PAD000797548: Nexeo Solutions, LLC., 5200 Blazer Parkway, Dublin, OH 43017, for the Nexeo Solutions, LLC. Freedom facility, 150 West Fourth Avenue, Freedom, PA 15042. Permit Renewal for continued operation of a hazardous waste container storage facility located in Freedom Borough, **Beaver County** issued by the Regional Office on May 6, 2015.

MUNICIPAL WASTE GENERAL PERMITS

Permits issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904) and municipal waste regulations for a General Permit to operate municipal waste processing facilities and the beneficial use of municipal waste.

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

General Permit Application No. WMGM019D007. Diamond Mulch, LLC, 121 Brickyard Road, Mars, PA 16046.

General Permit No. WMGM019D007 authorizes the processing of used concrete, used asphalt, yard waste, wood waste and soil for beneficial use as: (1) construction material; and (2) topsoil and mulch for commercial purposes. The facility is located in Indiana Township, Allegheny County. The general permit was issued by Central Office on May 5, 2015.

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

General Permit Application No. WMGM019D006. Rohrer Quarry, Inc., 16 Lititz Road, Lititz, PA 17543.

General Permit No. WMGM019D006 authorizes the processing of used concrete, used asphalt, yard waste, wood waste and soil for beneficial use as: (1)

construction material; and (2) topsoil and mulch for commercial purposes. The facility is located in Lititz, Lancaster County. The general permit was issued by Central Office on April 28, 2015.

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

Modification to General Permit Conditions Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and 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 No. WMGM052 This acknowledges receipt of a request by Waste Management of Pennsylvania, Inc., 107 Silvia Street, Ewing, New Jersey, 08628 to modify the Conditions of General Permit WMGM052 by waiving setback requirements in section C.21.e and f pertaining to separation from occupied dwellings and property lines respectively. Section A.2 of the Conditions also been modified to state that no more than five (5) self-contained organics collection systems can be placed at each location unless approved in writing by the Department.

Written comments concerning the request for waiver should be directed to Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGM052" 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.

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

GP-46-0080: SCI-Phoenix (P. O. Box 246, Route 29, Graterford, PA 19426) On May 8, 2015 authorize to install and operate a diesel fired engines and emergency generator in Skippack Township, **Montgomery County**.

GP9-46-0079: Phoenix (P. O. Box 246, Route 29, Graterford, PA 19426) On May 8, 2015 authorize to install and operate a diesel fired engines and fire pump in Skippack Township, **Montgomery 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

GP9-58-039: Meshoppen Stone, Incorporated (P. O. Box 127, Meshoppen, PA 18630) on April 29, 2015, for the construction and operation of diesel fired internal combustion engines at the facility located in Brooklyn Township, **Susquehanna County**.

GP3-58-039: Meshoppen Stone, Incorporated (P. O. Box 127, Meshoppen, PA 18630) on April 29, 2015, for the construction and operation of a portable stone crushing plant at the facility located in Brooklyn Township, **Susquehanna County**.

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

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

GP4-05-03059: Defiance Metal Products (550 Sunnyside Drive, Bedford, PA 15522) on April 30, 2015, for an existing burnoff oven, under GP4, at the metal fabrication facility in Bedford Borough, **Bedford County**. The general permit authorization was renewed.

GP3-21-03110A: Terra Technical Services, LLC (600 Brandywine Avenue, Downingtown, PA 19335) on May 5, 2015, for a portable nonmetallic mineral processing plant, under GP3, at the IAC Industrial site, in Carlisle Borough, **Cumberland County**.

GP9-21-03110A: Terra Technical Services, LLC (600 Brandywine Avenue, Downingtown, PA 19335) on May 5, 2015, for a diesel-fired internal combustion engine, under GP9, to power portable nonmetallic mineral processing equipment, at the IAC Industrial site, in Carlisle Borough, **Cumberland County**.

GP15-36-03040A: Wenger's Feed Mill (101 West Harrisburg Ave., Rheems, PA 17570) on May 5, 2015, for a new baghouse, under GP15, to control particulate emissions from existing ingredient bins 71, 73, 75, 76, 77, 78, 79, 80, 83, 84, 86, 87, and 88, at the Rheems feed mill in Mount Joy Township, **Lancaster County**.

GP15-36-05147B: Wenger's Feed Mill (101 West Harrisburg Ave., Rheems, PA 17570) on May 5, 2015, for two new baghouses, under GP15, to replace an existing single baghouse, controlling particulate emissions from existing bins 20 and 21, at the Mount Joy feed mill in Mount Joy Township, **Lancaster County**.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940

GP5-20-253C: Range Resources Appalachia Miller Compressor Station (41640 Buells Corners Rd., Centerville, PA 16404) on May 7, 2015, for the authority to continue using one (1) rich burn 4 stroke gas compressor engine (Caterpillar Model G3306TA rated at 203

bhps), one (1) natural Gas Dehydrator which is associated with a 0.30 mmBtu/hr Reboiler, Four (4) 2,100 gallons produced water storage tanks, and Three (3) miscellaneous use/new mother oil storage tanks (BAQ-GPA/GP5) located at your facility in Rome Township, **Crawford County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

46-00021: First Quality Retail Services, LLC (601 Allendale Road, King of Prussia, PA 19406) On May 8, 2015 located in Upper Merion Township, **Montgomery County**, for a renewal of State Only (Synthetic Minor) Operating Permit No. 46-00021. The facility's air emissions sources consist of three natural gas-fired boilers, two diesel fuel-fired emergency generator sets, and 17 adult diaper and sanitary napkin production lines with associated dust collectors. The facility is subject to a site-level nitrogen oxide (NO_x) emission restriction of less than 25 tons/yr, and the plan approval-exempt engines of the emergency generator sets are subject to combined NO_x emission restrictions of 100 lbs/hr, 1,000 lbs/day, 2.75 tons/ozone season, and 6.6 tons/yr (calculated monthly as a 12-month rolling sum). The only changes that have occurred at the facility since the SOOP was last renewed in May 2009 are the removal of a fire pump and the removal and replacement of some of the adult diaper and sanitary napkin production lines and associated dust collectors (also, an emergency generator set approved under a Request for Determination but never installed is no longer listed in the State Only Operating Permit [SOOP]).

46-0172E: Gemalto, Inc. (101 Park Drive, Montgomeryville, PA 18936) On May 8, 2015 for the installation of a new Sakurai Screen Press at an existing facility located in Montgomeryville, **Montgomery County**. The primary pollutant of concern is volatile organic compound (VOC) emissions from the inks and solvents to be used in the operation of this press. Gemalto is categorized as a synthetic minor facility. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0184A: Doylestown Hospital (595 West State Street, Doylestown, PA 18901) On May 8, 2015 for the installation of a new 1,600 kW natural gas-fired cogeneration unit located in Doylestown Township, **Bucks County**. The cogeneration unit will be used to provide electricity and steam for the hospital facility. An oxidation catalyst will be installed on the unit to control emissions of carbon monoxide and formaldehyde. A reduction in total non-methane, non-ethane hydrocarbon emissions are also anticipated with the oxidation catalyst. This project shall not cause the facility to exceed any major source thresholds and the facility shall continue to maintain a

minor operating status. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

10-335C: Penn United Technologies, Inc. (P. O. Box 399, Saxonburg, PA 16056) on May 7, 2015, issued a plan approval for the addition of mixing capacity in their carbide slurry mixing room. Their existing facility is located in Jefferson Township, **Butler County**. VOC emissions associated with the project are estimated to be less than 9 tpy.

20-040K: Advanced Cast Products (18711 Mill Street, Meadville, PA 16335), on May 4, 2015, has issued a plan approval for the re-permitting of the particulate matter collection and control system for the facility's charge & pre-heating process (Source 101) and the facility's melting-transfer-magnesium treatment process (Source 102) due to the original plan approval 20-040I expiring in Vernon Township, **Crawford County**. This is a Title V facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

44-05001D: Standard Steel, LLC (500 N. Walnut St., Burnham, PA 17009) on May 6, 2015, for a melt shop upgrade at the steel manufacturing facility in Burnham Borough, **Mifflin County**. The original Plan Approval No. 44-05001D was for the installation of a ladle melting furnace (LMF) to replace the #3 electric arc furnace (EAF), and modification to #4 EAF with the melt shop upgrade for better quality steel, including switching the existing two baghouses between the furnaces. This plan approval is also for construction of two (2) ladle heaters (5 MMbtus/hr each), and a vacuum tank degasser (VTD), and a new recirculated water cooling system, including a mechanical draft cooling tower. 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

14-00003E: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) on April 28, 2015, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from June 9, 2015 to December 6, 2015, at their facility located in College Township, **Centre County**. The plan approval has been extended.

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

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

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

15-00017: Transcontinental Gas Pipeline Company, LLC (60 Bacton Hill Road, Frazer, PA 19355) On May 8, 2015 for renewal of the Title V Operating Permit in East Whiteland Township, **Chester County**. The facility transports natural gas through pipelines. The major sources of air emissions are four (4) engines that emit major levels of nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), and formaldehyde (a hazardous air pollutant (HAP)). The facility is a major stationary source, as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the requirements of 40 CFR 63 Subparts ZZZZ and DDDDD, which have been incorporated into this renewal. The Title V Operating Permit renewal will contain emission limitations, monitoring, recordkeeping, reporting requirements, and work practice standards to keep the facility operating within all applicable air quality.

09-00024: Waste Management of Pennsylvania, Inc. (1000 New Ford Mill Rd., Morrisville, PA 19067) On May 8, 2015 for renewal of the Title V Operating Permit for its Tullytown Resource Recovery Facility, a landfill located in Tullytown Borough, **Bucks County**. The renewal includes minor changes in standard conditions in accordance with current Department of Environmental Protection (DEP) guidelines. The listing of insignificant sources at the facility is updated. Concomitant to the renewal, a minor modification to remove a testing condition for NO_x emissions from a flare (Source ID C02) at elevated temperature is processed. DEP found no significant change in NO_x emissions at elevated temperature vs standard operating temperatures with review of testing for the flares at the facility since 1998. With the renewal, the applicable requirements of 40 CFR Part 63 Subpart ZZZZ, as amended January 30, 2013, for an emergency generator (Source ID 115) are incorporated. The renewal does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

59-00004: Ward Manufacturing, LLC (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009) on April 30, 2015, was issued a significant modification to Title V operating permit 59-00004 for their facility located in Blossburg Borough, **Tioga County**. The purpose of the significant modification was to: (1) incorporate the terms and conditions contained in the previously issued Plan Approval 59-00004H; (2) authorize the operation of a metal castings shot blast machine, the air contaminant emissions from which are controlled by a cartridge collector; (3) incorporate conditions for five existing shot blast

machines and the cartridge collector to address the applicability of CAM (Compliance Assurance Monitoring) in accordance with 40 CFR Part 64. 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: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

33-00141: National Fuel Gas Supply Corporation, Knox Compressor Station (Office Address: 6363 Main Street, Williamsville, NY 14221) On May 6, 2015 the Department re-issued the Natural Minor Permit to operate a Natural Gas Compressor Station, located at 157 Pump Station Road, in Knox Township, **Jefferson County**. The primary sources of emissions are the four (4) compressor engines used to move natural gas.

The engines (Source IDs: 101, 102, 103, 104, and 105—600 Hps Compressor Engine 1, 600 Hps Compressor Engine 2, 384 Hps Compressor Engine 3, 384 Hps Compressor Engine 4, and 140 Hps Emergency Generator Unit G1) at this facility are subject to the newly promulgated requirements of 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The latest revisions of that subpart have been listed in the operating permit.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM—1.1, PM₁₀/PM_{2.5}—1.1, SO_x—0.05, NO_x—58.3, VOC—45.6, CO—34.5, CO₂e—9,570.0, Formaldehyde—4.4, and Methane—273.5.

43-00273: Select Industries, Inc. (242 Reynolds Industrial Park Road, Greenville, PA 16125) On April 28, 2015, the Department re-issued the Natural Minor Operating Permit for this metal coating facility located in Pymatuning Township, **Mercer County**. The facility's primary emission sources include coating and lithographic printing lines. The VOC and HAP emissions from this facility are below major source levels. The potential emissions, if this facility were operated continuously throughout the year, are as follows: (All values are in tons/year.) PM₁₀ = 0.07, SO_x = 0.03, NO_x = 2.41, CO = 2.01, VOCs = 17.2, Methane = 0.04, Ammonia = 0.04, CO₂ = 2874, and Nitrous Oxide = 0.005.

Operating Permits for Non-Title V Facilities Issued 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

46-00021: First Quality Retail Services, LLC (601 Allendale Road, King of Prussia, PA 19406) On May 8, 2015 located in Upper Merion Township, **Montgomery County**, for a renewal of State Only (Synthetic Minor) Operating Permit No. 46-00021. The facility's air emissions sources consist of three natural gas-fired boilers, two diesel fuel-fired emergency generator sets, and 17 adult diaper and sanitary napkin production lines with associated dust collectors. The facility is subject to a

site-level nitrogen oxide (NO_x) emission restriction of less than 25 tons/yr, and the plan approval-exempt engines of the emergency generator sets are subject to combined NO_x emission restrictions of 100 lbs/hr, 1,000 lbs/day, 2.75 tons/ozone season, and 6.6 tons/yr (calculated monthly as a 12-month rolling sum). The only changes that have occurred at the facility since the SOOP was last renewed in May 2009 are the removal of a fire pump and the removal and replacement of some of the adult diaper and sanitary napkin production lines and associated dust collectors (also, an emergency generator set approved under a Request for Determination but never installed is no longer listed in the State Only Operating Permit [SOOP]).

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

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

06-03146: Troutman Industries, Inc. (2201 Reading Avenue, West Lawn, PA 19609-2051) on May 1, 2015, for the chrome plating facility in Spring Township, **Berks County**. The State-only permit was renewed.

06-05008: SFS Intec, Inc. (PO Box 6326, Wyomissing, PA 19610-0326) on May 4, 2015, for the metal fastener manufacturing facility in Wyomissing Borough, **Berks County**. The State-only permit was renewed.

28-05037: JLG, Industries, Inc. (1 JLG Drive, McConnellsburg, PA 17233-9502) on April 28, 2015, for the Hykes Road auto and truck towing vehicle manufacturing facility in Antrim Township, **Franklin County**. The State-only permit was renewed.

36-05127: New Enterprise Stone & Lime Co., Inc. (PO Box 550, Blue Ball, PA 17506-0550) on May 5, 2015, for the Burkholder asphalt plant in Earl 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

49-00054: Meckley's Limestone Products, Inc. (PO Box 503, Herndon, PA 17830-7332) on May 8, 2015 issued a state only operating permit for their facility located in Lower Mahanoy Township, **Northumberland County**. The state only operating permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

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

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

20-00304: Ernst Biomass, LLC/Biomass Pelletizing Facility (9006 Mercer Pike, Meadville, PA 16335) On May 6, 2015 the Department issued a Natural Minor Operating Permit to operate a biomass pelletizing plant in Union Township, **Crawford County**. The facility's primary emission sources are the Rotary Dryer with a 16 Million BTU/hour biomass fueled burner, Pellet Cooler, and Packaging Operations. The potential emissions, if this facility were operated continuously throughout the

year, are as follows: (All values are in tons/year.) PM₁₀ = 31.5, SO_x = 1.75, NO_x = 15.4, CO = 42.0, VOCs = 7.50, and Formaldehyde = 1.40.]

43-00304: Greenville Veterinary Clinic LLC. (409 East Jamestown Road, Greenville, PA 16125), to issue a renewal State Only Operating Permit for the facility located in West Salem Township, **Mercer County**. The facility is a Natural Minor. The facility has a pet crematory. The particulate emissions are limited to 0.08 gr/dscf corrected to 7% O₂. Under normal operation, the maximum average concentrations of total suspended particulate is less than 0.024 lb/hr and the maximum average concentration of CO is less than 6.06 ppms at 7% O₂. Other criteria pollutants are less than 1 TPY. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

46-0020J (APS #869932, AUTH #107815): Superior Tube Company, Inc. (3900 Germantown Pike, Collegeville, PA 19426) On May 8th, 2015 located in Lower Providence Township, **Montgomery County**. Plan Approval No. 46-0020J is to revise the hydrofluoric acid emissions limit from 1.13 lb/hr to 1.35 lb/hr of existing pickling operation controlled by a mist eliminator. There will be no change in other air pollutant emissions due to this modification. This facility is a Title V facility. The Plan approval will contain record keeping and operating restriction designed to keep the facility operating within the allowable emissions and 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, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702

36-03002: High Concrete Group, LLC (125 Denver Road, Denver, PA 17517-9314) on April 30, 2015, for the concrete structure fabrication facility in East Cocalico Township, **Lancaster County**. The state only permit was administratively amended in order to reflect a change of EIN.

06-03128: Royal Green, LLC (PO Box 9, Huller Lane, Temple, PA 19560-0009) on May 4, 2015, for the ferrous metal shredding facility located in Ontelaunee Township, **Berks County**. The State-only permit underwent a minor modification to add the following condition to Source 101: "The foam dust suppression system shall be operated on any and all occasions that the source is operated, except in those unusual instances (i.e. heavy rain) where conditions are such that operation of the source without the simultaneous operation of the foam dust suppression system can take place without creating air contaminate emissions in excess of the limitations specified in any

applicable Department Rule or Regulation. If, however, the foam dust suppression system is incapable of operation due to weather conditions or any other reason, the source may not be operated at all.”

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

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

33-00116: MacDonald & Owen Veneer & Lumber Inc. (11424 Route 36, Brookville, PA 15825-8656) on May 7, 2015 issued an administrative amendment to the State Only Operating Permit for the facility located in Rose Township, **Jefferson County**. The amendment incorporates the change of responsible official and updates the permit contact title.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940

10-00079: BNZ Materials Inc (191 Front Street, Zelienople, PA 16063) for its facility located in Zelienople Borough, **Butler County**. The De minimis emission increase is for the proposed construction of a new Power Shape Machine. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit issuance on November 10, 2010.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
5-11-15	Power Shape Machine	0.13				
Total Reported Increases		0.13				
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

16-00094: IA Construction Corporation, Paint Township Plant (#3) (P. O. Box 568, Franklin, PA 16323) for its facility located at 19000 Paint Boulevard, Shippensburg, PA (16254). This site is located in Paint Township, **Clarion County**. The de minimis emission increase is due to the installation of an additional 200 tons storage silo, to store hot mix asphalt. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the July 11, 2011, Synthetic Minor Permit issuance date, IA Construction Corporation has notified the Department of the following de minimis emission increases at the Plant #3 Paint Township Facility:

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
05-1-15	Addition of a 200 ton storage silo.	0.12			0.79	0.25
Total Reported Increases		0.12			0.79	0.25
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

23-00106: BPG Real Estate Investors—Straw Party I, LP (3815 West Chester Pike, Newtown Square, PA 19073) for operation of three (3) boilers, one emergency generator and one fire pump at the Ellis Preserve at Newtown Square in Newtown Township, **Delaware County**. The operating permit was revoked because of the permanent shutdown of significant sources, including three (3) boilers and two (2) engines, at the facility.

**ACTIONS ON COAL AND NONCOAL MINING
ACTIVITY APPLICATIONS**

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

Permit No. 05130101 and NPDES No. PA0279307. Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, commencement, operation and restoration of a bituminous surface and auger mine in Broad Top Township, **Bedford County**, affecting 271.4 acres. Receiving streams: unnamed tributaries to/and Longs Run, Shreves Run and Six Mile Run classified for the following use: warm water fishery. The first downstream potable water supply intake from the point of discharge is Saxton Municipal Authority. Application received: June 20, 2014. Permit issued: April 30, 2015.

The permit includes a stream encroachment to mine through and reconstruct the lower reaches of unnamed tributaries A and F to Longs Run. The permit includes a wetland encroachment for the construction of diversion ditch DD-4 through a wetland. These wetland impacts will be temporary.

In conjunction with this approval, the Department is granting 401 Water Quality Certification, certifying that the approved activities will comply with the applicable provision of sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. and 1341) and will not violate applicable Federal and State water quality standards.

Permit No. 32940105 and NPDES No. PA0212806. CONSOL Mining Co., LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 180.0 acres. Receiving stream: unnamed tributary to Yellow Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Edison Mission Energy Homer City Generating Station, PWS ID No. 5320802. Application received: October 31, 2014. Permit Issued: April 30, 2015.

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

SMP 17990118. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Permit revision for change of land use from Pastureland and Unmanaged Natural

Habitat to Industrial/Commercial of a bituminous surface and auger mine located in Lawrence Township, **Clearfield County** affecting 121.4 acres. Receiving stream(s): Moose Creek classified for the following use(s): HQ CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 26, 2015. Permit issued: May 7, 2015.

17663136 and NPDES PA0126870. EnerCorp, Inc. (1310 Allport Cutoff, Morrisdale, PA 16858). Permit renewal of an existing bituminous surface mine located in Graham Township, **Clearfield County** affecting 202.0 acres. Receiving streams: Mons Run and Flat Run classified as the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 17, 2014. Permit issued: May 5, 2015.

17990111 and NPDES PA0238341. Larry D. Baumgardner Coal Company, Inc. (P. O. Box 186, Lanse, PA 16849). Permit renewal for continued operation and restoration also change in land use of a bituminous surface mine located in Decatur Township, **Clearfield County** affecting 109.2 acres. Receiving stream(s): Unnamed Tributaries to Little Laurel Run and Little Laurel Run to Laurel Run to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes with 10 miles downstream. Application received: February 6, 2015. Permit issued: May 5, 2015.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

65960107 and NPDES Permit No. PA0201618. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Permit renewal issued for reclamation only and continued treatment of discharge to an existing bituminous surface mine, located in Mt. Pleasant Township, **Westmoreland County**, affecting 460.0 acres. Receiving stream: Laurel Run. Application received: October 24, 2014. Permit issued: May 6, 2015.

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

Permit No. 54-305-030GP12C2. Wheelabrator Culm Services, Inc., (4 Liberty Lane West, Hampton, NH 03842), correction to general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54840201 in Mahanoy Township and Shenandoah Borough, **Schuylkill County**. Application received: March 19, 2015. Permit issued: May 6, 2015.

Permit No. 5479300R6. Coal Contractors (1991), Inc., (PO Box 39, Hazleton, PA 18201), renewal for reclamation activities only of an existing anthracite surface mine and preparation plant operation in North Union, Beaver and Black Creek Townships, **Schuylkill, Luzerne and Columbia Counties** affecting 991.3 acres, receiving stream: Catawissa Creek. Application received: September 23, 2014. Renewal issued: May 8, 2015.

Noncoal Permits Issued

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

42040301-GP-104. Duffy, Inc. (P. O. Box 374, Smethport, PA 16749-0374) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 42040301 in Liberty Township, **McKean County**. Receiving streams: Allegheny River. Application received: March 11, 2015. Permit Issued: May 8, 2015.

33140807. Homer Schaffer (112 Kentucky Avenue, Punxsutawney, PA 15767) Commencement, operation and restoration of a small industrial minerals mine in Henderson Township, **Jefferson County**, affecting 5.5 acres. Receiving streams: Unnamed tributary to Stump Creek. Application received: September 22, 2014. Permit Issued: May 8, 2015.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 22154102. Abel Construction Co., Inc., (PO Box 476, Mountville, PA 17554), construction blasting for Deer Run Commons in Derry Township, **Dauphin County** with an expiration date of May 1, 2016. Permit issued: May 5, 2015.

Permit No. 35154001. Controlled Demolition, Inc., (13401 Stillhaven Court, Phoenix, MD 21121), construction blasting to demolish the Reynolds Road Bridge in Benton Township, **Lackawanna County** with an expiration date of May 15, 2015. Permit issued: May 5, 2015.

Permit No. 09154110. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Perkasio Woods in Perkasio Borough, **Bucks County** with an expiration date of May 1, 2016. Permit issued: May 6, 2015.

Permit No. 36154117. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Weatherburn Common East Meadows in Manheim Township, **Lancaster County** with an expiration date of May 4, 2016. Permit issued: May 6, 2015.

Permit No. 39154104. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Hamilton Crossings in Lower Macungie Township, **Lehigh County** with an expiration date of April 29, 2016. Permit issued: May 6, 2015.

Permit No. 15144105. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Chesterbrook Development in Tredyffrin Township, **Chester County** with an expiration date of May 1, 2016. Permit issued: May 8, 2015.

Permit No. 38154108. Abel Construction Co., Inc., (PO Box 476, Mountville, PA 17554), construction blasting for Stone Knoll in South Londonderry Township, **Lebanon County** with an expiration date of May 7, 2016. Permit issued: May 8, 2015.

Permit No. 48154103. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Quarry Hill Phase 2 in Allen Township, **Northampton County** with an expiration date of May 4, 2016. Permit issued: May 8, 2015.

Permit No. 52154102. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for I-84 improvements in Milford, Dingman and

Westfall Townships, **Pike County** with an expiration date of May 6, 2016. Permit issued: May 8, 2015.

Permit No. 67154103. Newville Construction Services, Inc., (408 Mohawk Road, Newville, PA 17241), construction blasting for Marburg Pointe West Manheim Township, **York County** with an expiration date of December 31, 2015. Permit issued: May 8, 2015.

Permit No. 67154104. Newville Construction Services, Inc., (408 Mohawk Road, Newville, PA 17241), construction blasting for Tall Grass Meadows in Paradise Township, **York County** with an expiration date of December 31, 2015. Permit issued: May 8, 2015.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-856. Chester County Department of Facilities and Parks, 313 W. Market Street, P. O. Box 5402, West Chester, PA 19380. Upper Uwchlan Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a paved parking lot in and along the 100-year floodway of the East Branch of the Brandywine Creek (HQ, TSF) for the purpose of connecting the existing 2.6 miles stubble trail with a paved parking section at the trail head.

The site is located near the intersection of Creek Road, S.R. 22, and Dorlan Mill Road (Lat; 40.047; Long. -75.7166).

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

E39-534. Liberty Property, L.P., 74 West Broad Street, Bethlehem, PA 18018. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain two stormwater outfalls in the floodway of Little Lehigh Creek (HQ-CWF, MF) associated with the Spring Creek Properties Settlement Subdivision in Lower Macungie Township, **Lehigh County**.

The first outfall consists of a 54-inch reinforced concrete pipe, concrete endwalls, and an R-7 riprap lined outfall channel in the floodway of Little Lehigh Creek (HQ-CWF, MF). The outfall is located on the west side of Smith Lane, approximately 0.09 mile south of its intersection with Mertztown Road (Allentown West, PA Quadrangle Latitude: 40° 31' 28.3"; Longitude: -75° 37' 19.7") in Lower Macungie Township, Lehigh County.

The second outfall consists of an 18-inch reinforced concrete pipe, concrete endwalls, and an R-6 riprap lined outfall channel in the floodway of Little Lehigh Creek (HQ-CWF, MF). The outfall is located on the south side of Mertztown Road, approximately 0.08 mile east of its intersection with Locust Lane (Allentown West, PA Quadrangle Latitude: 40° 31' 31.4"; Longitude: -75° 36' 54.9") in Lower Macungie Township, Lehigh County. (Allentown West Quadrangle Latitude: 40°31'24.4"; Longitude: -75°37'17.2") Subbasin: 2C

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

E60-224. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project Boat Launch Mitigation, Union Township, **Union County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 54' 10"; W: -76° 50' 18").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. As a

result of the impacts to recreational boating during the time of construction of the CSVT project, PA DoT has agreed to construct a boat launch and access area. The boat launch dimensions are approximately 210 Ft. x 31 Ft. Access and parking area dimensions are approximately 300 Ft. x 177 Ft. The boat launch and access area will impact the floodway of the West Branch of the Susquehanna River. The Susquehanna River is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. The boat launch project will not impact any wetlands.

This permit also includes 401 Water Quality Certification.

E60-223. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project, Union Township, **Union County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 53' 23"; W: -76° 50' 35").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. The project has been divided into two sections for final design and construction purposes. The Southern Section starts at the Selinsgrove Bypass and continues to just south of SR 1022, County Line Road. The Northern Section starts at SR 1022, crosses the West Branch of the Susquehanna River near Winfield and continues north to SR 147.

The project is divided into counties for permitting. The CSVT project will include the following impacts in Union County:

1. 18 inch pipe outfall into wetland PJD-093.
2. 24 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 37).
3. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).
4. 60 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).
5. 36 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).
6. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).
7. 10 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 36).
8. River Bridge Piers 5, 6, 7, 8, 9 (approximately 60 Ft. x 45 Ft.) in the Floodway of the Susquehanna River.
9. River Bridge Piers 2, 3, 4 (approximately 60 Ft. x 45 Ft.) in the Floodplain of the Susquehanna River.
10. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 36). Approximate dimensions 1,775 Ft long, 120 Ft high and 50 wide.
11. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 37). Approximate dimensions 80 Ft long, 13 Ft high and 50 wide.
12. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 45). Approximate dimensions 1,091 Ft long, 45 Ft high and 50 wide.
13. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 46). Approximate dimensions 1,556 Ft long, 65 Ft high, and 50 wide.

14. A 596 Ft. long, 36 inch diameter stream enclosure in an Unnamed Tributary (Channel 45) to the Susquehanna River.

15. A 1,556 Ft. long, 36 inch diameter stream enclosure in an Unnamed Tributary (Channel 46) to the Susquehanna River.

16. A 1,436 Ft., 36 inch diameter stream enclosure in an Unnamed Tributary (Channel 36) to the Susquehanna River.

17. An 80 Ft. long, 42 inch Stream Crossing in an Unnamed Tributary (Channel 37) to the Susquehanna River.

18. An Unnamed Tributary to the Susquehanna River (Channel 36) channel modification that includes approximately 295 of channel fill.

19. An Unnamed Tributary to the Susquehanna River (Channel 45) channel modification that includes approximately 495 of channel fill.

20. A total of 0.83 acre of temporary and 0.51 acre of permanent wetland impact.

The project impacts are primarily due to the roadway fill slopes required to support the proposed roadway. The project will be mitigated through the Center and Vargo wetland banks. The Unnamed Tributaries to the Susquehanna River are classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. This permit also includes 401 Water Quality Certification.

E55-230. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project, Monroe Township, **Snyder County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 52' 54"; W: -76° 50' 36").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. The project has been divided into two sections for final design and construction purposes. The Southern Section starts at the Selinsgrove Bypass and continues to just south of SR 1022, County Line Road. The Northern Section starts at SR 1022, crosses the West Branch of the Susquehanna River near Winfield and continues north to SR 147.

The project is divided into counties for permitting. The CSVT project will include the following impacts in Snyder County:

1. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 08) at Station 226+15.
2. 18 inch pipe outfall into an Unnamed Tributary to the Susquehanna River (Channel 08) at Station 221+95.
3. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 08). Approximate dimensions 905 Ft long, 65 Ft high, and 50 wide.
4. An Unnamed Tributary to the Susquehanna River (Channel 08) channel modification that includes approximately 240 of channel fill at Station 846+75.
5. A 60 inch diameter stream enclosure in an Unnamed Tributary (Channel 08) to the Susquehanna River at Station 846+75. The stream enclosure is approximately 372 Ft. long.
6. A total of 0.16 acre of permanent wetland impact.

The project impacts are primarily due to the roadway fill slopes required to support the proposed roadway. The project will be mitigated through the Center and Vargo wetland banks. The Unnamed Tributary to the Susquehanna River (Channel 08) is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. This permit also includes 401 Water Quality Certification.

E49-333. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0015 Section 088, Central Susquehanna Valley Transportation (CSVT) Project, West Chillisquaque and Point Townships, **Northumberland County**, Baltimore ACOE (Northumberland, PA Quadrangle N: 40° 54' 12"; W: -76° 50' 07").

The Central Susquehanna Valley Transportation (CSVT) Project is a four lane limited access freeway that will connect the end of the Selinsgrove Bypass (US Routes 11 & 15) in Snyder County to the southern end of the SR 147 freeway in Northumberland County. The project has been divided into two sections for final design and construction purposes. The Southern Section starts at the Selinsgrove Bypass and continues to just south of SR 1022, County Line Road. The Northern Section starts at SR 1022, crosses the West Branch of the Susquehanna River near Winfield and continues north to SR 147.

The project is divided into counties for permitting. The CSVT project will include the following impacts in Northumberland County:

1. 18 inch pipe outfall into Chillisquaque Creek.
2. 24 inch pipe outfall into Chillisquaque Creek.
3. 30 inch pipe outfall into Chillisquaque Creek.
4. 10 inch pipe outfall into (Channel 40).
5. 36 inch pipe outfall into (Channel 40).
6. 36 inch pipe outfall into (Channel 42).
7. 10 inch pipe outfall into (Channel 39).
8. 10 inch pipe outfall into (Channel 39).
9. 10 inch pipe outfall into (Channel 39).
10. 10 inch pipe outfall into (Channel 40).
11. 18 inch pipe outfall into (Channel 41).
12. 18 inch pipe outfall into (Channel 42).
13. 10 inch pipe outfall into (Channel 42).
14. 66 inch pipe outfall into (Channel 43).
15. 24 inch pipe outfall into (Channel 43).
16. A 420 Ft. long, 48 inch Stream Enclosure in an Unnamed Tributary (Channel 40) to the Susquehanna River.
17. A 214 Ft. long, 60 inch Stream Enclosure in an Unnamed Tributary (Channel 40) to the Susquehanna River.
18. A 600 Ft. long 66 inch Stream Enclosure in an Unnamed Tributary (Channel 43) to the Susquehanna River.
19. A 60 Ft. long, 54 inch Stream Crossing in an Unnamed Tributary (Channel 42) to the Susquehanna River.
20. An 890 Ft. long, 11 Ft. x 8 Ft. Culvert in an Unnamed Tributary (Channel 39) to the Susquehanna River.

21. 303 Ft of channel relocation in an Unnamed Tributary (Channel 42) to the Susquehanna River.

22. Fill in the Floodway of an Unnamed Tributary to Chillisquaque Creek (Channel 52). Approximate dimensions 1,138 Ft long, 18 Ft high and 50 wide.

23. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 43). Approximate dimensions 864 Ft long, 58 Ft high and 50 wide.

24. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 42). Approximate dimensions 850 Ft long, 72 Ft high and 50 wide.

25. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 41). Approximate dimensions 110 Ft long, 12 Ft high and 50 wide.

26. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 40). Approximate dimensions 818 Ft long, 21 Ft high and 50 wide.

27. Fill in the Floodway of an Unnamed Tributary to the Susquehanna River (Channel 39). Approximate dimensions 935 Ft long, 81 Ft high and 50 wide.

28. Fill in the Floodplain of Chillisquaque Creek (Channel 44). Approximate dimensions 390 Ft long, 8 Ft high and 30 wide.

29. River Bridge Piers 16, 17, 18, 19 (approximately 60 Ft. x 45 Ft.) in the Floodplain of the Susquehanna River

30. River Bridge Piers 10, 11, 12, 13, 14, 15 (approximately 60 Ft. x 26 Ft.) in the Channel of the Susquehanna River

31. River Bridge Total of 22 Spans over the Susquehanna River.

32. Three Span Steel Bridge over Chillisquaque Creek, Approximately 28 Ft. x 39 Ft.

33. An Unnamed Tributary to the Susquehanna River (Channel 42) channel modification that includes approximately 487 of channel fill.

34. An Unnamed Tributary to the Susquehanna River (Channel 40) channel modification that includes approximately 593 of channel fill.

35. An Unnamed Tributary to the Chillisquaque Creek (Channel 52) channel modification that includes approximately 1138 of channel fill.

36. A total of 0.32 acre of temporary and 1.01 acre of permanent wetland impact.

The project will utilize a phased half width causeway. The project impacts are primarily due to the roadway fill slopes required to support the proposed roadway. The project will be mitigated through the Center and Vargo wetland banks. The Unnamed Tributaries to the Susquehanna River are classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. This permit also includes 401 Water Quality Certification.

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

E02-1703. Speedway, LLC, 500 Speedway Drive, Enon, PA 45323; Municipality of Monroeville, **Allegheny County**; ACOE Pittsburgh District

Has been given consent to construct, operate, and maintain a 60.0 foot long box culvert having a span of 19.5 feet and a minimum underclearance of 3.5 feet, with

a drainage area of 1.3 square miles, in and across the channel of an unnamed tributary to Turtle Creek (WWF), for the purpose of providing access to a Speedway Gas Station; to construct, operate, and maintain a 6-inch diameter sewer line under the bed and across the channel of Turtle Creek (WWF), and to construct, operate, and maintain an 18-inch diameter outfall structure on the right downstream wingwall of the proposed culvert. The project is located approximately 400 feet northwest of the intersection of State Routes 48 and 130 (Braddock, PA USGS Topographic Quadrangle, N: 4.5 inches; W: 2.5 inches; Latitude: 40° 23' 55.02"; Longitude: -79° 46' 06.31"), in the Municipality of Monroeville, Allegheny County.

E02-1707. Kratsa Properties, 1025 William Pitt Way, Pittsburgh, PA 15238; Harmar Township, **Allegheny County**; ACOE Pittsburgh District

Has been given consent to place and maintain fill in 0.15 acre of PEM wetlands for the purpose of constructing the Shults Ford Harmarville Dealership. As mitigation for the wetland impacts, permittee paid into the Pennsylvania Wetland Replacement Fund. The project is located on the west side of Gulf Lab Road, approximately 700 feet northeast from the intersection of Gulf Lab Road and Church Road (Old Route 910) (USGS New Kensington West, PA topographic quadrangle; Latitude: 40° 32' 27"; Longitude: -79° 50' 18"), in Harmar Township, Allegheny County.

E63-658. National Fuel Gas Supply Corporation, 1100 State Street, Erie, PA 16501-1912; Robinson Township, **Washington County**; ACOE Pittsburgh District

Has been given consent to construct and maintain a 24-inch diameter natural gas pipeline in approximately 0.16 acre of a wetland within Bigger Run watershed (WWF), as part of the approximately 23 mile long, multi-county, West Side Expansion and Modernization Project (Clinton, PA USGS topographic quadrangle; Lat: 40° 27' 24.58"; Long: -80° 20' 24.95"), Robinson Township, Washington County. This project will also include thirty-four (34) utility line stream crossings and thirty-three (33) temporary road crossings, in Mount Pleasant, Robinson and Smith Townships that will be constructed in accordance with the terms and conditions of General Permit No. 5 (GP-5), regarding utility line stream crossings and General Permit No. 8 (GP-8), regarding temporary road crossings respectively. These structures will cumulatively affect 1,227' of watercourses (including unnamed tributaries (UNTs) of Cross Creek (HQ-CWF), Burgetts Fork and associated UNTs (WWF), Raccoon Creek and associated UNTs (WWF), Little Raccoon Run and associated UNTs, Saint Patrick Run and associated UNTs (WWF) and Bigger Run and associated UNTs (WWF), and 0.17 acre of wetlands. This project will also temporarily affect 1,807' of watercourses and 0.76 acre of wetlands in Washington County. Mitigation for the impacts to the affected watercourses and wetlands will primarily consist of restoring original grades and revegetating, after construction. This 24-inch natural gas pipeline will be installed within a 75' right-of-way, alongside the existing Line N 20-inch diameter pipeline, at an approximately 25' offset. This existing 20-inch pipeline will be operated and maintained for future use as a transmission or gathering pipeline. As compensatory mitigation for permanent wetland conversion, 1.319 acre of PFO wetlands, and 0.371 acre of PEM wetlands will be enhanced with vegetation plantings, and protected by a

conservation easement at two areas located in Cross Creek Township, in Washington County, PA at 906 Avella Road, Avella, PA 15312 (40° 15' 47.6", -80° 25' 58.4"). 490 linear feet of unnamed tributaries South Fork of Cross Creek (HQ-WWF) are also included in this easement area.

E63-661. Peters Township Sanitary Authority, 111 Bell Drive, McMurray, PA 15317-3415; Peters Township, Washington County; ACOE Pittsburgh District

Has been given consent to remove select facilities at the existing Donaldson's Crossroads Water Pollution Control Plant (WPCP), and to construct, operate and maintain:

1. New WPCP facilities within the floodplain of Little Chartiers Creek (WWF), consisting of a new headworks building, two aeration tanks, two digesters, three clarifiers, two chlorine contact tanks, an effluent pumping station, control and process buildings, biofilter, utility lines, and other support structures and appurtenances;

2. A garage within the floodplain of Little Chartiers Creek;

3. Perform site grading, including the placement and maintenance of fill within the floodplain;

4. A 42" PE pipe, effluent utility line crossing of an unnamed tributary (UNT) to Little Chartiers Creek (WWF);

5. A 24" DIP, raw water utility line crossing (replacement of existing 12" line) of the same UNT;

6. A new outfall structure (to replace an existing structure) within Little Chartiers Creek;

7. Stormwater management facilities, including outfall structures, along the UNT and/or within the floodplain of the UNT and Little Chartiers Creek;

For the purpose of improving sewage treatment within the Donaldson's Crossroads service area, and to potentially accommodate the Lehner Lakes service area. The project will affect approximately 60 lf of watercourse. The project is located near the intersection of Oakwood Road and West McMurray Road (SR 1002), in Peters Township, Washington County (Canonsburg, PA USGS topographic quadrangle; Latitude: 40° 16' 37.08"; Longitude: -80° 8' 15.62"; Sub-basin: 20F; USACE Pittsburgh District).

E65-967. Western Westmoreland Municipal Authority, 12441 Route 993, North Huntingdon, PA 15642; North Huntingdon Township, Westmoreland County; ACOE Pittsburgh District

Has been given consent to construct and maintain an interceptor replacement project in three phases:

1. Place and maintain fill in and along the floodplain of Brush Creek to provide access to a storage tank and to construct and maintain a new headwall, resulting in 30 linear feet of stream impacts to Brush Creek.

2. Replace and maintain the existing Brush Creek interceptor, with a new utility line, with diameter varying from 18" to 48"; this will require nineteen (19) utility line stream crossings and six (6) wetland crossings, resulting in 11,586 linear feet of stream impacts and 0.490 acre of wetland impacts.

3. Replace and maintain the Bushy Run, Paintertown, and Manor interceptors; this will require twenty-seven (27) utility line stream crossings and thirteen (13) wetland crossings in Manor Borough, North Huntingdon, and

Penn Townships that will be constructed in accordance with the terms and conditions of General Permit No. 5 (GP-5), regarding utility line stream crossings.

These structures will cumulatively affect 16,974 linear feet of watercourses (including the aforementioned streams) (including Coal Run (TSF), Bushy Run (TSF), and Brush Creek (TSF) and 1.076 acre of wetlands (including the aforementioned wetlands). Mitigation for the impacts to the affected watercourses and wetlands will primarily consist of restoring original grades and revegetating, after construction. The project is located in North Huntingdon and Penn Townships and Irwin, North Irwin, and Manor Boroughs. The project starts where State Route 993 junctions with Sandy Hill Road (Irwin, PA USGS topographic quadrangle N: 15.6 inches; W: 6.4 inches, Latitude: 40° 20' 9"; Longitude: 79° 40' 16") in Manor Borough, Westmoreland County. The project ends approximately 1,000 feet downstream of the footbridge over Brush Creek in the Village of Larimer in North Huntingdon Township, Westmoreland County (Irwin, PA USGS topographic quadrangle N: 17.5 inches; W: 14.6 inches, Latitude: 40° 20' 46"; Longitude: 79° 43' 49").

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, 16335.

E43-361, American Transmission Systems, Inc., 800 Cabin Hill Drive, Greensburg, PA 15601. ACOE Pittsburgh District

To permanently fill 0.72 acre of wetland, permanently impact 0.01 acre of the floodway of a tributary to Wolf Creek for the installation of 2 rip-rap stormwater outfalls, and to temporarily impact 25 feet of the channel of a tributary to Wolf Creek and 0.24 acre of floodway of a tributary to Wolf Creek for construction access for the expansion of an existing electric substation located along Route 173 approximately 3,000 feet south of Route 58 (Grove City, PA Quadrangle N: 41°, 08', 48"; W: 80°, 04', 51")

Mitigation for project impacts is through a combination of wetland re-establishment, enhancement, and protection on a 1.5 acre site located along St. John's Road (Fredonia, PA Quadrangle N: 41°, 19', 57.6"; W: 80°, 17', 11") in Delaware Township, Mercer County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free

pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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>
ESG00003140001-1	Sunoco Pipeline, LP 525 Fritztown Road Sinking Spring, PA 19608	Allegheny	O'Hara Township, Penn Township, and Blawnox Borough	Allegheny River (WWF-N)
ESG000211500002	Texas Eastern Transmission, LP 5400 Westheimer Court, 5B-44 Houston, TX 77056	Cambria	Munster Township	Noels Creek (HQ-CWF) and North Branch of Little Conemaugh River (WWF)
ESG00125140003	Columbia Gas Transmission, LLC 1700 MacCorkle Avenue, SE Charleston, WV 25314	Washington	West Finley Township	Spottedtail Run (WWF), Robinson Fork (WWF), and Enlow Fork (TSF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESX14-073-0023 Pulaski-Varano Well Pad
Applicant Hilcorp Energy Company
Contact Stephanie McMurray
Address 1201 Louisiana Street, Suite 1400
City Houston State TX Zip Code 77002
County Lawrence Township(s) Pulaski(s)
Receiving Stream(s) and Classification(s) UNT to Deer
Creek (WWF)/Deer Creek (WWF)

ESCGP-2 #ESX15-019-0004—Sharlow to Reno Pipeline
Applicant Markwest Liberty Bluestone LLC
Contact Richard Lowry
Address 4600 J Barry Court, Suite 500
City Canonsburg State PA Zip Code 15317
County Butler Township(s) Penn & Middlesex(s)
Receiving Stream(s) and Classification(s) UNT to Robin-
son Run (CWF), UNT's to Thorn Creek (CWF), UNT's
to Glade Run (WWF), UNT's to Davis Run/
Connoquenessing Creek

*Eastern Region: Oil & Gas Management Program Man-
ager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX10-023-0001(01)
Applicant Name Sampson Exploration LLC
Contact Person Stephen R Trujillo
Address 110 W 7th St, Suite 2000
City, State, Zip Tulsa, OK 74119
County Cameron
Township(s) Shippen
Receiving Stream(s) and Classification(s) Miller Hollow
(CWF, MF) Sinnemahoning Creek Watershed
Secondary—Portable Run (EV)

ESCGP-2 # ESX29-117-15-0013
Applicant Name SWEPI LP
Contact Person Timothy Smith
Address 2100 Georgetown Dr, Suite 400
City, State, Zip Sewickley, PA 15143
County Tioga
Township(s) Deerfield & Osceola
Receiving Stream(s) and Classification(s) Trib to Windfall
Brook and Yarnell Brook (WWF, MF)
Secondary—Cowanesque River

ESCGP-2 # ESX29-117-15-0014
Applicant Name SWN Production Co LLC
Contact Person Jeff Whitehair
Address 917 SR 92 N
City, State, Zip Tunkhannock, PA 18657
County Tioga
Township(s) Hamilton
Receiving Stream(s) and Classification(s) Tioga River
(CWF, MF)
Secondary—Chemung River (WWF, MF)

ESCGP-2 # ESX29-081-15-0007
Applicant Name Regency Marcellus Gas Gathering LLC
Contact Person Kevin Roberts
Address 101 W Third St
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Lewis
Receiving Stream(s) and Classification(s) UNT to Trout
Run (HQ-CWF); UNTs to Wolf Run (HW-CWF); Wolf
Run (HQ-CWF)
Secondary—Lycoming Creek (EV, MF)

ESCGP-2 # ESG29-113-15-0003
Applicant Name Appalachia Midstream Services LLC
Contact Person Randy DeLaune
Address 400 1st Center
City, State, Zip Horseheads, NY 14845-1015
County Sullivan
Township(s) Fox
Receiving Stream(s) and Classification(s) Hoagland
Branch (EV); Trib 20083 to Hoagland Branch (EV);
Porter Creek (EV); Trib 20070 to Porter Creek (EV)
Waterhsheds—Hoagland Branch, Porter Creek
Secondary—Elk Creek

ESCGP-2 # ESG29-115-15-0015
Applicant Name Cabot Oil & Gas Corp
Contact Person Kenneth Marcum
Address Five Penn Center West, Suite 401
City, State, Zip Pittsburgh, PA 15276
County Susquehanna
Township(s) Gibson
Receiving Stream(s) and Classification(s) UNT to
Tunkhannock Creek #8911 (CWF, MF) UNT to
Tunkhannock Creek #8912 (CWF, MF)

ESCGP-2 # ESG29-117-15-0011

Applicant Name SWN Production Co LLC
 Contact Person Jeff Whitehair
 Address 917 SR 92 N
 City, State, Zip Tunkhannock, PA 18657
 County Tioga
 Township(s) Morris
 Receiving Stream(s) and Classification(s) Babb Creek
 (CWF/MF, EV); Dixey Run (EV)
 Secondary—Pine Creek (HQ—TSF/MF, EV)

ESCGP-2 # ESX29-115-15-0017

Applicant Name Williams Field Services Co LLC Contact
 Person Sandra Lojek
 Address 2000 Commerce Dr
 City, State, Zip Pittsburgh, PA 15275
 County Susquehanna
 Township(s) Harford
 Receiving Stream(s) and Classification(s) UNT to Butler
 Creek #79996, #35424, #7573, and #36619 (CWF-MF);
 Butler Creek #7506 (CWF-MF); UNT to Nine Partners
 Creek #40440 (CWF-MF); Nine Partners Creek #1051
 (CW-MF)

ESCGP-2 # ESX29-115-14-0056(01)

Applicant Name Williams Field Services Co LLC
 Contact Person Julie Nicholas
 Address 310 SR 29 N
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Middletown
 Receiving Stream(s) and Classification(s) North Branch
 Wyalusing Creek (CWF)
 Secondary—Susquehanna River

ESCGP-2 # ESX29-117-15-0015

Applicant Name SWEPI LP
 Contact Person Jason Shoemaker
 Address 2100 Georgetown Dr, Suite 400
 City, State, Zip Sewickley, PA 15143
 County Tioga
 Township(s) Middlebury
 Receiving Stream(s) and Classification(s) UNT to Crooked
 Creek (WWF, MF)
 Secondary—Crooked Creek

*Southwest Region: Oil & Gas Program Mgr., 400 Water-
 front Dr., Pittsburgh, PA*

ESCGP-2 No.: ESX14-059-0068

Applicant Name: CONE Gathering LLC
 Contact Person Carol Phillips
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township: Richhill
 Receiving Stream(s) and Classifications: Tributaries to
 Dunkard Fork, Dunkard Fork, Tributaries to Wharton
 Run, Wharton Run, Tributaries to Chaney Run, Chaney
 Run/Ohio River Watershed; Other WWF

ESCGP-2 No.: ESG14-125-0070

Applicant Name: NiSource Midstream Services LLC
 Contact Person: Farrah Lowe
 Address: 5151 San Felipe Suite 2500
 City: Houston State: TX Zip Code: 77056
 County: Washington Township(s): N. Strabane & S
 Strabane Twp
 Receiving Stream(s) and Classifications: Little Chartiers
 Creek HQ-WWF; UNTs to Little Chartiers Creek
 HQ-WWF; Chartiers Creek WWF; UNTs to
 Chartiers Creek

ESCGP-2 No.: ESX14-059-0099

Applicant Name: CONE Gathering LLC
 Contact Person: Carol Phillips
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Morris, Richhill
 Receiving Stream(s) and Classifications: 2 UNTs to
 Enlow Fork/Ohio River; Other (WWF) Warm Water
 Fishes, (TSF) Trout Stocked Fishes

ESCGP-2 No.: ESX15-003-0002

Applicant Name: EQT Production Land PA
 Contact Person: Todd Klaner
 Address: 2400 Zenith Ridge Road Suite 200
 City: Canonsburg State: PA Zip Code: 15317
 County: Allegheny Township(s): Elizabeth
 Receiving Stream(s) and Classifications: UNT to Douglass
 Run/Lower Youghiogheny River Watershed & UNT to
 Wylie Run/Middle Monongahela River Watershed;
 Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX14-125-0074

Applicant Name: EQT Production Company
 Contact Person: Todd Klaner
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 COUNTY Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: UNT to Tenmile
 Creek, Tenmile Creek, Smith Run; Other TSF

ESCGP-2 No.: ESX15-125-0017

Applicant Name: Rice Poseidon Midstream LLC
 Contact Person: Kyle Shirey
 Address: 400 Woodcliff Drive
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Somerset and West
 Pike Run
 Receiving Stream(s) and Classifications: 4 UNTs to
 Pigeon Creek and 1 UNT to Pine Run/Tenmile Creek;
 Other (WWF) Warm Water Fishes, (TSF) Trout Stock
 Fishes

ESCGP-2 No.: ESX09-005-0006 Renewal

Applicant Name: EXCO Resources (PA) LLC
 Contact Person: Brian Rushe
 Address: 260 Executive Drive Suite 100
 City: Cranberry State: PA Zip Code 16066
 County: Armstrong Township(s): Manor
 Receiving Stream(s) and Classifications: UNT to Camp-
 bell Run; Other WWF

ESCGP-2 No.: ESG14-059-0094

Applicant Name: CONE Gathering LLC
 Contact Person: Carol Phillips
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Center
 Receiving Stream(s) and Classifications: UNTs to Grays
 Fork and Maranda Run/Ohio River Watershed; HQ;
 Other WWF

ESCGP-2 No.: ESX14-125-0036

Applicant Name: Range Resources Appalachia LLC
 Contact Person: Glenn D Truzzi
 Address: 3000 Town Center Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Chartiers
 Receiving Stream(s) and Classifications: UNT to
 Chartiers Creek/Chartiers Creek Watershed; Other
 WWF; Siltation-Impaired

ESCGP-2 NO.: ESG15-129-0001
 Applicant Name: Apex Energy LLC
 CONTACT PERSON: Ed Long
 ADDRESS: 6041 Wallace Road Extension Suite 100
 City: Wexford State: PA Zip Code: 15090
 County: Westmoreland Township(s): Salem
 Receiving Stream(s) and Classifications: UNT to Beaver
 Run (HQ-CWF)/Kiskiminetas River (WWF); HQ; Other
 CWF; Siltation-Impaired

ESCGP-2 NO.: ESX15-051-0004
 Applicant Name: Chevron Appalachia LLC
 Contact: Alex Genovese
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Fayette Township(s): Washington & Perry Twps
 Receiving Stream(s) and Classifications: UNTs to Mill
 Run/Middle Monongahela River Watershed; Other
 WWF; Siltation-Impaired

SPECIAL NOTICES

Minor State Only Operating Permit Renewal

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief of Source Registration at 215-685-9426.

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

S14-014: General Services Administration William J. Green Jr. Federal Building. (600 Arch Street, Philadelphia, PA 19106) for the operation of a federal building in the City of Philadelphia, **Philadelphia County**. The synthetic minor emission sources include three (3) 16.329 MMBTUs/hr boilers that burn natural gas and No. 2 fuel oil, three (3) 118 HP hot water heaters that burn natural gas, one (1) 746 kW and one (1) 175 kW emergency diesel generator and one (1) 650 HP natural gas emergency generator.

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

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

Minor State Only Operating Permit Renewal

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

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

S14-012: RR Donnelley Philadelphia Plant (9985 Gantry Road, Philadelphia, PA 19115) For the offset lithographic printing facility in the City of Philadelphia, **Philadelphia County**. The synthetic minor facilities emission sources include six non-heatset offset sheetfed lithographic printing presses.

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

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

[Pa.B. Doc. No. 15-959. Filed for public inspection May 22, 2015, 9:00 a.m.]

Bid Opportunity

OSM 11(3575)101.1, Abandoned Mine Reclamation Project, Swedetown, Elder Township, Cambria County. The principal items of work and approximate quantities include mobilization and demobilization, implementation of the erosion and sedimentation control plan, grading 39,096 cubic yards, seeding—Site A, Swedetown 3.7 acres and seeding—Site B, Allport, 3.7 acres. This bid issues on May 22, 2015, and bids will be opened on June 16, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by The Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-960. Filed for public inspection May 22, 2015, 9:00 a.m.]

Bid Opportunity

OOGM 15-5, Cleaning Out and Plugging One Abandoned Oil and Gas Well (Clarion County Commissioners Office, c/o Butch Campbell Property), Clarion Borough, Clarion County. The principal items of work and approximate quantities are to clean out and plug one abandoned oil and gas well, estimated to be 2,500 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well site; and to mobilize and demobilize plugging equipment. This project issues on May 22, 2015, and bids will be opened

on June 16, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held on May 29, 2015, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-961. Filed for public inspection May 22, 2015, 9:00 a.m.]

Federal Consistency under the Coastal Zone Management Act; Spring Garden Street Waterfront Rehabilitation Project

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that the Delaware River Waterfront Corporation (DRWC) is proposing the Spring Garden Street Waterfront Rehabilitation Project.

The DRWC is seeking authorization from the United States Army Corps of Engineers (CENAP-OP-R-2014-280) to demolish 160 feet of the Festival Pier and 284 feet of the Spring Garden Street Pier located at the intersection of Spring Garden Street and Columbus Boulevard in Philadelphia. The demolished area is proposed to be converted into an enhanced mitigation area for underwater habitat. The DRWC intends to develop the remaining existing piers for mixed-use development, including a combination of public, residential, commercial and retail spaces to be surrounded on three sides by the Delaware River. This project is also being authorized by the Department under Water Obstruction and Encroachment Permit E51-267.

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the DRWC has determined that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, (717) 772-2196, RA-Fed_Consistency@pa.gov.

The Department will consider all comments received on or before June 15, 2015, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Matthew Walderon, Department of Envi-

ronmental Protection, Interstate Waters Office, 400 Market Street, P. O. Box 8465, Harrisburg, PA 17101-8465, RA-Fed_Consistency@pa.gov.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-962. Filed for public inspection May 22, 2015, 9:00 a.m.]

Small Water Systems Technical Assistance Center Board Additional Meeting

An additional meeting of the Small Water Systems Technical Assistance Center Board will be held on June 16, 2015, at 9 a.m. in Susquehanna Rooms A and B of the Department of Environmental Protection's (Department) Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

Questions concerning the meeting should be directed to Tom Fridirici, (717) 787-2172, hfridirici@pa.gov. The agenda and meeting materials for the June 16, 2015, meeting will be available through the Public Participation Center on the Department's web site at www.dep.state.pa.us (Select "Public Participation Center," then "Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department (717) 783-2360 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-963. Filed for public inspection May 22, 2015, 9:00 a.m.]

Solid Waste Advisory Committee Meeting Cancellation

The Solid Waste Advisory Committee (Committee) meeting scheduled for Thursday, June 4, 2015, has been cancelled. The next Committee meeting is scheduled for Thursday, September 24, 2015, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the next meeting of the Committee should be directed to Keith Ashley, (717) 787-2553, riashley@pa.gov. The agenda and meeting materials for the September 24, 2015, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (Select "Public Participation Center," then "Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-964. Filed for public inspection May 22, 2015, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Office Space to the Commonwealth Lancaster County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Human Services with 13,620 usable square feet of office space in Lancaster County. Downtown locations will be considered. For more information on SFP No. 94730, which is due on Friday, June 12, 2015, visit www.dgs.state.pa.us or contact Tracy Runkle, Bureau of Real Estate, (717) 787-4394, trunkle@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 15-965. Filed for public inspection May 22, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Geisinger Medical Center, Geisinger Outpatient Surgery—Woodbine for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center, Geisinger Outpatient Surgery—Woodbine has requested exceptions to the requirements of 28 Pa. Code §§ 51.31 and 51.32 (relating to principle; and exceptions for innovative programs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-966. Filed for public inspection May 22, 2015, 9:00 a.m.]

Application of Twin Rivers Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Twin Rivers Endoscopy Center has requested an exception to the requirements of subparagraph (ii) of the definition of "classification levels" in 28 Pa. Code § 551.3 (relating to definitions), regarding Class B facilities and PS III patients.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-967. Filed for public inspection May 22, 2015, 9:00 a.m.]

Application of UPMC Hamot for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Hamot has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 2.1-8.5.3.2 and 2.1-8.5.3.3(2) (relating to size; and location and access requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-968. Filed for public inspection May 22, 2015, 9:00 a.m.]

Laboratories Approved to Determine Blood Alcohol Content under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code; Corrective Update to 2014 Notice

The Department of Health (Department) approves laboratories to perform alcohol analyses of blood, serum or plasma under The Clinical Laboratory Act (35 P.S. §§ 2151—2165) and 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content). Approval is based on demonstrated proficiency by the laboratories in periodic tests conducted by the Department's Bureau of Laboratories. Laboratories also are approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in serum, plasma or blood.

In its notice of laboratories approved to determine blood alcohol content published at 44 Pa.B. 110 (January 4, 2014), the Department inadvertently failed to list the following laboratory that is approved to perform alcohol analyses for serum, plasma and blood:

00671
ALLEGHENY COUNTY MED EX DIV OF LABS—SB
1520 PENN AVENUE, 2ND FLOOR
PITTSBURGH, PA 15222
(412) 350-4425

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Dr. James R. Lute, Bureau of Laboratories, 100 Pickering Way, Exton, PA 19341-1310, (610) 280-3463. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-969. Filed for public inspection May 22, 2015, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Foulkeways at Gwynedd
1120 Meetinghouse Road
Gwynedd, PA 19436
FAC ID # 060902

Penn Hall at Menno Haven
1425 Philadelphia Avenue
Chambersburg, PA 17201
FAC ID # 064902

Quincy Retirement Community
6596 Orphanage Road
P. O. Box 217
Quincy, PA 17247
FAC ID # 170202

Westminster Woods at Huntingdon
360 Westminster Drive
Huntingdon, PA 16652
FAC ID # 077502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Milford Senior Care and Rehabilitation Center
246 Routes 6 and 209
Milford, PA 18337
FAC ID # 133602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-970. Filed for public inspection May 22, 2015, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Automated Red Light Enforcement Transportation Enhancement Grants Program Applications

Under 67 Pa. Code Chapter 233 (relating to transportation enhancement grants automated red light enforcement system revenues), the Department of Transportation (Department) is inviting city, county and municipal governments and other local boards or bodies with authority to enact laws relating to traffic in this Commonwealth to submit applications in accordance with the parameters delineated in 67 Pa. Code Chapter 233. Applications will be accepted from June 1, 2015, to June 30, 2015.

The online application is available at https://www.dot34.state.pa.us/ARLE/Module/PADOT/BOMO_Default.aspx.

Additional guidance and information can be found on the Department's Traffic Signal Resource Portal at www.dot.state.pa.us/signals.

Supporting documents may be submitted to the Department of Transportation, Attention—Transportation Enhancement Grants from Automated Red Light Enforcement System Revenues, Bureau of Program Development and Management, 400 North Street, 6th Floor, Harrisburg, PA 17120.

Questions related to the Automated Red Light Enforcement Transportation Enhancement Grants Program may be directed to Richard N. Roman, PE, Director, Bureau of Maintenance and Operations, 400 North Street, 6th Floor, Harrisburg, PA 17120, (717) 787-6899, ARLE_Grants@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 15-971. Filed for public inspection May 22, 2015, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following is available for sale by the Department.

Granville Township, Mifflin County. The parcel contains approximately 0.265 acre of unimproved land situated on SR 22, Village of Strodes Mills. The estimated fair market value is \$3,000.

Interested persons are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to the Department of

Transportation, Engineering District 2-0, Attn: Right-of-Way, 70 PennDOT Drive, Clearfield, PA 16830.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 15-972. Filed for public inspection May 22, 2015, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

State Route 0322-A01, Tax Map Number 08,015.-055A.-000. This parcel contains approximately 1.8 acres of land situated in Cranberry Township, Venango County. The property will be sold in as is condition. The estimated fair market value of the parcel is \$2,800. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to William G. Petit, District Engineer, Department of Transportation, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 15-973. Filed for public inspection May 22, 2015, 9:00 a.m.]

FISH AND BOAT COMMISSION

Addition to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the addition of one stream section to its list of Class A Wild Trout Streams as set forth at 45 Pa.B. 1042 (February 28, 2015). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 15-974. Filed for public inspection May 22, 2015, 9:00 a.m.]

Classification of Wild Trout Streams; Additions to List

The Fish and Boat Commission (Commission) has approved the addition of 45 waters to its list of wild trout streams as published at 45 Pa.B. 1041 (February 28, 2015). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not

determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission’s Fisheries Management Division maintains the complete list of wild trout streams and it is available on the Commission’s web site at http://www.fish.state.pa.us/trout_repro.htm.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 15-975. Filed for public inspection May 22, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
#57-307	Pennsylvania Public Utility Commission Automatic Adjustment Clauses Related to Electric Default Service 45 Pa.B. 1258 (March 14, 2015)	4/13/15	5/13/15
#57-308	Pennsylvania Public Utility Commission Paper Billing Fees 45 Pa.B. 1264 (March 14, 2015)	4/13/15	5/13/15

**Pennsylvania Public Utility Commission
Regulation #57-307 (IRRC #3088)**

**Automatic Adjustment Clauses Related to
Electric Default Service**

May 13, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the March 14, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

Section 54.190. Universal interest applicable to over collections and under collections resulting from reconciliation of automatic adjustment clauses costs and revenues related to electric default service.—Reasonableness; Economic Impact; Impact on Small Business; Implementation procedure; Clarity.

Subsection (c)

The proposed regulation establishes the prime interest rate to be applied to the reconciliation of over and under collections. In this subsection, the prime interest rate is specified “as reported in the *Wall Street Journal* or other publically available source identified by the Commission.” We have two concerns. First, in support of the phrase “or other publically available source identified by the Commission,” the PUC’s order states it cannot predict whether

the *Wall Street Journal* will continue to be the most appropriate market index for purposes of determining the prime rate of interest, and if the PUC switches to a different index it will properly notify all interested parties. It is not clear what other rate the PUC would contemplate in the future, who would be notified, how notice would be provided or what opportunity there would be for comment prior to the change. Why wouldn’t the PUC’s general powers to rescind and modify regulations under 66 Pa.C.S.A. §§ 501(a) and (b) be sufficient? The PUC could then rescind the regulation and modify it by a rulemaking with review by the public, utilities, legislature and this commission. For these reasons, we recommend deleting the phrase “or other publically available source identified by the Commission.” Alternatively, the PUC should explain and support the need for the phrase and how changing the interest rate outside of the rule-making process is in the public interest.

Second, if the PUC maintains the phrase, the language of the proposed regulation would permit a utility to choose between the *Wall Street Journal* rate “or” the new rate identified by the PUC. We recommend that the PUC clarify the language of the regulation to specify which rate must be used by the utility should the PUC specify a source other than the *Wall Street Journal*.

Reliance on the prime rate of interest

First Energy observed that while the prime rate of interest recently has been low, it was as high as 21.5% in the 1970s and 1980s. First Energy recommends an “escape hatch” so that customers are not exposed to significant swings in interest rates and also recommends simply

using the current legal interest rate of 6%. We recognize that 52 Pa. Code § 54.187(g) of the existing regulation relies on “the legal rate of interest,” so the PUC has experience with using the legal rate of interest. The PUC should explain why the regulation’s reliance on the prime rate of interest is the best alternative.

Implementation of the new interest charge computation

PECO commented that its currently approved default service plan runs into the year 2017 and would potentially conflict with a finalized regulation until PECO could accommodate the change in its next default service plan. First Energy requests that the PUC allow them to maintain the interest charge calculation specified in its tariffs until the process in the proposed regulation can be adequately transitioned, reviewed and audited. In the final rulemaking, the PUC should explain how the implementation timeline of the new requirements is reasonable.

**Pennsylvania Public Utility Commission
Regulation #57-308 (IRRC #3087)**

**Paper Billing Fees
May 13, 2015**

We submit for your consideration the following comments on the proposed rulemaking published in the March 14, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

1. Citations to statutory authority.—Clarity and lack of ambiguity.

When reviewing a regulation, and as required by the Regulatory Review Act (71 P. S. §§ 745.1—745.14), this Commission must first and foremost determine whether the agency has the statutory authority to promulgate the regulation and whether the regulation conforms to the intention of the General Assembly. (71 P. S. § 745.5b.) In response to question #8 of the Regulatory Analysis Form (RAF) submitted with the rulemaking, the PUC has identified several sections of the Public Utility Code and other statutes and regulations to support its statutory authority. However, it is unclear how most of those citations apply to such authority and why they are included. In the Preamble to the final-form regulation, the PUC should explain the applicability of the referenced laws and regulations.

The PUC cites Section 1509 of the Public Utility Code in the Executive Summary as a statutory basis for amending this regulation. The PUC does not list this section in its response to RAF question #8. In order to assist this Commission in determining if the regulation is consistent with the PUC’s statutory authority and intent of the General Assembly, we request the PUC identify the appropriate authority and include those citations in its response to RAF question #8.

2. Section 53.85. Paper billing fees.—Statutory authority; and Reasonableness.

The proposed rulemaking states that “A public utility may not impose a supplemental fee, charge or other rate for furnishing a paper bill or invoice for the services provided by the public utility.” Commentators representing the telecommunications industry questioned the PUC’s statutory authority to preclude them from imposing a supplemental fee for providing paper bills.

We request the PUC clarify its statutory authority for this provision.

3. Miscellaneous clarity.

The PUC explains in the Preamble that the “language and location of the proposed regulation in Subpart C. Fixed Service Utilities shall make the prohibition applicable to all Noncommon carrier public utility industries.” The new language however uses the term “public utility.” The term is not defined either in Title 52 of the Pa. Code or in Chapter 53. The statutory definition of “public utility” includes a common carrier. We believe including a definition for the term “public utility” that excludes common carriers would improve the clarity of the regulation.

RAF Question #12 asks the PUC to compare the proposed rulemaking with those of other states. The PUC responded that “The proposed regulation will prohibit utilities from benefitting from an excessive recovery of these monthly billing costs.” The PUC should include in the final-form regulation a summary of other states’ activities regarding monthly paper billing fees.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-976. Filed for public inspection May 22, 2015, 9:00 a.m.]

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>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
10-193	Department of Health Schedules of Controlled Substances	5/7/15	6/18/15

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-977. Filed for public inspection May 22, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Homestead Insurance Company

Homestead Strategic Holdings, Inc. has filed an application for approval to acquire control of Homestead Insurance Company, a domestic stock casualty insurance company. The filing was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition 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, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-978. Filed for public inspection May 22, 2015, 9:00 a.m.]

Highmark, Inc.; Proposed Rate Increase for Several LTC Forms

Highmark, Inc., doing business as Highmark Blue Shield of PA, is requesting approval to increase the premium an aggregate 7.3% on 510 policyholders of the following individual LTC forms: SPL-336-HMBSA and FSPL-336-HMBSA.

Unless formal administrative action is taken prior to August 6, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-979. Filed for public inspection May 22, 2015, 9:00 a.m.]

Highmark, Inc.; Proposed Rate Increase for Several LTC Forms

Highmark, Inc., doing business as Highmark Blue Cross Blue Shield of PA, is requesting approval to increase the premium an aggregate 7.7% on 460 policyholders of the following individual LTC forms: SPL-336-HMBCBSA and FSPL-336-HMBCBSA.

Unless formal administrative action is taken prior to August 6, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-980. Filed for public inspection May 22, 2015, 9:00 a.m.]

Insurance Coverages or Risks Eligible for Export by the Insurance Commissioner

Under section 1604(2)(ii) of The Insurance Company Law of 1921 (40 P. S. § 991.1604(2)(ii)), the Insurance Commissioner declares the following insurance coverages to be generally unavailable in the authorized market at the present, and thus exportable, and adopts the following export list. Accordingly, for those insurance coverages which are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

Export List

- Amusements
 - Amusement Parks and their Devices
 - Animal Rides
 - Recreational and Sporting Events
 - Special Short Term Events
 - Theatrical Presentations
- Aviation
 - Fixed Base Operations
- Bridge and Tunnel Contractors (liability only)
- Chemical Spray and/or Drift
- Crane and Rigging Contractors (liability and physical damage only)
- Crop Dusters (aircraft liability and aircraft hull coverage only)
- Day Care Centers, including Sexual Abuse Coverage
- Demolition Contractors Liability
- Dog Bite Liability (monoline)
- Firework Sales/Manufacturing
- Flood Insurance
- Fuel and Explosive Haulers (excess auto liability and auto physical damage only)

Guides and Outfitters (liability only)
 Hazardous Waste Haulers (excess auto liability and auto physical damage only)
 Hazardous Waste Storage and Disposal (liability only)
 Hunting Clubs
 Kidnapping, Ransom and Extortion Insurance
 Liquor Liability (monoline)
 Medical Malpractice Liability with or without related General Liability Coverages
 Miscellaneous Errors and Omissions or Professional Liability except architects and engineers, medical malpractice, lawyers, personnel agencies, travel agents, real estate brokers, and insurance agents and brokers
 Nightclubs
 Nursing Home Liability with or without other Affiliated Elder Care Services
 Paint and Coating Manufacturers—Liability
 Pest Control (Exterminators) Liability
 Pollution Liability and/or Environmental Impairment Coverage
 Products Liability (monoline) for the Manufacturing of:
 Aircraft and Component Parts
 Automotive and Component Parts
 Farm and Industrial Equipment
 Firearms
 Medical Equipment
 Petrochemicals
 Pharmaceuticals
 Products Recall (monoline) for the Manufacturing of:
 Aircraft and Component Parts
 Automotive and Component Parts
 Farm and Industrial Equipment
 Firearms
 Medical Equipment
 Petrochemicals
 Pharmaceuticals
 Railroad, including Consultants, Contractors and Suppliers
 Real-Estate Environmental Impairment Coverage
 Security/Detective/Patrol Agencies
 Tattoo Parlors
 Taxicab Liability
 Title Insurance Agents Errors and Omissions
 Vacant Properties

This list become effective on the date of its publication in the *Pennsylvania Bulletin* and supersedes the list published at 44 Pa.B. 2602 (April 26, 2014) and shall remain in effect until superseded by a subsequent list as published in the *Pennsylvania Bulletin*.

Questions regarding the Export List may be directed to Cressinda E. Bybee, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2144, fax (717) 787-8557, cbybee@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-981. Filed for public inspection May 22, 2015, 9:00 a.m.]

MedAmerica Insurance Company; Proposed Rate Increase for Several LTC Forms

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 7.8% on 414 policyholders of the following individual LTC forms: SPL-336 and FSPL-336.

Unless formal administrative action is taken prior to August 6, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-982. Filed for public inspection May 22, 2015, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau; Workers' Compensation Rule Filing; Revised Appeals Procedure and Separate Payroll Records Definition

On May 5, 2015, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) a filing that proposes changes to the appeals procedure outlined in Section 1 Rule XVI of the PCRB's manual (Appeals from Application of the Rating System Procedure) and to introduce the definition of "Separate Payroll Records" in Section 2 of the PCRB's manual. (The changes proposed to the appeals procedure also include a new rule regarding member carrier disputes.)

A copy of the filing is available on the Department's web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on "PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to James Di Santo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jadisanto@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-983. Filed for public inspection May 22, 2015, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice

and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Brenda Kruis; file no. 15-114-182325; Mid-Century Insurance Company; Doc. No. P15-04-023; June 17, 2015, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured

wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-984. Filed for public inspection May 22, 2015, 9:00 a.m.]

MILK MARKETING BOARD

Sunshine Meeting Calendar for Fiscal Year 2015-2016

<i>Date</i>	<i>Room</i>	<i>Time</i>
Wednesday, July 1, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, August 5, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, September 2, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, October 7, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, November 4, 2015	309—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, December 2, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, January 6, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, February 3, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, March 2, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, April 6, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, May 4, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, June 1, 2016	202—Agriculture Building Harrisburg, PA 17110	1 p.m.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 15-985. Filed for public inspection May 22, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 8, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2015-2475767. Express Taxi, LLC (2304 Walnut Street, Harrisburg, PA 17103) for the right, to transport by motor vehicle, from points in the Counties of Berks and Lancaster to points in Pennsylvania, and return. *Attorney:* Justine L. Pate, Esquire, 620 South 13th Street, Harrisburg, PA 17104.

A-2015-2475776. Amigo Cab, LLC (2304 Walnut Street, Harrisburg, PA 17103) for the right, to transport by motor vehicle, from points in the Counties of Berks and Lancaster to points in Pennsylvania, and return. *Attorney:* Justine L. Pate, Esquire, 620 South 13th Street, Harrisburg, PA 17104.

A-2015-2480472. Chambers Transportation, LLC (840 May Hill Road, Columbia Cross Roads, PA 16914) 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 Bradford County, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

A-2015-2473574. Craig Allen Williams t/a Shipman Van Service (727A Tarry Hall Road, Millersburg, Dauphin County, PA 17061) for the right to begin to transport as a common carrier, by motor vehicle, persons in group and party service, in the Counties of Northumberland, Union, Snyder and Dauphin, limited to the use of vehicles seating 11 to 15 passengers, including the driver, excluding service that is under the jurisdiction of the Philadelphia Parking Authority; which is to be a transfer of the rights from A-00123110 issued to Harold Leroy Shipman t/a Shipman Van Service.

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-2015-2480529. Kurtious Moving, LLC (522 East Beaver Street, Bellefonte, PA 16823) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2015-2480918. R & B Movers, LLC (4249 Neilson Street, Philadelphia, PA 19124) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2015-2478422. Mercury Freight, Inc. (1000 Union Street, Taylor, Lackawanna County, PA 18517) discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, household goods in use, from points in the City of Scranton, Lackawanna County, and within an airline distance of 3 statute miles of the limits of said city to other points in Pennsylvania, provided no haul shall exceed a distance of 40 miles from point of origin to point of destination.

A-2015-2480339. Live Life Transportation Club, LLC (704 Webster Hill Road, Lititz, Lancaster County, PA 17543) discontinuance of service and cancellation of its certificate—persons, in paratransit service, from points in Lancaster County, to points in Pennsylvania, and return.

A-2015-2480762. Stewart Bus Line, Inc. (3551 State Route 156, Avonmore, Armstrong County, PA 15618) discontinuance of service and cancellation of its certificate—persons, in paratransit service, between points in the Counties of Indiana and Clearfield, and from points in said counties to points in Pennsylvania, and vice versa.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-986. Filed for public inspection May 22, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 8, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Wanna Cab, Inc.; Docket No. C-2015-2429643

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Wanna Cab, Inc., Respondent, maintains its principal place of business at 306 E. Baltimore Pike, Media, Pennsylvania, 19063.

2. That Respondent was issued a certificate of public convenience by this Commission on February 11, 2010 for taxi authority at Application Docket No. A-00107461.

3. That PUC Enforcement Officer Joseph Ballard attempted to contact Respondent at the address listed in paragraph 1. The address listed did not have a building. Officer Ballard sent a certified letter to the address which was returned to the Philadelphia District Office building as undeliverable. There is no business phone number listed in the Commission's files.

4. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

5. That Respondent, by failing to furnish adequate, efficient, and safe service and facilities within 30 days after receipt of a certificate and by not reporting an interruption of service for more than 48 hours with a cause of interruption, violated 52 Pa. Code § 29.61 and § 29.62.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at Docket No. A-00107461.

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, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/20/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Time Taxi, Inc.; Docket No. C-2015-2456717

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Time Taxi, Inc., (respondent) is under suspension effective October 24, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 6 County Lane Way, Philadelphia, PA 19115.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 20, 1996, at A-00113120.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00113120 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: 1/6/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Barry C. Jackson t/a V-Day Van Service; Docket No. C-2015-2457315

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Barry C. Jackson, t/a V-Day Van Service, Respondent, maintains its principal place of business at 2208 Nora's Court, North Wales, Pennsylvania, 19454.

2. That Respondent was issued a certificate of public convenience by this Commission on January 30, 2006 at Application Docket No. A-00122042.

3. That on November 19, 2014, PUC Enforcement Officer Joseph Ballard attempted to contact listed owner Barry C. Jackson regarding an annual inspection at the number listed with this Commission but the number was disconnected. Officer Allen traveled to the carrier's location listed above and was informed that carrier moved approximately three years ago. A web search revealed no additional information useful in locating the carrier.

5. That Respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service.

6. That respondent, by failing to furnish adequate, efficient, and safe service and facilities within 30 days after receipt of a certificate and by not reporting an interruption of service for more than 48 hours with a cause of interruption, violated 52 Pa. Code § 29.61 and § 29.62.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by respondent at Docket No. A-00122042.

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, 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: 2/4/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Madalyn Maty Ciabattoni t/a The Reading Express Airport Shuttle; Docket No. C-2015-2457536

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Madalyn Maty Ciabattone, t/a The Reading Express Airport Shuttle, (respondent) is under suspension effective November 20, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 401 Perkasio Avenue, West Lawn, PA 19609.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 11, 2009, at A-6410464.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6410464 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: 1/13/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**VEHICLE INSPECTION BUREAU
COMPLAINT FORM**

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Harrisburg City
Cab Inc., A-00122208; Docket No. C-2014-2459351**

COMPLAINT

The Pennsylvania Public Utility 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 with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

Harrisburg City Cab Inc.
1601 Paxton Street
Harrisburg, PA 17104

Inspection Information:
Location: 17th Street, Harrisburg, Dauphin
Date and Time: 10-7-14 11:00 a.m.

Vehicle Information:
Year, Make, Model: 2009 Dodge Caravan
State, Tag & VIN: PA, TX47882, 2D8HN44EX9R564390
DVCR # 004111118 Authorized Officer Performing Inspection: Timothy C. Troxell

On the date and at the time described on page one of this Complaint, the following violation was disclosed:

52:29.314(6) Fast meter—Meter calibration checked over measured mile course; displayed the mileage rate prior to the 100 foot tolerance mark.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine respondent the sum of \$500 for the illegal activity described in this Complaint and order any other remedy as the Commission may deem appropriate.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
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 the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/9/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

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 paying the full civil penalty within 20 days. Your check or money order for the civil penalty must include the Complaint's docket number in the memo line. It should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Four Seasons
Limousine Service Inc; Docket No. C-2015-2468942**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Four Seasons Limousine Service Inc, (respondent) is under suspension effective February 07, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1524 McKean Street, Philadelphia, PA 19145-3006.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 19, 2008, at A-2008-2055287.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2008-2055287 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/25/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Med Transit LLC;
Docket No. C-2015-2469684**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Med Transit LLC, (respondent) is under suspension effective February 02, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P O Box 5468, Philadelphia, PA 19143.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 17, 2013, at A-6414780.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6414780 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: 3/9/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Dean E. Hildebrecht; Docket No. C-2015-2469830

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Dean E. Hildebrecht, (respondent) is under suspension effective February 21, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 26 High Street, Felton, PA 17322.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 01, 2001, at A-00118340.

4. That respondent has failed to maintain evidence of both Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and En-

forcement'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-00118340 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: 3/9/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

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. Aord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
 Services
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of
 Investigation and Enforcement v. Donald Elwood
 Dorr t/a Wilkesburg Moving Exchange;
 Docket No. C-2015-2474855**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities

within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Donald Elwood Dorr, t/a Wilkesburg Moving Exchange, (respondent) is under suspension effective March 23, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 900 Middle Avenue, Wilmerding, PA 15148.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 29, 1965, at A-00091972.

4. That respondent has failed to maintain evidence of both 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-00091972 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/2/2015

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
 Services
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Kastriot Isai t/a Isai Trucking; Docket No. C-2015-2475030

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Kastriot Isai, t/a Isai Trucking, (respondent) is under suspension effective March 24, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 5479 Rinker Circle, Doylestown, PA 18902.

3. That respondent was issued a Certificate of Public Convenience by this Commission on May 21, 2007, at A-00123657.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00123657 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/16/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. 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.

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Pennsylvania Public Utility Commission
P. O. Box 3265
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F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-987. Filed for public inspection May 22, 2015, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by June 8, 2015. The nonrefundable protest filing fee is \$2,500 payable to the PPA by certified check or money order. The application is available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m. Monday through Friday (contact Christine Kirlin, Esq. to make an appointment) or may be inspected at the business address of the respective applicant.

Doc. No. A-15-04-02. WAV Trans Inc. (2301 Church Street, Philadelphia, PA 19124): An application for a medallion taxicab certificate of public convenience to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

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

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Joseph Deihl 661 Creek Road Port Royal, PA 17082	Juniata County/ Spruce Hill Township	285.83	Broilers	New	Approved
Noah W. Kreider & Sons, LLP— Manheim Farm 425 and 525 Indian Village Road Manheim, PA 17545	Lancaster County/ Penn Township	6,563	Layer	Amended	Approved
Hillandale Gettysburg, LP— Bailey Farms, Site 1 and 2 2820 Daron Road Spring Grove, PA 17362	York County/ Codorus Township	5,303.58	Layers	New	Approved
Linford Snyder—Emway Farms 820 Luxemburg Road Lykens, PA 17048	Dauphin County/ Lykens Township	1,898.58	Layers/ Lamb/ Cattle	New	Approved
Kimberly Schlappich 1359 Main Street Mohrsville, PA 19541	Berks County/ Centre Township	148.1	Ducks	New	Approved
Valerie Jorgenson 190 Golf Drive Cresco, PA 18326	Monroe County/ Barrett Township	29.26	Horse/ Layer	New	Approved
Kervin Weaver 59 Short Lane Fleetwood, PA 19522	Berks County/ Richmond Township	308.22	Broilers	Amended	Approved
Martin Farms 167 Overcash Road Chambersburg, PA 17202	Franklin County/ Guilford Township	0	Cattle	Amended	Approved
JSR Management, LLC 1655 Phillips Lane Mohrsville, PA 19541	Berks County/ Upper Bern Township	1,473.6	Swine/ Layers	Amended	Approved
Noah and Travis Martin 1821 SR 184 Trout Run, PA 17771	Lycoming County/ Cogan House Township	356.71	Swine	New	Approved
Stephen G. Miller 2712 Creek Hill Road Leola, PA 17540	Lancaster County/ Upper Leacock Township	44.13	Cattle/ Layer	Amended	Approved
LeRoy Martin 522 Staver Road Reinholds, PA 17569	Lancaster County/ Brecknock Township	170.96	Broilers	New	Approved

JOHN QUIGLEY,
Acting Chairperson

[Pa.B. Doc. No. 15-992. Filed for public inspection May 22, 2015, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids (bid document 15-0003) for individual student tool sets for the following programs of study: Automotive Technology; Carpentry Technology; Collision Repair Technology; Heating, Ventilation and Air Conditioning; Machine Tool and Computer Aided Design; Metals Fabrication and Welding; and Plumbing. Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, harmon@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 15-993. Filed for public inspection May 22, 2015, 9:00 a.m.]
